



Fiscal Year 2025: H-1B Petitions

Annual Report to Congress

October 1, 2024 – September 30, 2025

February 11, 2026



**Homeland
Security**

*U.S. Citizenship and
Immigration Services*

Foreword

February 11, 2026

On behalf of the Department of Homeland Security, I am pleased to present the following report, “Fiscal Year 2025: H-1B Petitions,” prepared by U.S. Citizenship and Immigration Services.

Pursuant to statutory requirements, this report is being provided to the following members of Congress:

The Honorable Chuck Grassley
Chairman, Senate Committee on the Judiciary

The Honorable Dick Durbin
Ranking Member, Senate Committee on the Judiciary

The Honorable Jim Jordan
Chairman, House Committee on the Judiciary

The Honorable Jamie Raskin
Ranking Member, House Committee on the Judiciary

Please direct report inquiries to the Department of Homeland Security’s Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew S. Ott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew S. Ott
Acting Assistant Secretary for Legislative Affairs

Executive Summary

The *American Competitiveness and Workforce Improvement Act of 1998*, Pub. L. No. 105-277, div. C, tit. IV, § 416(c), 112 Stat. 2681, imposes quarterly reporting requirements on U.S. Citizenship and Immigration Services (USCIS) concerning the H-1B petition fees and fee exemptions.¹

To fulfill this requirement, USCIS submits the following report to cover Fiscal Year (FY) 2025, October 1, 2024 – September 30, 2025. The report provides information on:

- The number of H-1B petitions;
- The number of employers requiring an additional *American Competitiveness and Workforce Improvement Act of 1998* petition fee as reinstated by the *H-1B Visa Reform Act of 2004*, and those exempt from the nonimmigrant H-1B *American Competitiveness and Workforce Improvement Act of 1998* petition fee; and
- The number of aliens issued visas or otherwise provided H-1B nonimmigrant status pursuant to petitions filed by institutions or organizations described in Section 212(p)(1) of the *Immigration and Nationality Act*, 8 U.S.C. § 1182(p)(1).²

Each section of this report includes quarterly and annual data for FY 2025. The data contained in this report were extracted by the USCIS Office of Performance and Quality in November 2025.

¹ Section 416(c)(2) of *American Competitiveness and Workforce Improvement Act of 1998* imposes annual reporting requirements on USCIS concerning information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued H-1B visas or otherwise granted H-1B nonimmigrant status. This information is contained in the USCIS FY 2025 report to Congress, *Characteristics of H-1B Specialty Occupation Workers*.

² This report also includes information on aliens in the United States who are granted a change of status to, or extension of stay in, the H-1B1 nonimmigrant classification under the United States-Chile or United States-Singapore Free Trade Agreements. This report does not include information on those aliens who are issued an H-1B1 nonimmigrant visa abroad, as an employer is not required to file a petition with USCIS for those aliens.



Report on H-1B Petitions

Table of Contents

I. Legislative Requirement	1
II. Data Report	2
Section 2.1 – Number of H-1B Petitions Filed by Employers and Number of H-1B Petitions Approved by USCIS.....	3
Section 2.2 – Number of H-1B Petitions Nonexempt and Exempt from <i>American Competitiveness and Workforce Improvement Act of 1998</i> Fee	5
III. Appendix	9
Section 3.1 – Background	9

I. Legislative Requirement

Section 416(c)(1) of the *American Competitiveness and Workforce Improvement Act of 1998*, Pub. L. No. 105-277, div. C, tit. IV, § 416(c)(1), 112 Stat. 2681, includes the following requirement:

[T]he Attorney General shall notify, on a quarterly basis, the Committees on the Judiciary of the U.S. House of Representatives and the Senate of the numbers of aliens who were issued visas or otherwise provided nonimmigrant status under Section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act during the preceding 3-month period.³

Furthermore, Section 416(c)(3) of the *American Competitiveness and Workforce Improvement Act of 1998* requires each report to “include the number of aliens who were issued visas or otherwise provided nonimmigrant status pursuant to petitions filed by institutions or organizations described in Section 212(p)(1) of the Immigration and Nationality Act.”

