

THE
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USCIS Announces More H-1Bs Eligible for Premium Processing

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On Friday, February 15, 2019, USCIS announced that on Tuesday, February 19, it will resume premium processing eligibility for additional H-1B petitions filed on or before December 21, 2018. This new announcement does not change FY 2019 H-1B cap filings, which are eligible for premium processing as announced on January 28, 2019, regardless of when they were filed.

Below is a list of H-1B petitions now eligible for premium processing, including upgrades of any pending H-1B petitions:

- Cap-exempt H-1Bs based on employment with institutions of higher education and certain nonprofit research institutions (these have always been eligible for premium processing);
- H-1B extensions with the same employer without a change in prior employment regardless of when filed;
- FY H-1B 2019 cap-subject petitions still pending with USCIS regardless of when filed (not FY 2020 cap-subject cases to be filed on April 1, 2019); and
- All other pending H-1Bs filed on or before December 21, 2018.

USCIS indicates it will continue to add the premium processing option for H-1B petitions as the agency's workload permits.

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Article By [MintzImmigration](#)
[William L. Coffman](#)

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