

Premium Processing Service Resumes for FY 2018 Cap-Subject Cases

September 18, 2017

USCIS **announced** it has resumed premium processing for all H-1B petitions subject to the Fiscal Year 2018 cap.

Effective September 18, 2017, employers may request to upgrade pending cap-subject petitions with premium processing. USCIS guarantees a 15-calendar day processing time upon receiving an employer's request for premium processing.

Employers with pending H-1B petitions may want to consider upgrading their petitions to premium processing in order to seek to avoid potential lapses in employment. This may be of particular interest to those employers awaiting a final decision following submission of a Request for Evidence response and those who employ foreign nationals with cap-gap extensions set to expire September 30, 2017.

USCIS also recently reinstated premium processing for **certain** cap-exempt employer petitions as well as premium processing for **select** foreign physicians under the Conrad 30 Waiver program and for interested government agency waivers.

Premium processing remains temporarily suspended for all other H-1B petition types. The **suspension** has been in effect since April 3, 2017, and was expected to last up to six months, permitting USCIS to improve processing times for pending H-1B petitions. USCIS has stated that it intends to resume premium processing in phases by petition types, which will be announced as available.

We will continue to monitor developments related to the premium processing suspension and will update you with any important developments.