

From: U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]
Sent: Friday, May 22, 2015 2:56 PM
To:
Subject: USCIS Temporarily Suspends Premium Processing for Extension of Stay H-1B Petitions

Please note: This is an update to the alert that we issued on Tuesday, May 19 with the same headline. That alert can be found in the [USCIS Archive](#).

Starting May 26, 2015, USCIS will temporarily suspend premium processing for all H-1B extension of stay petitions until July 27, 2015. During this time frame, petitioners will not be able to file Form I-907, Request for Premium Processing Service, for a Form I-129, Petition for a Nonimmigrant Worker, requesting an extension of the stay for an H-1B nonimmigrant.

USCIS will continue to premium process H-1B extension of stay petitions filed with Form I-907 premium requests prior to May 26, 2015.

USCIS will refund the premium processing fee if:

- A petitioner filed H-1B petitions prior to May 26, 2015, using the premium processing service, and
- USCIS did not act on the case within the 15-calendar-day period.

Premium Processing Remains Available for Certain H-1B Petitions

Premium processing remains available for:

- Form I-129 H-1B petitions subject to the H-1B cap and cap exempt petitions, as long as the petition is requesting:
 - A change of nonimmigrant status, or
 - Consular notification;
- Form I-129 H-1B petitions filed on behalf of individuals who already have H-1B nonimmigrant status, as long as the petition is requesting:
 - Consular notification, or
 - An amendment of a previously approved petition that does not include a request for an extension of stay; and
- All Form I-129 H-1B1 petitions.

Why We Are Suspending Premium Processing

This temporary suspension will allow USCIS to implement the [Employment Authorization for Certain H-4 Spouses final rule](#) in a timely manner and adjudicate applications for employment authorization filed by H-4 nonimmigrants under the new regulations. We anticipate receiving an extremely high volume of Form I-765 applications once the H-4 final rule becomes effective on May 26, 2015, and need to temporarily suspend premium processing to ensure that we can provide good customer service to both H-1B petitioners and H-4 applicants.

We will monitor our workloads closely and may resume accepting premium processing requests before July 27, 2015, if we determine that we can once again provide customers with the level of service offered with

premium processing.

Expedited Processing

Petitioners may request expedited processing for their H-1B extension of stay petition during the temporary suspension of premium processing. We will review all expedite requests on a case-by-case basis and grant the requests at the discretion of the Director. The burden is on the petitioner to demonstrate that one or more of the expedite criteria have been met.

For further information on how to request expedited processing, please see our [Expedite Criteria webpage](#).

For more information, please visit: <http://www.uscis.gov/news/alerts/uscis-temporarily-suspends-premium-processing-extension-stay-h-1b-petitions>

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