³ As of March 1, 2003, in accordance with Section 1517 of Title XV of the *Homeland Security Act of 2002* (HSA), Pub. L. No. 107-296, 116 Stat. 2135, any reference to the Attorney General in a provision of the *Immigration and Nationality Act* describing functions that were transferred from the Attorney General or other Department of Justice official to the Department of Homeland Security by the HSA “shall be deemed to refer to the Secretary” of Homeland Security. See 6 U.S.C. § 557 (2003) (codifying HSA, Title XV, § 1517).

II. Data Report

This report covers the four quarters of FY 2025 and is presented in two parts:

- Section 2.1 provides information on the number of H-1B petitions; and
- Section 2.2 provides information on the number of employers requiring an additional *American Competitiveness and Workforce Improvement Act of 1998* petition fee as reinstated by the *H-1B Visa Reform Act of 2004* and those exempt from the nonimmigrant H-1B *American Competitiveness and Workforce Improvement Act of 1998* petition fee.

Sections 2.1 and 2.2 of this data report also include information on those aliens in the United States who are granted a change of status to, or extension of stay in, the H-1B1 nonimmigrant classification under the United States-Chile or United States-Singapore Free Trade Agreements. These sections do not provide information on aliens who are issued an H-1B1 nonimmigrant visa abroad, as an employer is not required to file a petition with USCIS for those aliens.

Section 2.1 – Number of H-1B Petitions Filed by Employers and Number of H-1B Petitions Approved by USCIS

Table 1 provides information on the number of H-1B petitions filed by employers in FY 2025 and in previous fiscal years. This table also provides information on the number of H-1B petitions approved by USCIS during this period. Petitions filed in a particular quarter are not necessarily adjudicated in that same quarter.

Pursuant to Section 214(c) of the Immigration and Nationality Act, a U.S. employer using the H-1B program is required to file a petition with the Secretary of Homeland Security on behalf of an alien worker (the beneficiary). The petition must be approved before a visa is issued or an alien is provided nonimmigrant status. Accordingly, petition data is the basis of this report.

A U.S. employer files the petition with USCIS to sponsor an alien worker as an H-1B nonimmigrant. This petition may be filed to sponsor an alien for an initial period of H-1B employment or to extend the authorized stay of an alien as an H-1B nonimmigrant. Generally, more than one employer may file a petition for the same alien worker; however, for H-1B cap purposes, such a worker will only be counted once. An employer may file a petition to sponsor an alien who already has status as an H-1B nonimmigrant working for another employer or to amend a previously approved petition. Therefore, the total number of approved petitions may exceed the actual number of aliens who are provided H-1B nonimmigrant status.

Table 1. Number of H-1B Petitions Filed and Number Approved by Quarter, FY 2021- FY 2025

Petitions Filed⁴ or Petitions Approved⁵	Fiscal Year	Oct to Dec	Jan to Mar	Apr to Jun	Jul to Sep	FY Total
Petitions Filed	2021	61,478	77,637	161,628	97,526	398,269
Petitions Filed	2022	89,640	94,657	197,731	92,273	474,301
Petitions Filed	2023	68,885	72,194	151,149	94,356	386,584
Petitions Filed	2024	79,436	81,846	170,072	95,737	427,091
Petitions Filed	2025	80,913	81,948	200,687	93,177	456,725
Petitions Approved	2021	89,713	80,600	115,143	121,615	407,071
Petitions Approved	2022	92,458	106,222	120,183	123,180	442,043
Petitions Approved	2023	99,805	77,555	96,886	112,094	386,340
Petitions Approved	2024	87,018	89,872	102,409	120,103	399,402
Petitions Approved	2025	47,821	75,515	102,987	101,862	328,185

⁴ Beginning in FY 2020, only petitions filed during a given fiscal year are counted in the number of petitions filed. This differs from prior year reports, which reported data that were current at the time that the database was queried.

