

THE
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USCIS Clarifies Premium Processing for This Year's H-1B Cap Cases Limited to Change of Status

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As the start of the H-1B cap season approaches, USCIS has clarified that not all of this year's cap cases can be premium processed.

Despite its [notice on March 12](#), USCIS has announced that only cap-subject H-1B petitions **requesting a change of status** may request premium processing concurrently with the H-1B filing. But the agency stated that premium processing will not begin immediately for these cases to [allow USCIS to prioritize data entry for all cap petitions](#).

The agency also stated that:

- USCIS will make a future announcement about when it will begin reviewing the premium processing cap cases.
- USCIS expects this first round of premium processing for cap cases to begin no later than May 20, 2019.
- If a premium processing request is not filed concurrently with the petition on or about April 1, 2019, an interfiling for a change of status petition cannot be filed until USCIS announces that it is actually beginning premium processing of petitions.
- USCIS will make another announcement about when (or if) premium processing will become available for cap cases that do not include a change of status application.

To increase transparency, USCIS said a data hub will be available on uscis.gov as of April 1, 2019. This hub will allow the public to search for H-1B petitions by fiscal year, NAICS industry code, company name, city, state, or zip code. The purpose is to allow the public to calculate approval and denial rates and to review which employers are using the H-1B program. Making all of this information easily available to the public is in accordance with President Donald Trump's "Buy American, Hire American" [Executive Order](#).

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