

January 28, 2019

**USCIS RESUMES PREMIUM
PROCESSING FOR FISCAL
YEAR 2019 H-1B CAP
PETITIONS**

**GILL
RAGON
OWEN**
ATTORNEYS

The U.S. Citizenship and Immigration Services resumed premium processing as of Monday, Jan. 28, for all fiscal year (FY) 2019 H-1B cap petitions, including those eligible for the advanced degree exemption (the “master’s cap”).

Petitioners who have received requests for evidence (RFEs) for pending FY 2019 cap petitions should include their RFE response with any request for premium processing they may submit.

H-1B visas provide employers with skilled workers for a wide range of specialty occupations. When a petitioner requests the agency’s premium processing service, USCIS guarantees a 15-day processing time. If they do not take certain adjudicative action within the 15 calendar day processing time, USCIS refunds the petitioner’s premium processing service fee and continues with expedited processing of the petition. This service is only available for pending petitions, not new submissions, because they have already received enough petitions to meet the FY 2019 cap.

The temporary suspension of premium processing remains in effect for all other categories of H-1B petitions to which it applied. The USCIS plans to resume premium processing for the remaining categories of H-1B petitions as agency workloads permit.

THE USCIS WILL NOTIFY THE PUBLIC VIA [USCIS.GOV](https://uscis.gov) WHEN THEY BEGIN ACCEPTING PREMIUM PROCESSING FOR OTHER CATEGORIES OF H-1B PETITIONS.



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PLEASE CONTACT JENNY TEETER OR BRIANNA COOK WITH ANY QUESTIONS YOU MAY HAVE REGARDING HB-1 PETITIONS AND/OR OTHER LABOR AND EMPLOYMENT LAW MATTERS.