

## H-1B Electronic Registration Frequently Asked Questions

### **Q. What happens if the prospective beneficiary does not have a last name? What do you enter into the system?**

- A: If there is only one name for a beneficiary, it should be entered as the last name. The first and middle name fields will have check boxes that indicate “Beneficiary does not have a first name” or “Beneficiary does not have a middle name.” These boxes should be checked in these instances. Do not enter placeholders, such as “FNU”, “LNU”, “Unknown”, or “No Name Given.”

### **Q. Is there an appeal process for registrations determined to be invalid duplicates?**

- A: Registrations that are determined to be duplicates will be invalid. A registrant who submits duplicate registrations will not be able to appeal the invalidation.

### **Q. If you are registering for the master’s cap based on the expectation that the beneficiary will earn a qualifying advanced degree, and you are actually selected under the master’s cap, but, the beneficiary does not obtain their qualifying advanced degree, is there a risk that the cap-subject H-1B petition for that beneficiary will be denied?**

- A: If a registration is submitted requesting consideration under the INA 214(g)(5)(C) advanced degree exemption because the beneficiary has earned, or will earn prior to the filing of the petition, a master’s or higher degree from a U.S. institution of higher education, and the registration is selected under the advanced degree exemption, the beneficiary must be eligible for the advanced degree exemption at the time of filing the I-129 petition. If the beneficiary is selected under the advance degree cap and has not earned a qualifying master’s or higher degree from a U.S. institution of higher education at the time the petition is filed, the petition will be denied or rejected.

### **Q. How will USCIS address a scenario where the prospective employer with a selected registration puts an address on their registration but moves before they file their I-129 petition, such that the addresses on their registration and Form I-129 don’t match?**

- A: Petitions will not be rejected solely because the petitioner’s address on the registration and the petition are not the same. However, in such situations, petitioners should include a statement with their petition, with supporting documentation, explaining why the address on the registration differs from the address on the petition. If USCIS is not able to determine that the petitioning entity is the same as the prospective petitioner identified on the selected registration, the petition may be rejected or denied.

### **Q. What start date should petitioners with a selected registration indicate on their Form I-129?**

- A: If your selected registration was submitted during the initial registration period of March 9 to March 25, you must indicate a start date of October 1, 2021, on your petition or your petition will be rejected or denied.

### **Q. If there is a typo on the registration in comparison to the I-129, will USCIS reject the registration?**

- A: Although we will not automatically reject for typos on the registration in comparison to the I-129, the burden is on the registrant/petitioner to confirm that all registration and petition

information is correct and to establish that the H-1B cap petition is based on a valid registration submitted for the beneficiary named in the petition and selected by USCIS. As noted above, petitioners with a registration selected during the initial registration period must indicate a start date of October 1, 2021 on their Form I-129 or the petition will be rejected or denied, regardless of whether the petitioner claims that a different start date was the result of a typo.

**Q. Will the H-1B registration system affect how USCIS handles the prohibited filing of multiple H-1B petitions on behalf of the same beneficiary by related entities?**

- A: The prohibition on an employer or related entities filing multiple H-1B cap petitions on behalf of the same beneficiary has not changed and USCIS' handling of multiple H-1B cap petitions is consistent with 8 CFR 214.2(h)(2)(i)(G) and Matter of S- Inc., Adopted Decision 2018-02 (AAO Mar. 23, 2018).

**Q. Where should a petitioner with a selected registration file their Form I-129 and supporting documentation?**

- A: Petitioners should file at the location indicated on the H-1B selection notice, which may be different from the historical I-129 filing jurisdictions for cap cases. The USCIS "Direct Filing Addresses for Form I-129, Petition for a Nonimmigrant Worker" webpage will be updated to reflect that petitioners must file at the service center listed on their selection notice.

**Q. What happens if a legal representative submits a registration but subsequently ceases to represent the registrant?**

- A: It is up to the representative and prospective petitioner to ensure that the prospective petitioner maintains access to submissions made on their behalf, and any updates related thereto. If a prospective petitioner no longer wants their attorney involved, they can terminate the relationship with the representative, and the registrant will still be able to see all registration information in their own registrant account(s). Note, however, that it will not be possible to add a new attorney or representative to H-1B registrations prepared or submitted by the prior attorney.

**Q. If a prospective petitioner submits registrations on behalf of unrelated beneficiaries who happen to have the same name, date of birth and no passport numbers, would those registrations be considered duplicates?**

- A: Yes, if a prospective petitioner submits two registrations for individuals with the same name, date of birth, and no passport number, the registrations will be invalidated as duplicates. Note, however, that registrants are required to provide the passport numbers or affirmatively indicate that the beneficiary does not have a passport number. Passport numbers should help to avoid the scenario described in the question. Note also that USCIS will be analyzing the data of submitted registrations for fraud trends and registrants who abuse or attempt to abuse the system may be referred to appropriate federal law enforcement agencies for investigation and further action as appropriate.

