

COVID-19 UPDATE: USCIS Premium Processing Returns Beginning June 1, 2020

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After suspending all “premium processing” for more than two months during the COVID-19 pandemic, USCIS today [announced](#) it will again accept premium fees (currently, \$1,440 per form) and requests for expedited adjudication (currently, 15 calendar days) for Forms I-129 (Petition for Nonimmigrant Worker) and I-140 (Immigrant Petition for Alien Worker).

Premium service will not resume all at once, but instead in 4 phases over the next 3 weeks, with I-140 petitions first, followed by pending I-129 petitions, and then new I-129 petitions. See our quick-reference [Premium Phase-In Schedule](#) below. USCIS warns that changes to this schedule may be announced as the month of June progresses.

H-1B petitioners whose registrations were selected in the March 2020 lottery may not request premium processing until the very last phase, although USCIS has been adjudicating many of these “cap-subject” petitions more rapidly than expected under regular processing.

The phase-in will work as follows:

USCIS Premium Processing Phase-In Schedule

Phase	Date Premium Service Resumes	Form Number	Form Category
1	June 1, 2020	I-140	All categories <u>except</u> : EB-1 Multinational Executive/Manager* EB-2 National Interest Waiver*
2	June 8, 2020	I-129	H-1B: Cap-exempt** petitions filed before June 8 Other: All petitions

			filed before June 8
3	June 15, 2020	I-129	H-1B: Certain*** cap- <u>exempt</u> petitions filed on/after June 8
4	June 22, 2020	I-129	H-1B: Cap- <u>subject</u> petitions and Other: All petitions filed on/af

*These 2 categories have never been eligible for premium processing.

** Cap-exempt H-1B petitions are filed by petitioners who are qualifying institutions (e.g., universities and government/nonprofit research organizations), and for workers who: (a) will be employed at qualifying institutions; (b) have Conrad/IGA waivers; (c) seek a change or extension to their current H-1B status; or (d) do not currently hold H-1B status, but did in the past and have not exhausted their maximum stay.

***Only petitions filed by qualifying institutions or for workers under (a) and (b) in the above note.

The resumption of premium processing is welcome news for US employers and foreign nationals who have been stuck in long backlogs, waiting for both temporary and permanent status.

The hefty premium fees may also help USCIS avoid threatened furloughs at its National Benefits Center in Kansas, though premium revenues, which surpassed half a billion dollars in 2019, are used primarily to fund the agency's electronic filing conversion project. The *Kansas City Star* [reported on Wednesday](#) that a thousand USCIS employees who were to have been laid off today are keeping their jobs temporarily, while the agency seeks \$1.2 billion dollars in emergency funding.

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