

USCIS Completes Entry of 2019 H-1B Cap-Subject Petitions, Some Premium Processing Now Available

May 21, 2019

U.S. Citizenship and Immigration Services (USCIS) has announced that it has completed data entry for all 2019 (Fiscal Year 2020) H-1B cap-subject petitions that were selected in the lottery process.

USCIS sends receipt notices regarding selected H-1B cases via regular mail to petitioning employers and their attorneys. After this May 17, 2019 announcement, more receipt notices may be forthcoming in the next few days.

USCIS will now begin returning all H-1B cap-subject petitions that were not selected, although no definite timeframe was given. Last year, USCIS announced on July 19, 2018 that it had returned all H-1B cap-subject petitions that were not selected. USCIS will make a similar announcement again this year once this process is completed.

In its previous announcement on March 29, 2019, USCIS indicated that the 15-day premium processing clock for eligible H-1B cap-subject petitions (that is, petitions requesting a change of status) will start on May 20, 2019.

Companies that did not request premium processing service concurrently with the filing of eligible H-1B cap-subject petitions may submit premium processing service requests starting May 20, 2019. Premium processing for all other FY 2020 cap-subject H-1B petitions will not begin until at least June 2019 and USCIS will make an announcement later when this service becomes available.

At this time, premium processing for other cap-exempt H-1B petitions, such as extension of stay requests, remains available.

Employers should notify Miller Canfield immediately if they wish to request premium processing for eligible H-1B cap-subject cases requesting change of status.