**Q. Will the system prevent the representative and the registrant from both entering the same beneficiary?**

- A: The system will not prevent a representative and a registrant from both registering the same beneficiary. The representative and the registrant are responsible for ensuring that duplicate registrations are not submitted.

**Q. I am a legal representative submitting the H-1B registration online and the G-28 asks if I have an online account and what my account number is. How do I find it?**

- A: If you have paper-filed cases that are eligible to be added to your online account, your USCIS notices for those cases should include your online account number. If you do not know your account number, this will not affect your H-1B registration. Click “No” to this question and move on to the next question.

**Q. If I have an existing applicant myUSCIS account, do I have to create an H-1B registrant account? What happens to my old account? Do I need to use a new email address to set up the H-1B registrant account?**

- A: Yes, you will need to create a new account. The existing applicant account type will not work for H-1B electronic registration. You will need to use a new email address to set up the H-1B registrant account type.

**Q. What if I choose the wrong account type when I am creating a USCIS online account? Will I be able to change it to the correct account type later?**

- A: You will not be able to switch to a different account type yourself once you make an initial selection. Please choose the correct account type, H-1B Registrant or Legal Representative, as applicable, when you are creating your account. Only these two account types will work with the H-1B electronic registration process. If you choose the incorrect account type, you may either use a new email address to create a new account in myUSCIS and choose the correct account type. You can visit the H-1B Electronic Registration Process page to read instructions, view videos, and download step-by-step presentations about the different account types and how to set up an account.

**Q. Will both the attorney and the client need to create a USCIS online account for the H-1B electronic registration process?**

- A: Both the client and attorney will need a USCIS online account for the H-1B electronic registration process. If you are an attorney and already have an existing legal representative account, it will work with the H-1B electronic registration process. You do not need to create a new legal representative account, unless you do not have one.

All clients will need to create an H-1B registrant account to review and approve the G-28 and H-1B registrations as part of the electronic registration process.

**Q. If there is a duplicate registration in a submission batch, does it affect all registrations in the batch or only the duplicate registration?**

- A: Only the beneficiary with a duplicate registration will be deleted from the selection process. If you properly submitted other registrations for different beneficiaries, these valid registrations will remain in the system for the selection process. You have until March 25 while the initial registration period is still open, to log into your account, to review all of your H-1B registrations and delete any duplicate registrations. This is also true if one of the registrations submitted in a batch contains an error. You would be able to delete the registration for the beneficiary that contained the error without affecting the rest of the batch submission.

**Q. Is the G-28 client passcode sent to the client?**

- A: No, the client passcode is not sent directly to the client. When the legal representative submits the G-28, the system will generate the client passcode. The legal representative will

need to share this passcode with the client, so the client can add them as a representative and have access to review and approve the draft H-1B registration and G-28.

**Q. As a legal representative, will there be a different one time code generated that we send to the client each time we go in to view or edit the G-28? Or will the client use the same code that was generated at the initial creation of the G-28, each time they log in to review or edit it?**

- A: The unique code that is generated when you create the G-28 remains on your homepage. If you log out and log back in later, you will be able to view that same code that you will need to provide to your client. It does not change. If you create a new G-28, the system will generate a new passcode for the new G-28.

**Q. As a legal representative, how will I know that my client has gone in and approved my G-28 and the H-1B registrations?**

- A: You can log into your account to check if the client has approved the G-28 and the H-1B registrations. You will not get a specific notification from our system.

**Q. After the legal representative submits a registration, will the client be notified via email or by logging into their account?**

- A: The legal representative will need to notify the client that the registration and G-28 were entered for the client's review; or the client can see the registrations and G-28 by logging into their account. The client will not be notified from our system.

**Q. Can an attorney later represent a client for an I-129 petition, if the client completed the H-1B electronic registration process without the help of the attorney?**

- A: Yes. The attorney, however, would need to file a G-28 with the Form I-129 H-1B petition to authorize their representation. Note that even if the attorney submitted a G-28 to represent a client for the registration process, they would still need to submit a new G-28 with the I-129 petition.

**Q. How do I reset the password for my USCIS account or get technical support?**

- A: To reset your password, please visit "Forgot Your Password?" page: <https://myaccount.uscis.gov/users/password/new>.

To review the steps on how to create an online account, sign into your account, or complete an H-1B registration with USCIS, visit the [H-1B Electronic Registration Process](#) page.

If you need other technical support, please call the USCIS Contact Center at 800-375-5283. You may also use our [online form](#) but will get faster service by calling.

**Q. What is the earliest date I can start drafting registrations and G-28s?**

- A: Noon Eastern, March 9, 2021.

**Q. Will the system allow for multiple members of staff to log into my account at the same time?**

- A: No. You must agree to Terms of Use that include an attestation that you are the person that holds the account, and you will not share your account with others or allow others to use your account.

