### *USCIS Temporarily Suspends Premium Processing for H-1B Petitions Starting April 3*

Beginning on April 3, U.S. Citizenship and Immigration Services will suspend premium processing for all H-1B petitions, including cap-subject petitions. Until April 3, USCIS will continue to premium process cases that include the requisite fee of $1,225 and an executed Form I-907. If USCIS is unable to adjudicate the case in the allotted 15 days, it will refund the filing fee.

This suspension could last up to six months. The goal of the suspension is to allow USCIS to prioritize and adjudicate H-1B cases, such as extensions of H-1B status, that are near the 240 day mark or have been long-pending. This suspension is not unprecedented. USCIS has previously halted premium processing on certain types of cases to better manage workloads,

USCIS is currently taking between 6 and 11 months to adjudicate H-1B petitions, depending on the type of filing. The reasons for these long delays are, in part, due to the influx of cases being premium processed, which requires Officers to focus their efforts on premium processing cases, instead of cases filed with regular processing. This causes the regular cases to become even more backlogged. Further, the long processing times are due to ongoing staffing issues at USCIS. USCIS has been unable to hire the number of staff needed to handle the current workloads. Finally, the delay is also caused from a change in policy that material changes to employment require the filing of an H-1B amendment based on the decision in Matter of Simeio Solutions.

In order to better facilitate the processing of cases, USCIS has shifted workloads to other Service Centers over the last year to speed up processing. While this has been a temporary fix, there are still long delays in processing. In order to address this delay, USCIS has determined the best way to clear the backlog is to halt premium processing for all H-1B petitions, including cap cases. This will also allow the agency time to conduct the H-1B lottery.

This suspension does not affect other I-129 cases, such as O-1 petitions.