⁵ These figures represent all approved petitions during the respective fiscal year, irrespective of whether the petition was filed in the same or in a previous fiscal year. Data on case decisions are based on the first adjudicative decision made to approve or deny a petition. Subsequent actions taken on individual cases, such as on an appeal or revocation, are excluded. This method may differ from reported data for years prior to FY 2021 in previous reports, which identified the approval or denial status of a petition based on the most recent decision made on the petition at the time that the data was generated. This updated approach allows for greater consistency across USCIS data sources including the [H-1B Employer Data Hub](#).

Section 2.2 – Number of H-1B Petitions Nonexempt and Exempt from American Competitiveness and Workforce Improvement Act of 1998 Fee

Table 2 shows the number of petitions that were filed in FY 2025 that required submission of the *American Competitiveness and Workforce Improvement Act of 1998* fee as well as those petitions exempt from that fee. Table 3 shows the same information for all petitions approved during the same period regardless of when filed.

American Competitiveness and Workforce Improvement Act of 1998 added Section 214(c)(9)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1184(c)(9)(A), to require that the Attorney General impose a fee on an employer:

- Initially filing a petition to grant nonimmigrant status in the H-1B classification;
- Extending the H-1B nonimmigrant stay of an alien (unless the employer previously has obtained an extension for such alien); or
- Obtaining authorization for an alien in H-1B status to change employers.

The *American Competitiveness and Workforce Improvement Act of 1998* provisions exempted certain types of employers described in Section 212(p)(1) of the Immigration and Nationality Act, 8 U.S.C. § 1182(p)(1), from the payment of this fee. The fee, effective December 1, 1998, was initially scheduled to sunset on September 30, 2001.

With the passage of Public Law 106-311, the fee was increased from \$500 to \$1,000, effective December 18, 2000, with a sunset on September 30, 2003. Public Law 106-311 also amended Section 214(c)(9)(A) of the Immigration and Nationality Act by specifying certain employers that are exempt from the *American Competitiveness and Workforce Improvement Act of 1998* fee beyond those employers described under Section 212(p)(1) of the Immigration and Nationality Act. The *H-1B Visa Reform Act of 2004*, enacted as part of the *Omnibus Appropriation Act of FY 2005*, reinstated the *American Competitiveness and Workforce Improvement Act of 1998* fee, made the fee permanent, and raised it from \$1,000 to \$1,500 per qualifying petition filed with USCIS after December 8, 2004; however, employers who have no more than 25 full-time equivalent employees who are employed in the United States (including the number of employees employed by any affiliate or subsidiary of such employer) must pay a \$750 *American Competitiveness and Workforce Improvement Act of 1998* fee. The H-1B Visa Reform Act of 2004 again exempted employers described in Section 214(c)(9)(A) of the Immigration and Nationality Act from the *American Competitiveness and Workforce Improvement Act of 1998* fee. Section 214(c)(9)(A) exempts payment of the *American Competitiveness and Workforce Improvement Act of 1998* fee in certain instances, as summarized below.

Due to the passage of Public Law 106-311, this report exceeds the original reporting mandate: it covers all employers exempt from the fee as described in Section 214(c)(9)(A), not only those described in Section 212(p)(1). Specifically, these exemptions apply to employers that are:

- Institutions of higher education defined in Section 101(a) of the *Higher Education Act of 1965*, 20 U.S.C. § 1001(a);
- Nonprofit organizations related to or affiliated with an institution of higher education as defined in Section 101(a) of the *Higher Education Act of 1965*, 20 U.S.C. § 1001(a);

- Nonprofit entities engaging in established curriculum-related clinical training of students registered at any institution defined in Section 101(a) of the *Higher Education Act of 1965*, 20 U.S.C. § 1001(a);
- Nonprofit research organizations and Government research organizations;
- Primary or secondary education institutions;
- Filing a second or subsequent request for an extension of stay for a particular alien;
- Filing an amended petition without a request to extend the nonimmigrant stay of the alien beneficiary; or
- Filing a petition solely to correct a USCIS error.

