

What to Expect in the 2025 H-1B Season

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The 2025 H-1B Cap Season is upon us, along with a new administration. There will likely be numerous changes at United States Citizenship and Immigration Services (USCIS) regarding policy and regulation, but in the immediate term, let's take a look at the upcoming H-1B lottery and what we can expect.

Increased Application Fee

The filing fee for H-1B lottery applications has increased significantly for this cap season, jumping to \$215 per application. USCIS increased fees across the board last year and has provided a fee calculator to assist petitioners and applicants: [Calculate Your Fees | USCIS](#).

Site Visits and Increased Compliance

Recent rule changes at USCIS have expanded compliance requirements for H-1B employers. While site visits have long been a part of the H-1B program, the increase in third-party worksites and remote work has prompted USCIS to adjust enforcement accordingly. Additionally, worksite inspections and stricter enforcement of immigration rules are expected to increase under the new administration.

Don't Forget the H-1B for Entrepreneurs

Individuals who own more than 50% of the sponsoring H-1B business can now qualify for H-1B status. These new petitions are limited to an initial 18-month validity period but represent a significant opportunity for entrepreneurs who previously would have missed out on the H-1B lottery.

Revisions to H-1B Specialty Occupations

Regulatory updates to the definition of "specialty occupation" have been implemented by USCIS, tightening key qualification areas related to the proposed position and the employee's education.

Specifically:

- Positions requiring a general or nonspecific degree will no longer qualify for H-1B purposes.
- Individuals with a general degree must demonstrate how their coursework directly relates to their proposed position.
- Employers must justify how each accepted degree is directly related to the role when multiple degree fields are listed as acceptable qualifications.

- These changes add complexity to certain occupations and underscore the importance of seeking legal advice early in the H-1B lottery process.

Expect the Unexpected

With a new administration taking the reins, significant changes to legal immigration policies are likely in the coming months and years. While there may not be enough time to implement major changes before this year's H-1B lottery, we could see slowdowns in USCIS processing and potential disruptions in visa issuance.