

Premium Processing Resumes for all H-1B Petitions

March 12, 2019

The United States Citizenship and Immigration Service (USCIS) is resuming Premium Processing for all H-1B Petitions on Tuesday, March 12, 2019.

Premium processing is an expedited process. For an additional filing fee of \$1,410, USCIS will adjudicate or issue a Request for Evidence within 15 calendar days. If USCIS is unable to meet the required 15-day timeline, the premium processing fee is refunded.

Premium processing for eligible H-1B petitions may be requested at the Service Center where the case is being processed. Petitioners may also submit a premium processing request with a response to a previously issued request for evidence. USCIS has indicated that in the case of a petition that has been transferred and the premium processing request is received at the wrong service center, USCIS will forward the premium processing request to the correct service center. However, the 15-day processing time will not accrue until the request is received by the correct service center.

Over the last several years USCIS has suspended Premium Processing for Cap Subject H-1B petitions. This year, the first date to file Cap-Subject H-1B petitions is April 1, 2019. It is likely that USCIS, prior to that date, will announce a temporary suspension of Premium Processing for Cap-Subject petitions to allow time to conduct the H-1B lottery.

Stakeholders are reminded to double check filing addresses on the USCIS website prior to filing petitions; on March 8, 2019 the filing address for FY 2020 H-1B Cap petitions filed via courier with the California Service Center was changed. Constant change has become the norm – for the latest updates please contact the Immigration & Nationality Group at Proskauer.