

Premium Process Suspended for FY 2019 H-1B Cap Petitions

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On March 20, 2018, U.S. Citizenship and Immigration Services (USCIS) announced that it will again suspend premium processing for all H-1B cap-subject petitions beginning April 2, 2018, the first day filing begins. Premium Process is a USCIS program that allows U.S. employers to pay an extra fee of \$1225 to have their H-1B visa petitions processed within 15 calendar days. That means FY 2019 H-1B cap-subject petitions will be NOT be eligible for premium processing at the time of filing. It is anticipated that the suspension is expected to last until September 10, 2018. Premium processing remains available for non-cap petitions, including extensions, amendments and change of status or change of employer petitions and all other eligible petition categories.

USCIS indicated that U.S. employers can still request expedited processing of their H-1B petition based on existing expedite policy criteria as previously available such as an emergency, severe financial loss to a company or individual, USCIS error, or one of the other enumerated reasons. U.S. petitioners would need to provide documentary evidence in support of these requests and USCIS will review each petition on a case-by-case basis at their discretion.

Lastly, if you are planning to file a H-1B cap petition during this year's cap filing window, time is running out. Please contact us immediately.

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