

Immigration Alert: Premium Processing to Resume in Phases Starting June 1, 2020

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The U.S. Citizenship and Immigration Services (USCIS) announced today that it will resume Premium Processing service for eligible nonimmigrant visa petitions (Form I-129) and immigrant visa petitions (Form I-140). Premium Processing services had been suspended for all petitions starting March 20, 2020 due to the COVID-19 pandemic. The resumption of Premium Processing will occur in phases over the next month.

The USCIS plans to start accepting Form I-907, Request for Premium Processing Service on the following schedule:

June 1, 2020:

- All eligible Form I-140 petitions

June 8, 2020:

- H-1B petitions *filed before June 8* that are pending *and* are cap-exempt
- All other Form I-129 petitions for nonimmigrant classification *other than H-1B status* that are eligible for premium processing that were *filed before June 8*

June 15, 2020:

- H-1B petitions (including requests filed concurrently with Form I-129 and upgrade requests for pending petitions) that are *cap-exempt* for the following reasons:
 - Employer is cap-exempt or beneficiary will be employed at a qualifying cap-exempt institution, entity, or organization (such as an institution of higher education, a nonprofit research organization, or a government research organization); or

- Beneficiary is cap-exempt based on a Conrad/IGA waiver under INA Section 214(l)

June 22, 2020:

- All H-1B cap-subject petitions (includes change of status from F-1 nonimmigrant status), for both requests filed concurrently with Form I-129 and upgrade requests for pending petitions
- All other Form I-129 petitions for nonimmigrant classification that are eligible for premium processing, both for requests filed concurrently with Form I-129 and upgrade requests for pending petitions

All dates are subject to change, and the USCIS will announce any changes accordingly.

Petitioners who filed an eligible request for premium processing prior to March 20, 2020 and received no action and a refund may refile a Form I-907 in accordance with the USCIS schedule to resume premium processing services, including any changes to the announced schedule.

If you have any questions regarding the resumption of premium processing, or require a currently pending petition to be upgraded to premium processing when services become available, we encourage you to contact your Vorys attorney.

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Vorys COVID-19 Task Force

Vorys attorneys and professionals are counseling our clients in the myriad issues related to the coronavirus (COVID-19) outbreak. We have also established a comprehensive Coronavirus Task Force, which includes attorneys with deep experience in the niche disciplines that we have been and expect to continue receiving questions regarding coronavirus. Learn more and see the latest updates from the task force at vorys.com/coronavirus.