

Premium Processing of Some I-140 Petitions to Resume June 16, 2008

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As many of you may recall, USCIS cancelled processing of I-140 petitions about one year ago. Effective today, June 16, 2008, USCIS will resume premium processing of I-140 petitions under very limited circumstances.

In order to be eligible for premium processing, all of the following conditions must be met:

- the individual must be current in H-1B nonimmigrant status;
- his/her sixth year must end within 60 days; and,
- he/she is not eligible for a one year H-1B extension.

Concerning the third point above, it is important to note that in order to be eligible for the one year extension, the labor certification and/or I-140 must have been pending for more than one year.