Table 2. Number of H-1B Petitions Filed by Quarter and Reason for American Competitiveness and Workforce Improvement Act of 1998 Fee or Exemption from Fee, FY 2025

Fiscal Year 2025	Oct to Dec	Jan to Mar	Apr to Jun	Jul to Sep	FY Total
TOTAL PETITIONS FILED ⁶	80,913	81,948	200,687	93,177	456,725
Without any fee exemptions	47,580	43,689	153,173	49,232	293,674
With at least one exemption	33,333	38,259	47,514	43,945	163,051
SIZE OF EMPLOYERS SUBJECT TO ADDITIONAL FEE					
Employer of no more than 25 full-time equivalent employees	6,607	4,619	27,315	7,255	45,796
Employer of 26 or more full-time equivalent employees	74,306	77,329	173,372	85,922	410,929
Number of full-time equivalent employees unknown ⁷	0	0	0	0	0
REASONS FOR EXEMPTION⁸					
Employer is an institution of higher education	4,837	6,055	9,306	6,751	26,949
Employer is a nonprofit organization or entity related to, or affiliated with an institution of higher education	3,772	5,274	8,975	6,052	24,073
Employer is a nonprofit research organization or a government research organization	1,675	1,857	2,162	1,866	7,560
Employer is filing a second (or subsequent) extension of stay for an H-1B nonimmigrant	20,706	23,742	26,438	27,470	98,356
Employer is filing an amended petition without an extension of stay for an H-1B nonimmigrant	4,549	4,315	4,340	4,731	17,935
Employer is filing a petition in order to correct a USCIS error	12	5	17	17	51
Employer is a primary or secondary education institution	951	1,259	2,468	1,858	6,536
Employer is a nonprofit entity engaged in clinical training	2,037	2,791	4,839	2,974	12,641

⁶ The total in the “Total Petitions Filed” row is a sum of the “without any fee exemption” and “with at least one exemption” rows.

⁷ Unknown values may have occurred as a result of data entry errors or improper electronic transfer from a USCIS Service Center electronic data file.

⁸ A petition may be counted in multiple rows if the employer indicates that the petition is exempt from the fee for multiple reasons.

Table 3. Number of H-1B Petitions Approved by Quarter and Reason for Exemption from American Competitiveness and Workforce Improvement Act of 1998 Fee, FY 2025

Fiscal Year 2025	Oct to Dec	Jan to Mar	Apr to Jun	Jul to Sep	FY Total
TOTAL PETITIONS APPROVED⁹	47,821	75,515	102,987	101,862	328,185
Without any fee exemptions	29,862	42,653	64,693	65,388	202,596
With at least one exemption	17,959	32,862	38,294	36,474	125,589
SIZE OF EMPLOYERS SUBJECT TO ADDITIONAL FEE					
Employer of no more than 25 full-time equivalent employees	3,117	4,547	5,528	8,485	21,677
Employer of 26 or more full-time equivalent employees	44,704	70,968	97,459	93,377	306,508
Number of full-time equivalent employees unknown ¹⁰	0	0	0	0	0
REASONS FOR EXEMPTION¹¹					
Employer is an institution of higher education	3,106	5,215	7,673	6,789	22,783
Employer is a nonprofit organization or entity related to, or affiliated with an institution of higher education	1,954	4,115	6,746	6,051	18,866
Employer is a nonprofit research organization or a government research organization	1,025	1,746	1,861	1,710	6,342
Employer is filing a second (or subsequent) extension of stay for an H-1B nonimmigrant	11,592	21,121	21,819	21,958	76,490
Employer is filing an amended petition without an extension of stay for an H-1B nonimmigrant	1,455	3,172	3,330	2,346	10,303
Employer is filing a petition in order to correct a USCIS error	6	6	8	8	28
Employer is a primary or secondary education institution	473	759	1,441	1,790	4,463
Employer is a nonprofit entity engaged in clinical training	1,233	2,342	3,875	3,109	10,559

⁹ The total in the “Total Petitions Filed” row is a sum of the “without any fee exemption” and “with at least one exemption” rows.

¹⁰ Unknown values may have occurred as a result of data entry errors or improper electronic transfer from a USCIS Service Center electronic data file.

¹¹ A petition may be counted in multiple rows if the employer indicates that the petition is exempt from the fee for multiple reasons.

