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USCIS to Begin Premium Processing of H-1B Cap-Subject Petitions by April 28, 2014

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Submitted by Chief Editor on Mar 26th 2014

The filing period for H-1B petitions subject to the fiscal year (FY) 2015 numerical cap begins on April 1, 2014. USCIS will start premium processing of cap-subject H-1B petitions, including petitions seeking an exemption for individuals with a U.S. master's degree or higher, no later than April 28. This date is based on past levels of premium processing requests and the possibility that the cap will be met in the first five business days of the filing season.

The annual cap is 65,000 H-1B visas, with an exemption for the first 20,000 petitions filed on behalf of those with a U.S. master's degree or higher.

About Premium Processing

USCIS provides premium processing service for certain employment-based petitions and guarantees a 15-calendar-day processing time.

USCIS will continue to accept [Form I-907, Request for Premium Processing Service](#) [2], with fee, concurrently with the [Form I-129, Petition for Nonimmigrant Worker](#) [3], during the time period that premium processing is unavailable. Petitioners may also upgrade a pending H-1B cap petition to premium processing once USCIS issues a receipt notice.

While the Form I-797 receipt notice indicates the date USCIS received the premium processing fee, the 15-day processing period set by 8 CFR 103.7(e)(2) will begin no later than April 28, 2014.

This allows for USCIS to take-in the anticipated high number of filings, conduct the lottery to determine which cases meet the cap, and prepare the volume of cases for premium and regular processing.

The 15-day processing period for premium processing service for H-1B petitions that are not subject to the cap, or for any other eligible classification, continues to begin on the date that the request is received.

Team Notes:

Nonimmigrant Visas:

[General Nonimmigrant Visa](#) [4]

Green Card:

[Employment Based Green Cards](#) [5]

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Links:

- [1] <https://immigration.com/news/employment-based-green-cards/uscis-begin-premium-processing-h-1b-cap-subject-petitions-april-28>
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