



MELTZER HELLRUNG
IMMIGRATION SOLUTIONS

PREPARING FOR THE H-1B LOTTERY

What You Need To Know for 2025
(FY 2026 H-1B Lottery)

January 30, 2025



INTRODUCTION



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INTRODUCTION

- **Founded in 2014, Meltzer Hellrung combines an innovative service model, proprietary technology, and a creative immigration team to assist companies in scaling and streamlining immigration programs, increasing access to talent, and expanding into new markets**
- **200+ corporate clients, including Global 200, Fortune 500, and venture-backed unicorns in transportation, SaaS, Logistics, AI, manufacturing, and education**
- **Recognized in 2023 by Crain Magazine as a top 100 best places to work in Chicago**

INTRODUCTION

- **Meltzer Hellrung has been ranked in the Illinois Chambers Spotlight 2025 Guide and recognized as a top law firm handling high-quality work.**
- **The Chambers Spotlight recognition underscores our position as a key player in the Illinois' legal landscape, offering clients throughout the state access to high-quality legal representation that combines big-city expertise with local specialized support.**

[Meltzer Hellrung Profile](#)





Responsive

Average Email Response
Time: 4.5 hours

Efficient

Transfer case turnaround:
10 business days

Client-focused

90+ NPS Scores

Program Management

Account team, regular
touchpoints

VOYAGER®



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VOYAGER®

- **Voyager is our proprietary immigration program management platform designed to provide a better immigration experience for employers and employees**
- **Voyager is operated by our exceptionally skilled attorneys, paralegals, and legal assistants to fulfill our mission of providing the best immigration experience**
- **Voyager drives process efficiency, transparency, and centralization of all immigration information throughout the sponsorship process**



Core Features:

- **Dashboards or HR/FN that drive transparency throughout all immigration processes**
- **Efficient workflow automations that will save employers' and employees' time**
- **Extensive immigration reporting capabilities for HRs**
- **Comprehensive knowledge center**



Enhanced Immigration Reporting

The screenshot displays the 'Reports' dashboard. At the top left is the 'M/H' logo. The main header includes 'MY PROCESS REQUESTS', a notification bell, a plus sign, and the user profile 'MAXTRADA'. Below the header are three summary cards: 'Active Foreign Nationals' (133), 'Active Companies' (2), and 'Open Cases' (58). A 'CREATE NEW REPORT' button is located on the right. The dashboard is divided into two columns: 'Report Templates' and 'Recent Reports'. The 'Report Templates' column lists 'Key filing date check' (Standard, 5 Columns, 0 Filters) and 'Advanced Parole Exp. Date' (8 Columns, 0 Filters). The 'Recent Reports' column lists 'H-1B Lottery Selection Due Date' (From Template, 5 Columns, 0 Filters, Completed) and 'Citizenship Eligibility Date' (From Template, 8 Columns, 0 Filters, Completed). A sidebar on the left contains navigation icons for home, profile, users, and reports.

PRESENTERS



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 PRESENTERS



MATTHEW HELLRUNG

Co-Founder and Managing Partner

Specializes in scaling immigration programs for high-growth clients via immigration policy creation and stakeholder training.



MATTHEW MELTZER

Co-Founder and Managing Partner

Specializes in assisting foreign companies to enter the U.S. market and building custom solutions for entrepreneurial and high net-worth clients. Most recently recognized as one of Crain's Chicago Business Notable Leaders in Accounting, Consulting & Law!

