



March 14, 2019

## Special Immigration Alert

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### Fiscal Year 2020 H-1B Cap Petition Filings Are Not Eligible for Premium Processing

On March 12, 2019, U.S. Citizenship and Immigration Services (“USCIS”) opened premium processing eligibility for all H-1B petitions currently pending adjudication and to be filed with the agency. At that time, it was assumed that H-1B petitions to be filed for the fiscal year (“FY”) 2020 H-1B cap (i.e., new H-1B petitions to be filed on April 1, 2019, requesting an October 1, 2019, start date) would also be eligible for premium processing. However, when the USCIS Service Center Operations Directorate (“SCOPS”) was asked recently to clarify whether that assumption was correct, SCOPS responded that the issue will be addressed in a separate, future announcement. Therefore, as of March 12, 2019, any FY 2020 H-1B cap petition ready to be filed on April 1, 2019, is not eligible for premium processing. If this situation changes, we will let you know.

For those not familiar with the service, premium processing significantly reduces the adjudication time of non-immigrant petitions (such as H-1Bs). Whereas normal processing may take several months to a year, premium processing allows a petition to be adjudicated within 15 calendar days after it has been received by USCIS. Premium processing requires the submission to USCIS of a \$1,410 filing fee, along with a Form I-907 premium processing application.

### New Mailing Addresses for FY 2020 H-1B Cap Petition Filings

USCIS has updated the mailing addresses for those H-1B cap cases to be filed at the California Service Center. The most up-to-date filing addresses are listed on the USCIS webpage titled [“Direct Filing Addresses for Form I-129, Petition for a Nonimmigrant Worker.”](#) Please note that *both* the prior P.O. Box and courier addresses have changed for H-1B cap case filings only for the California Service Center.

The California Service Center’s new H-1B cap address for courier deliveries is **24000 Avila Road, 1st Floor, Room 1600, Laguna Niguel, CA 92677**. Please be aware of this new address when filing H-1B cap petitions with the California Service Center. The address for the Vermont Service Center remains the same.

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If you have any questions regarding this Alert or any other U.S. immigration issues, please contact Epstein Becker Green's immigration team:



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