III. Appendix

Section 3.1 – Background

The *Immigration Act of 1990* established numerical limitations on the H-1B nonimmigrant classification to provide U.S. employers access to foreign skilled workers while ensuring worker protections.^{12,13} The numerical cap of 65,000 H-1B visas was reached for the first time in FY 1997 as demand increased significantly in the technology sector.

In October 1998, the 105th Congress enacted the *American Competitiveness and Workforce Improvement Act of 1998*, Pub. L. No. 105-277, div, C, tit. IV, 112 Stat. 2681. The *American Competitiveness and Workforce Improvement Act of 1998* temporarily increased the H-1B cap to 115,000 for FY 1999 and FY 2000 and to 107,500 for FY 2001, while establishing an affirmative role for U.S. employers to assist with education and training efforts. Under the *American Competitiveness and Workforce Improvement Act of 1998*, an H-1B Nonimmigrant Petitioner Fee account was established to fund training and education programs administered by the Department of Labor and the National Science Foundation. Employers, unless explicitly exempt under the law, were required to pay a \$500 *American Competitiveness and Workforce Improvement Act of 1998* fee for each H-1B worker sponsored. Employers who qualified as an institution or organization described in Section 212(p)(1) of the *Immigration and Nationality Act* were exempted from payment of this fee. The *American Competitiveness and Workforce Improvement Act of 1998* placed quarterly and annual reporting requirements on USCIS concerning the H-1B fee, fee exemption, and demographic H-1B worker data. The *American Competitiveness and Workforce Improvement Act of 1998* fee of \$500 was initially scheduled to sunset, or end, on October 1, 2001.

The 106th Congress passed two bills that affected the H-1B program:

- A bill enacted as the untitled Public Law 106-311, 114 Stat. 1247 (Oct. 17, 2000); and
- The *American Competitiveness in the Twenty-first Century Act of 2000* (AC21), Pub. L. No. 106-313, 114 Stat. 1251 (Oct. 17, 2000).

First, pursuant to Public Law 106-311, Congress raised the *American Competitiveness and Workforce Improvement Act of 1998* fee from \$500 to \$1,000 while exempting additional types of employers beyond those described in Immigration and Nationality Act § 212(p)(1) from payment of this fee and extending the applicability of the fee provision to qualifying petitions filed by employers through September 30, 2003. Second, AC21 temporarily raised the H-1B cap to 195,000 for FY 2001, 2002, and 2003, while exempting certain H-1B workers from the numerical limits. Starting in FY 2004, the H-1B cap was reduced back to 65,000 per fiscal year.

¹² The H-1B nonimmigrant classification is defined as “an alien who is coming temporarily to the United States to perform services ... in a specialty occupation described in Section [214(i)(1)] or as a fashion model, who meets the requirements for the occupation specified in Section [214(i)(2)] or, in the case of a fashion model, is of distinguished merit and ability, and with respect to whom the Secretary of Labor determines and certifies to the [Secretary of Homeland Security] that the intending employer has filed with the Secretary [of Labor] an application under Section [212(n)(1)].” Immigration and Nationality Act § 101(a)(15)(H)(i)(b). The H-1B1 classification is defined as an alien “who is entitled to enter the United States under and in pursuance of the provisions of an agreement listed in Section [214(g)(8)(A)], who is engaged in a specialty occupation described in Section [214(i)(3)], and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under Section [212(t)(1)].” *Id.* § 101(a)(15)(H)(i)(b1).

¹³ Agents, in addition to employers, may file an H-1B petition pursuant to 8 CFR 214.2(h)(2)(i)(F). All references to employers and any applicable fees discussed throughout this report also include agents.

