

MEMORANDUM

To: Corporate Client
From: Gus M. Shihab, Esq.
Subject: Attorney Fees for CAP-subject H-1B Visa

I. The H-1B Visa Electronic Registration Process – H-1B Lottery

We are gearing up for the upcoming H-1B electronic registration process for the H-1B visa cap season (FFY 2027) – also known as the H-1B visas lottery process.

The electronic registration process requires employers to first register the names of candidates whom they wish to have cap-subject H-1B visa petitions filed. **The New Rules effective February 27, 2026, demand the registration now include the wage and occupational code for the position. The New Rule in essence grants greater chance of selection for the higher the wage Please see detailed explanation on Page 2.**

Employers will then be **required** to file petitions for those beneficiaries selected within 90 days after the selection is announced. We are modeling the timelines based on the experience from last year, as the dates have yet to be announced. Here are some key timelines:

- Registration will **begin** the first week of **March 2025** and will **close** on approximately **March 18-25, 2026 at Noon EST**, unless extended due to technical issues in rare circumstances.
- The Selection Process (lottery) will be announced by no later than **March 31, 2026**.
- Petition Filings for H-1B visa lottery winners must be made between **April 1, 2026** and **June 30, 20256**.

Please note, the pre-registration process requires you, as the Petitioner, to attest that an H-1B petition will be filed on behalf of the named Beneficiary, if selected. Therefore, if you have any concerns about the viability of the proposed filing, we suggest you notify us immediately to save time and expense on your end. If your organization is not very familiar with this process, we highly recommend you request a time to speak with one of our highly skilled attorneys to ensure viability of your selected employee's petition and ultimate success and/or timely steps that must be taken prior to registration and ultimately filing. Note that our office conducts pre-registration reviews on all cases, to ensure we are able to notify you of any concerns prior to the actual registration. Our team will handle your organization's creation of the fairly new USCIS Organizational Accounts, if not already done, to ensure you have ease of access with the new system that was unveiled years ago and made accessible to employers February 28, 2026. This new system allows your organization to assign administrators and members to your organization, and boasts a more accessible platform for the advancement of online filings, and H-1B CAP registrations.

II. Changes to the H-1B CAP Process

Unless otherwise stated, the prior random selection lottery system has been converted to a more weighted process. In this case, Registrants being offered a higher Wage Level pursuant to their Job Classification will be offered a greater chance at selection, as detailed below:

- Wage Level 4 Registrants will be entered into the selection pool four times;
- Wage Level 3 Registrants will be entered into the selection pool three times;
- Wage Level 2 Registrants will be entered into the selection pool two times;
- Wage Level 1 Registrants will be entered into the selection pool one time.

Wage Levels vary by Area of Employment, Occupational Classification, and other factors. For example, the two Occupational Codes are for Franklin County, Ohio for Software Developers and Data Scientists. An individual falling under the Occupational Classification of Software Developer with an Offered Wage of \$140,026.00 (Level 4), will be entered into the selection pool four times. Similarly, an individual falling under the Occupational Classification of Data Scientist with an Offered Wage of \$125,091.00 (Level 4), will also be entered into the selection pool four times. This does not mean that a Level 1 Registrant will not be selected, but rather that the Level 4 Registrant has a greater chance at selection.

Geo Level SOC Code SOC Title			1 15-1252 Software Developers	Geo Level SOC Code SOC Title			1 15-2051 Data Scientists
Wage Level	Hourly	Yearly	Wage Level	Hourly	Yearly		
I	\$39.83	\$82,846.00	I	\$28.23	\$58,718.00		
II	\$48.99	\$101,899.00	II	\$38.87	\$80,850.00		
III	\$58.16	\$120,973.00	III	\$49.50	\$102,960.00		
IV	\$67.32	\$140,026.00	IV	\$60.14	\$125,091.00		
MEAN (H-2B)	\$58.25	\$121,160.00	MEAN (H-2B)	\$49.61	\$103,189.00		

While the process has changed, and may be reflected differently in the coming weeks, our office is prepared to represent you, and inform you regarding these drastic changes.

III. Our Services

We will be processing H-1B visa cases in the following two-tier system:

Tier One: (Petitions filed between **April 1 – April 30**): These petitions will be prepared prior to selection to ensure timely filing and adjudication of petitions. As petitions will be adjudicated on a first-in basis, this will provide the best chance of approval prior to the October 1 H-1B start date, without the need of the costly Premium Processing Service (set to increase this year). Filing during this period may also be beneficial to those on F-1 OPT that would benefit from the CAP-gap extension. **Note that this process will be billed immediately.** If not initially selected, but later selected through the possible second/third round of selections that may be released, the petition will be ready for filing based on these prior preparations, rather than a separate fee.

877-479-4USA (4872)



www.shihablawyers.com

Tier Two: (Petitions filed between **May 1 – June 30**): These petitions will be prepared and filed after all Tier One cases have been submitted. All necessary information and documentation should be provided to our office no later than **May 1** to allow adequate time for preparation. **This process will be billed ONLY after April 1, if your candidate is selected in the lottery.**

IV. Attorney Fees & Costs

Below, please find attorney fees and costs associated with the various services we are offering in connection with the newly established electronic registration system:

H-1B Visa	Attorney fees	USCIS fees	Costs
Registration Service with Wage and Occupational Classification Review	\$1,200	\$215	\$100*
Tier One H-1B Filing (Petitions filed between April 1 – April 30)	\$3,300	TBD**	\$100
Tier Two H-1B Filing (Petitions filed between May 1 – June 30)	\$3,800	TBD**	\$100

*An additional charge of \$200 will be billed for an initial company registration based on the USCIS organizational account system. Additional registrations for the same organization will not be billed this additional fee.

**Current USCIS filing fees are determined based on the size of the petitioning organization and range between \$960 - \$3,380. NOTE: USCIS filing fees are subject to change.

Signed: _____

877-479-4USA (4872)



www.shihablawyers.com

V. H-1B Process Selection & Registration Information:

Please provide the following information for the Registration. Note, as part of our Pre-Registration Review process, we will be in touch to request additional information as soon as the case has been initiated. This page must be completed for each prospective Beneficiary:

Company Information	
Legal Name of Petitioner/Organization:	
FEIN:	
Primary U.S. Address of Organization:	
Legal Name of Authorized Signer:	
Title of Authorized Signer:	
Phone of Authorized Signer:	
Email of Authorized Signer:	

Beneficiary Information	
Legal Name of Beneficiary:	
Gender:	
Email Address:	
Offered Wage and Job Title:	
Brief Job Description:	
Date of Birth:	
Country of Birth/Country of Citizenship:	
Passport Number (and Expiration Date):	

Please indicate your desired process for the specific individual listed above:

H-1B Visa Desired	Check
Registration Service	X
Must Choose one:	
Tier One H-1B Filing	
Tier Two H-1B Filing	

Signed: _____