AGENDA



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AGENDA

- **H-1B Overview**
- **What is a Specialty Occupation?**
- **H-1B Lottery and New Visa Availability**
- **H-1B Lottery Registration Process**
- **Who to Consider for H-1B Lottery Sponsorship**
- **Lottery Exempt Entities and Individuals**
- **H-1B Lottery Timeline**
- **F-1 OPT and Cap Gap**
- **What will an employer need to provide?**
- **What will an employee need to provide?**

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H-1B OVERVIEW



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H-1B OVERVIEW

- **General purpose visa for positions that require a bachelor's degree or higher**
 - Not for general purpose positions, but rather ones that require training in a particular field or fields
 - Common position include software developers, engineers, accountants, medical doctors, economists, and data scientists
- **Employee must have a related degree**
- **Required to pay prevailing wage as set by Department of Labor**
 - Equity does not count as wages
 - W-2 employees only, no independent contractors
 - Full time or part time available
- **Three-year visa approval, up to six years available**
 - 6-year max out can be waived through green card sponsorship process

WHAT IS A SPECIALTY OCCUPATION



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WHAT IS A SPECIALTY OCCUPATION

- **Must meet one of the following four criteria:**
 - Bachelor's or higher degree or its equivalent is normally the minimum entry requirement for the position
 - The degree requirement for the job is common to the industry or the job is so complex or unique that it can be performed only by an individual with a degree
 - The employer normally requires a degree or its equivalent for the position
 - The nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with the attainment of a bachelor's or higher degree
- **The employer must also demonstrate there is sufficient work available for the candidate to perform.**
 - Extremely small (3 or fewer employees) can struggle with this requirement

H-1B LOTTERY AND NEW VISA AVAILABILITY



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H-1B LOTTERY AND NEW VISA AVAILABILITY

- **65,000 new first time H-1B visas available each year**
 - 20,000 additional slots for individuals with U.S. master's degrees (including MBA, PhD, MD, JD, etc.)
- **~442,000 eligible registration in 2024 (FY 2025 lottery)**
 - Ultimately 114,017 selections (25.8%)
- **~759,000 registrations in 2023 (FY 2024 lottery)**
 - Ultimately 188,230 selections (24.8%)
- **2025 lottery expectations: similar submission and selection rates to 2024, maybe slightly lower submission due to the increase in H-1B lottery fee**

H-1B LOTTERY - RECENT REGULATORY CHANGES



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H-1B LOTTERY – PROPOSED REGULATORY CHANGES

- **Change lottery to candidate selection rather than employer submission selection**
- **Candidate with multiple job offers is not favored**
- **Fee goes up from \$10 to \$215 in 2025 (FY 2026 lottery)**
- **Other changes will be discussed in subsequent slides**
- **Greater clarity that majority owners can now sponsor themselves through their companies**
- **Higher scrutiny and documentation requirements for employers placing employees at client sites**

WHO TO CONSIDER FOR H-1B LOTTERY SPONSORSHIP



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- **Recent U.S. graduates in J-1, F-1 OPT or CPT status**
- **Foreign employees in consideration for a transfer to the US**
- **Employees on single intent visas such as TN, E-3, and H-1B1**
- **Indian and Chinese employees in L-1 status**
- **With threat of Trump action, all employees on DACA, Temporary Protected Status (TPS), and employees in dependent status: H-4, L-2, E-3D, E-2D**

LOTTERY EXEMPT ENTITIES AND INDIVIDUALS



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LOTTERY EXEMPT ENTITIES AND INDIVIDUALS

- **Individuals who have had an H-1B approved previously, regardless of how long ago it was approved, generally do not need to go through the lottery**
 - As long as the person has not used up six years of H-1B status
- **Lottery Exempt Employers**
 - Universities and related nonprofit entities, nonprofit research organizations and government research organizations are exempt from the lottery
 - Opportunity for nonprofits such as museums, think tanks, public schools, universities, research organizations

H-1B LOTTERY TIMELINE



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 **H-1B LOTTERY TIMELINE**

- **January–March: Open a case with Meltzer Hellrung**
- **March: 2024 registration period will open**
- **March 31st: Date by which lottery results must be provided**
- **April 1st–June 30th: Submission period for initial lottery selections**
- **July 30th: Second lottery selection round (if needed)**
- **August 1st-October 31st: Submission period for second lottery selections**
- **October 1st: earliest date H-1B lottery approvals are effective**

