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## Could US visa process get tougher amid H1B fraud? Expert has the answer

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*USCIS has already launched a fraud investigation and the future course of action regarding H1B registrations is currently under discussion*

The US Citizenship and Immigration Services (USCIS) last week expressed concerns regarding the disproportionate spike in the number of applications for H1B visas in the current year. It expressed that ‘the visa registration process is being abused’ and hence it has “undertaken extensive fraud investigations”.

USCIS data showed that for the second year in a row, the number of applications for [H-1B visas](#) has increased. There were 780,884 applications in this year's lottery, a 61% increase from last year's 483,927 and a 57% increase from the 308,613 applications received the year before that. Amid such concerns, many are worried about whether the H1B visa process is likely to get tougher in the coming days.

### **What is H1B visa fraud?**

The fraud in the H1B lottery is attempting to increase an individual's chances of selection illegally, opines Rajiv S. Khanna, managing attorney at Immigration.com, the Law Offices of Rajiv S. Khanna, PC.

“Companies colluding with an individual or another company, or offering a fake job, may face penalties. Every lottery registrant (employer) electronically signs a declaration under a penalty of perjury affirming that the job offer is genuine and that there is no collusion. Perjury is a serious crime punishable by multiple years in prison.”

### **Will the H-1B petition approval become tougher this year and in the years that follow?**

Khanna pointed out that the USCIS is cracking down on duplicate filings and the employers can expect greater scrutiny. As to the future lotteries, there is still no clarity on this, and the topic is currently under discussion.

The government has indicated that it will take measures to curb this [H1B fraud](#), and one suggestion put forth is to tie each entry to an individual's passport number and restrict them to only one application.

“This means, each individual will have only one application. So that way you don't increase somebody's chances unfairly, but it also creates an issue because there could be more than one genuine job offer, which might not be violating the regulation.”

The impact of such measures on the tech industry remains to be seen, but they will definitely affect job seekers and companies alike. Ultimately, the success of these measures will depend on their implementation and enforcement.

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