

Cross Border Business Law Blog

USCIS to Resume Premium Processing for all H-1B Petitions by October 3

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The U.S. Citizenship and Immigration Services indicated during a September 27, 2017, call with the American Immigration Lawyers Association (AILA) that it is on track to resume offering its Premium Processing service on or before October 3, 2017, to all H-1B petitions.

While no "official" announcement has been made by the agency, the recent statement during an AILA government liaison meeting is welcome news for employers who have experienced long wait times for adjudication of H-1B petitions filed on behalf of their employees.

Under Premium Processing, the USCIS has 15 calendar days to either approve, deny or request additional evidence. If the USCIS does not meet the 15-day deadline, the Premium Processing fee of \$1,225 must be returned. H-1B filings made without a request for Premium Processing, or called "regular" processing, can take four to five months or longer under current processing times.

Once the USCIS confirms that Premium Processing is available, H-1Bs initially filed without a request for Premium Processing can be "upgraded" by submission of Form I-907 along with \$1,225 fee.

Tags: AILA, American Immigration Lawyers Association, H-1B petitions, H1B visa, premium processing, premium processing service, United States Citizenship and Immigration Services, USCIS