

## PREMIUM PROCESSING | FREQUENTLY ASKED QUESTIONS

### 1. What is Premium Processing?

Premium Processing is faster processing of certain employment-based petitions and applications. Presently, premium processing is only available for E-1, E-2, H-2B, H-3, L-1A, L-1B, Blanket L, O, P, Q, H-1B, R, and TN nonimmigrant petitions. Premium processing is only available for some I-140 immigrant visa petitions: EB-1A, EB-1B, EB-2 (excluding EB-2 NIW), and EB-3.

### 2. What is the filing fee?

The Premium Processing USCIS filing fee is \$1,410, which is in addition to the regular filing fees that must be paid to the USCIS for the filing of certain petitions and applications.

### 3. What are the benefits of Premium Processing?

**Faster processing:** Premium Processing guarantees 15-calendar-day processing of the above referenced petitions. During the 15 days, USCIS may issue an approval notice, a request for additional evidence (RFE), a notice of investigation for fraud, or a notice of intent to deny (NOID). If the USCIS does not issue a notice or request within 15 calendar days, the \$1,410 premium processing fee will be refunded and the USCIS will continue processing the petition or application.

The USCIS 15-calendar-day response time begins on the date that the USCIS premium processing mailroom receives the case. If USCIS issues an RFE or a NOID, the 15-calendar-day “clock” is paused. However, upon receiving the requested additional documentation, USCIS will then respond within 15 calendar days of receipt of the response to the RFE or NOID. The clock also stops if USCIS finds a “hit” in conducting its (IBIS) security check. Premium Processing notices go to a separate queue in the mailing room to be mailed out right away.

**Better service:** Each Service Center has a unique premium processing address to facilitate expeditious handling as well as a dedicated premium processing phone number(s), fax number(s), and an e-mail address to provide better service.

**Expedited return of documents:** USCIS will return documents using an overnight service if courier information is provided. USCIS is still working with the Department of State to find a way to expeditiously send petitions or approval notices to consulates for premium processing cases.

### 4. Who can request Premium Processing Service?

Premium Processing may be requested by filing form (I-907) with the \$1,410 filing fee. The fee may be provided by the employer, the attorney, or the beneficiary. However, the form may be filed only by the petitioning employer or the attorney.

### 5. Can I convert an already filed case to Premium Processing?

An already filed case can be converted to Premium Processing by filing Form I-907. In conversion cases, USCIS advises that a copy of the USCIS receipt be included with the request. If a USCIS receipt is not available, then information regarding the date sent, the petitioner, beneficiary, and air bill tracking information (if the case was sent by courier) should be provided.

### 6. Can the fee for Premium Processing Services be waived or refunded?

The fee for Premium Processing Service cannot be waived for any reason. However, USCIS will refund the \$1,410 filing fee if a request for premium processing is received for an already filed case that has been approved, if a notice or request is not issued within the 15-calendar-day period or if premium processing cannot be utilized because of the H-1B cap or the program is otherwise suspended.

### 7. What about my dependents? Are their applications eligible for Premium Processing?

An application for a family member is eligible for premium processing only if it is concurrently filed with the principal’s petition. In these cases, the Service will process both the principal’s petition and the dependent’s application within the 15 calendar days without requiring an additional fee (other than the normal processing fee and the premium processing fee for the principal).

**8. Will other applications or petitions be accepted for Premium Processing Service?**

If and when USCIS expands the Premium Processing service to include other types of petitions or applications, we will notify clients.