

USCIS Resumes Premium Processing for Cap Subject H-1B Petitions

Written by Kevin J. Fitzgerald

September 19, 2017

As of Tuesday, September 19, 2017, the U.S. Citizenship and Immigration Services (USCIS) resumed accepting requests for premium processing for cap subject petitions. The process is only available for pending petitions, not new submissions, since USCIS received enough petitions in April to meet the FY 2018 cap. Premium processing of H1B visas was suspended in April to handle the huge rush of new petitions. However, as of today, USCIS will resume premium processing for all 65,000 H1B visa petitions subject to the fiscal year 2018 cap and all 20,000 additional petitions that are set aside each year for H-1B workers with a US higher educational degree (“master’s cap”). Premium processing remains temporarily suspended for all **other** H-1B petitions, such as extension and amendment petitions but plans to reinstate it as the agency workloads permit. No time frame is presently set.

The H1B visa is a non-immigrant visa that allows US companies to employ foreign workers in specialty occupations that require theoretical or technical expertise. When a petitioner requests the agency’s premium processing service, USCIS guarantees a 15-day processing time for adjudication.

If you have any questions, or would like to discuss this option, please contact our office.

RELATED PRACTICES

■ [Immigration](#)

This communication is intended for general information purposes and as a service to clients and friends of Foley Hoag LLP. This communication should not be construed as legal advice or a legal opinion on any specific facts or circumstances, and does not create an attorney-client relationship.

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

Attorney advertising. Prior results do not guarantee a similar outcome. © 2017 Foley Hoag LLP. All rights reserved.