

# GMS Flash Alert

## Immigration Edition

2019-048 | March 20, 2019



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

The U.S. Citizenship and Immigration Services (USCIS) resumed premium processing for all H-1B petitions 12 March 2019.<sup>1</sup> This service had been suspended for most H-1B petition case types since September 11, 2018, and resumed only for those filed on or before December 21, 2018.<sup>2</sup>

## WHY THIS MATTERS

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, *Request for Premium Processing Service*, and remit the government filing fee.

Employers should consider using the USCIS premium processing service to expedite the adjudication of long-pending H-1B cases requiring urgent approval to facilitate international travel or driver's license renewal.

## Context

In order to benefit from expedited processing for certain employment-based petitions and applications, with premium processing, 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 a request for evidence (RFE) is issued, the final adjudication will occur within 15 days of receipt of the RFE response by USCIS.

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## KPMG LAW LLP NOTE

If seeking to file a premium processing upgrade for a petition that 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.

At present, it is uncertain whether premium processing will be available for the upcoming FY20 H-1B Cap season. USCIS has indicated that the announcement to resume premium processing is not specific to the FY2020 H-1B cap filing season and that details about the FY2020 H-1B cap season will be addressed in a separate announcement.

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

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## FOOTNOTES:

1 For more information, [click here](#).

2 For prior coverage, see GMS [Flash Alert 2019-033](#), (February 21, 2019).

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## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or one of the following professionals with the KPMG International member firm in Canada:



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