F-1 OPT AND LOTTERY GAP



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F-1 OPT AND LOTTERY GAP

- **Employees on F-1 OPT and submitted in the lottery are eligible for an extension of work authorization through April 1st of following year if their work authorization ends between April 1st and September 29th of current year**
 - Ex. - Aparna's STEM OPT expires June 30, 2025 and she's been submitted in the H-1B lottery, she may receive an cap-gap OPT extension until April 1, 2026
- **H-1B lottery cases are not guaranteed approval by October 1st**
- **Premium processing recommended if the lottery case is still under review in March**

WHAT WILL AN EMPLOYER NEED TO PROVIDE?



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WHAT WILL AN EMPLOYER NEED TO PROVIDE?

- **Complete onboarding questionnaire in Voyager (30 mins)**
- **Recent financial statements and marketing materials**
- **Full name and email of employee**
- **Job description and offered salary of employee**
- **Employment contract/job offer**
- **Statement of Work and/or Master Services Agreement if employee is at third-party worksite**
- **Create company's H-1B lottery account w/MH guidance**

WHAT WILL AN EMPLOYEE NEED TO PROVIDE?



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WHAT WILL AN EMPLOYEE NEED TO PROVIDE?

- **Diploma(s)**
- **Transcripts and work locations**
- **Education evaluation if the individual did not earn a U.S. degree**
- **Resume**
- **Passport**
- **I-20's, if attended school in the U.S.**
- **EAD, if applicable**
- **Previous I-797 approvals, if applicable**
- **I-94, if in the United States**
- **Last two pay stubs, if currently employed**

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Trump's Executive Actions on Immigration



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TRUMP'S EXECUTIVE ACTIONS ON IMMIGRATION

- **Clear signal that immigration policies are changing overall**
- **New asylum claims and refugee resettlement are paused**
- **Individuals on parole of various kinds are at risk of deportation**
- **Effort to end birthright citizenship going forward, currently paused by court**
- **Enforcement practices and policies changed to focus on all individuals unlawfully present in US**
- **The executive orders do not focus on employment-sponsored petitions at this time**
- **Declaration of “invasion” at the border, along with designating cartels as terrorist organizations, opens door for broader use of U.S. military in border security and deportations**
- **Future travel bans used as political/economic leverage**

Consular Processing Services



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CONSULAR PROCESSING SERVICES

CONSULAR PROCESSING SERVICES PRODUCT PROFILE



DS-160 Review

Price: \$450

- We will advise the applicant on completing Form DS-160, the form necessary to schedule a consular interview
- The applicant is responsible for entering the data into the DS-160. However, we will review the entire form prior to submission. That review includes:
 - Review for consistency with the underlying petition submitted to USCIS and current facts.
 - Review for consistency with previous immigration history and previously submitted DS-160s.
 - If the applicant works for a company not represented by Meltzer Hellrung, we will request a copy of the underlying I-129 petition.
- We will guide the applicant on consular payment and scheduling a visa interview appointment and subsequent steps in the visa interview process
- We will provide detailed guidance on what to bring to the interview and written interview tips. If dropbox submission is possible, we will provide a list of documents to submit for dropbox submission.
- Meltzer Hellrung will not provide a printed package of documents for the interview.
- This service does not include a response to a 221(g), should the consulate issue one
- This service does not guarantee an outcome at the consulate.



CONSULAR PROCESSING SERVICES

CONSULAR PROCESSING SERVICES PRODUCT PROFILE



Interview Preparation

Price: \$195

- We offer an additional service of a phone or video call to prepare for the actual interview. Interviews typically are 3-7 minutes, so preparation and confidence are often key to success.
- We recommended this service only for the primary foreign national with an employment visa, not for individuals applying as dependents.
- The service consists of a 20-30 minute phone call with an attorney to discuss the interview experience, how to speak, and how to specifically answer questions.

QUESTIONS?



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