On December 8, 2004, the 108th Congress passed the *Consolidated Appropriations Act, 2005*, which contained the *H-1B Visa Reform Act of 2004*, and made several changes to the H-1B program. See Pub. L. No. 108-447, div. J, tit. IV, 118 Stat. 2809. The *H-1B Visa Reform Act of 2004* permanently reinstated the *American Competitiveness and Workforce Improvement Act of 1998* fee, which had sunset on October 1, 2003, and raised it from \$1,000 to \$1,500 per qualifying petition. In addition, the *H-1B Visa Reform Act of 2004* lowered the fee to \$750 for employers who have no more than 25 full-time equivalent employees in the United States (including the number of employees employed by any affiliate or subsidiary of such employer) but did not alter the exemptions of certain types of employers from payment of the fee altogether.¹⁴ This fee applies to any initial H-1B petition filed on behalf of an alien by any employer or first extension request by the same employer for an alien filed after December 8, 2004, unless the petitioning organization is exempt from the fee.

On August 9, 2017, USCIS issued the policy memorandum, “Definition of ‘Affiliate’ or ‘Subsidiary’ for Purposes of Determining the H-1B *American Competitiveness and Workforce Improvement Act of 1998* Fee.” The intent of this memorandum is to have consistency in collecting the *American Competitiveness and Workforce Improvement Act of 1998* fee under the statutory definitions of “affiliate” and “subsidiary,” thereby ensuring that USCIS collects the higher fee where possible under the law and maximizes receipt of funds for the training of U.S. workers.

In FY 2019, DHS issued a final rule establishing a registration system requiring prospective petitioners seeking to file H-1B cap-subject petitions, including those that may be eligible for the advanced degree exemption, to first electronically register with USCIS during a designated registration period and pay the associated H-1B registration fee for each beneficiary.¹⁵ By regulation, only those prospective petitioners whose registrations were selected were eligible to file an H-1B cap-subject petition. The electronic registration system is designed to streamline the H-1B cap selection process by reducing paperwork and data exchange and provide an overall time and cost savings to the public. In FY 2024, DHS issued a final rule implementing a beneficiary-centric process under which each unique beneficiary who has a registration submitted on their behalf is entered into the selection process once, regardless of how many registrations are submitted on their behalf.¹⁶

In March 2024, USCIS conducted an initial random selection on properly submitted electronic registrations for the FY 2025 H-1B cap, including for beneficiaries eligible for the advanced degree exemption. Only those petitioners with selected registrations for FY 2025 were eligible to file H-1B cap-subject petitions.¹⁷ The initial filing period for those with selected registrations for FY 2025 was from April 1, 2024, through June 30, 2024. USCIS subsequently announced its intention to select additional registrations to reach the FY 2025 numerical allocations. As of December 2, 2024, USCIS randomly selected, from the remaining FY 2025 registrations properly submitted, a sufficient number of registrations projected to reach the cap.¹⁸

¹⁴ See Section 2.2 of this report for further information about organizations that are exempt from the *American Competitiveness and Workforce Improvement Act of 1998* fee.

¹⁵ See “Registration Requirement for Petitioners Seeking To File H-1B Petitions on Behalf of Cap-Subject Aliens,” 84 FR 888 (Jan. 31, 2019); 8 CFR 214.2(h)(8)(iii).

¹⁶ “Improving the H-1B Registration Selection Process and Program Integrity,” 89 FR 7456 (Feb. 2, 2024).

¹⁷ U.S. Citizenship and Immigration Services, “FY 2025 H-1B Cap Season Updates,” <https://www.uscis.gov/newsroom/alerts/uscis-reaches-fiscal-year-2025-h-1b-cap>.

¹⁸ U.S. Citizenship and Immigration Services, “USCIS Reaches Fiscal Year 2025 H-1B Cap,” <https://www.uscis.gov/newsroom/alerts/uscis-reaches-fiscal-year-2025-h-1b-cap>.

On Friday, September 19, 2025, President Donald J. Trump signed Proclamation 10973, *Restriction on Entry of Certain Nonimmigrant Workers*, to reform the H-1B visa program to curb abuses and protect American workers. Under Proclamation 10973, certain H-1B petitions filed at or after 12:01 a.m. Eastern Daylight Time on September 21, 2025, must be accompanied by an additional \$100,000 payment as a condition of eligibility.¹⁹

¹⁹ U.S. Citizenship and Immigration Services, “H-1B Specialty Occupations,” <https://www.uscis.gov/working-in-the-united-states/h-1b-specialty-occupations>.