

News & Types: Immigration Alerts

BREAKING – USCIS SUSPENDS PREMIUM PROCESSING FOR H-1B EXTENSIONS UNTIL 7/27/15

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Practices: Immigration

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The US Citizenship and Immigration Services (USCIS) has just announced that it has suspended premium processing for H-1B petitions requesting an extension of stay through July 27, 2015. Premium processing is an upgraded process through which the USCIS will conduct an initial review of a petition within 15 calendar days in return for an additional government filing fee of \$1,225. During that 15-day period, the USCIS will either issue a request for evidence or adjudicate the petition. This delay in adjudication results from the implementation of new regulations allowing H-4 Dependent Spouses of H-1B work visa holders to apply for an Employment Authorization Document. The USCIS will begin accepting applications for this program on May 26, 2015.

The USCIS has indicated that it will continue to process H-1B petitions requesting premium processing prior to May 26, 2015, **however**, the USCIS has also stated that if it cannot review the case within the 15-day period, it will refund the premium processing filing fee. This means that all H-1B petitions requesting an extension of stay filed with premium processing that have already been filed or that employers will file prior to May 26, 2015 are potentially affected. Employers are reminded that the premium processing program does not guarantee 15-calendar day adjudication and that the USCIS has always reserved the right to return the premium processing fee if it is unable to review the petition within that timeframe.