



GMS Flash Alert

Immigration Edition

2019-033 | February 21, 2019

United States - Premium Processing Resumes for Some 2018 H-1B Petitions

The U.S. Citizenship and Immigration Services (USCIS) has now resumed premium processing for [petitions](#) filed on or before December 21, 2018.¹ This service had been suspended for most H-1B petition case types since September 11, 2018.² Employers can now upgrade those pending H-1B cases eligible for service under premium processing for an additional fee of \$1,410.

WHY THIS MATTERS

Employers and beneficiaries should consider using the USCIS premium processing service to expedite the adjudication of pending H-1B cases in cases requiring urgent approval to facilitate international travel or driver's license renewal. If seeking to file a premium processing upgrade for a petition which has been transferred to a different service center, Form I-907, *Request for Premium Processing Service*, and the requisite filing fee should be submitted along with a copy of the transfer notice to the service center currently handling the case.

Premium processing remains suspended for the following H-1B case types filed on or after December 22, 2018:

- H-1B Extension petitions
- H-1B Amendment petitions
- H-1B Change of Employer petitions
- H-1B New Not Subject to H-1B Cap petitions

Context

Premium processing is an optional service offered by the USCIS that allows for expedited processing for certain employment-based petitions and applications.

The USCIS guarantees a 15 calendar-day processing time to those petitioners or applicants who submit a Form I-907 and remit the government filing fee of \$1,410. With this, the H-1B petition should be approved, denied, or a request for evidence (RFE) will be issued within the 15-day premium processing period. The 15-calendar-day period begins when USCIS receives the completed Form I-907 and filing fee at the correct service center. If an RFE is issued, the final adjudication will occur within 15 days of receipt of the RFE response by USCIS.

KPMG LAW LLP NOTE

USCIS has not yet announced a timeline for resuming premium processing in all cases or whether premium processing will be available for the FY20 H-1B Cap season.

KPMG Law LLP in Canada will continue to monitor the situation, and will endeavor to keep GMS *Flash Alert* readers informed as developments occur.

FOOTNOTES:

1 See: <https://www.uscis.gov/news/news-releases/uscis-resumes-premium-processing-h-1b-petitions-filed-or-dec-21-2018>.

2 For prior coverage, see GMS *Flash Alert* 2018-116, (August 31, 2018)

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Contact us

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* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

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