**Q. How should a registrant with a selected registration notify USCIS if they do not intend to file a petition?**

- A: Since no H-1B petition will be filed, there will be no paper file in which USCIS can pair the notification with the registration. USCIS suggests that the employer retain documentation evidencing the reason for non-filing and present it to USCIS if questioned.

**Q. If a registration is selected and the petition is filed during the 90-day period, but it is rejected, will a petitioner be eligible to refile if they are still within the 90-day window?**

- A: A petitioner is eligible to refile their rejected petition during the designated 90-day filing window. The petitioner should file their petition at the service center indicated on their selection notice and must include all required fees and supporting evidence with the filing.

**Q. Will registrations be invalidated as duplicates if the same representative submits two registrations for the same beneficiary, but on behalf of two different companies?**

- A: No. Registrations submitted by a representative for the same beneficiary, but on behalf of different prospective petitioners, would not be considered as duplicates. A registration will be considered a duplicate, however, if the registrations are for the same prospective petitioners and the same prospective beneficiaries.

**Q. If one person is the authorized signatory for two separate companies, could this person use his/her email with different domain names to set up a registrant account and submit registrations for the two companies?**

- A: Yes, if one person is the authorized signatory for two companies they may submit registrations on behalf of both companies. They will need two separate accounts, one for each company. They will also need a separate e-mail address for each account.

**Q. What happens to my registration submission if the payment fails to initially go through?**

- A: If your payment initially fails or is canceled before it can be processed on Pay.gov, you will see a payment failure notification on screen and your registration will not be submitted. Your registration data will be available in your account for 30 days from the date you last worked on your registrations. You can sign into your account at any time before the initial registration period closes at noon Eastern on March 25, 2021, to try the payment and registration submission again. All registrations and payments must be submitted successfully before noon Eastern, March 25, 2021, for consideration in the initial registration period selection process.

**Q. What happens if my payment initially clears, but subsequently fails (e.g. payment is made using an electronic check that is subsequently returned by my bank)?**

- A. It is your responsibility to submit valid payment.

When paying with check, please be sure to enter the bank routing number and bank account number accurately. While the status of the registration in the system will indicate “submitted” following completion of the Pay.gov payment process, the submission will only be valid once your payment clears. If your checking information is not accurate, your payment will be declined when presented to your financial institution. If your payment is declined, your H-1B registration will be canceled.

If payment is completed with a credit card or debit card, the status of the registration in the system will indicate “submitted” following completion of the Pay.gov payment process. The submission, however, will only be valid once processing of the payment is completed. If the payment is later declined or disputed, the registration will be canceled.

If your payment fails, USCIS will attempt to notify you, however, the burden will be on you to determine the status of your required payment. If your registration is canceled while the registration period is still open, you will be able to submit a new registration with a valid payment. If your registration is canceled due to a failed payment after the registration period closes, you will not be able to submit a new registration. Registrations can be submitted and paid for until the registration period closes at noon Eastern on March 25, 2021.

**Q. The G-28 client passcode does not work when the client tries to enter it. There is an error message that indicates an email mismatch or invalid passcode. Why is this occurring?**

- A: Prospective petitioners (registrants) must create registrant accounts for H-1B registration and, if submitting registrations through a representative, are required to enter the case access passcode received from their representatives to connect the accounts and submit the registrations. When filling out the G-28, the representative must enter the same email address the registrant used when creating their USCIS account. If the representative entered an incorrect email address for the registrant, the representative can recall the Form G-28 by clicking the “Recall G-28 for edits” button at the bottom of the account homepage. The recall feature is available to the representative once the client has reviewed the registrations, but before the client attempts to link to the representative account. The recall feature is not available if the client has attempted to link the account.

**Q. The PDF of the G-28 is showing “No” for the question that asks if I am eligible to practice law, even though I indicated that I have no restrictions. How do I correct this? Do I need to create new G-28?**

- A: This temporary technical issue has been resolved and the PDF of the G-28 should now indicate the correct response. If you experienced this technical issue and the G-28 incorrectly indicates you are not eligible to practice law, you can return to the G-28 draft that you created and select “view pdf” to see the resolved version of the G-28 pdf.

**Q. If an attorney represents a company that has several offices throughout the U.S. that has the same employer identification number, but different HR contacts (signatory representatives for each of the offices or departments), how does the attorney set them up as a client and allow the contact for each division to sign for submissions of employees in their division? Do they need to select only one company contact for all their offices?**

- A: The attorney can designate multiple authorized officials within a client company. The company would need to have the individuals at each office create their own registrant account for which they are authorized to sign. The attorney would then be able to send the registrations to the relevant authorized official for that submission.

**Q. May an authorized signatory within the company, who is different from the authorized signatory that signed the H-1B electronic registration, sign the paper Form I-129?**

- A: Yes. The authorized signatory that signed the registration does not need to be the same authorized signatory that signs the Form I-129. However, the prospective petitioner (registrant) at the registration stage must match to the petitioner at the Form I-129 stage.