



GMS Flash Alert

Immigration Edition

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United States - Premium Processing Resumes for All H-1B Petitions

U.S. Citizenship and Immigration Services (“USCIS”) has announced that Premium Processing is once again available for all H-1B petitions as of Tuesday, October 3, 2017.¹

Previously, USCIS had suspended Premium Processing for all H-1B petitions as of April 3, 2017.² Premium Processing provides expedited processing for petitions within 15 days for an additional fee.

WHY THIS MATTERS

For employers with qualifying employees where it may be appropriate to premium process an H-1B petition (i.e., urgent international travel, to avoid lapses in work authorization, etc.), this means that all H-1B petitions either filed on and after October 3 or now pending with USCIS can utilize Premium Processing service by means of filing a Form I-907 and paying the filing fee of \$1,225.

Petitioners or Beneficiaries are eligible to pay for this expedited service. Beneficiaries who have upcoming foreign travel, and who will require a new visa stamp prior to re-entry to the U.S. may be good candidates for this service.

Premium Processing: Further Considerations

Premium Processing may still result in a Request for Additional Evidence (“RFE”). However, the petition should be approved, denied, or a RFE will be issued within the 15-day Premium Processing period. If an RFE is issued, the final adjudication will occur within 15 days of receipt of the RFE response by USCIS. If USCIS misses the deadlines, the Premium Processing filing fee will be refunded.

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KPMG NOTE

USCIS had suspended Premium Processing Service on April 3, 2017, to work on the regular processing backlog.

Over the summer, KPMG Law LLP has seen faster processing times for H-1B petitions submitted under regular processing. Slowly, USCIS has resumed Premium Processing for various types of H-1B petitions, with the most recent announcement indicating that all types of H-1B petitions are now eligible for Premium Processing service, effective immediately.

FOOTNOTES:

- 1 See the October 3, 2017 USCIS press release at: <https://www.uscis.gov/news/news-releases/premium-processing-now-available-all-petitioners-seeking-h-1-b-visas> .
- 2 For prior coverage, see GMS [Flash Alert 2017-043](#), March 6, 2017.

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Just Published! "[Taxes and Health-Care Reform: Now What?](#)" by Lori Robbins and Monica Coakley, Washington National Tax, KPMG LLP (U.S.) in ***The Expatriate Administrator***.

Efforts in the U.S. Congress to repeal and replace the Affordable Care Act (the "ACA") have continued this year. While health-care reform developments occur almost daily (and sometimes more often), to date no legislation has been enacted. All health-care industry participants continue to advocate for their respective positions at the same time the legislative agenda surrounding health-care reform continues to evolve.

This article summarizes the health-care reform "state of the union" from a tax perspective and discusses the implications of future health-care reform possibilities on the ACA's tax provisions. *To read more, click [here](#).*

Contact us

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