March 7, 2017

To our international scholars from every corner of the globe and the faculty and staff who support our international community:

**Suspension of Premium Processing Service for H-1B Visa Petitions as of April 3, 2017**

As you may be aware, on Friday, March 3, 2017, the U.S. Citizenship and Immigration Services (USCIS) announced that as of April 3, 2017, they will be suspending premium processing for all H-1B visa petitions, including those filed by cap-exempt employers such as CU Boulder. Please see the following Frequently Asked Questions (FAQ) document about the upcoming suspension of premium processing for H-1B visa processing. This document will be posted shortly on our website as well.

Kindly read the document carefully before contacting our office with questions as we designed the FAQ to hopefully answer most of your questions.

Please share the document with your colleagues who find the information helpful.

**A Reminder - Q & A Session Today**

International Student & Scholar Services will be hosting a Question & Answer (Q&A) Session and group discussion on the recent executive order, today, Tuesday, March 7, 2017 from 5-6 PM in the West Ballroom of the UMC. There will be representatives from ISSS, the Graduate School, the Research & Innovation Office, the Office of Undergraduate Education, and the Office of Faculty Affairs participating in the session. Please come join us to have your questions answered and share in our community discussion. We want you to feel supported, safe, and comfortable during your time at CU Boulder and in the U.S.

Please know that if you need to talk or have any questions, our doors, ears, and hearts are always open.

**International Student & Scholar Services**
2249 Willard Loop Drive
Center for Community, Suite S355
UCB 123
Boulder, CO 80309
Phone: 303.492.8057

Attached: USCIS Suspension of Premium Processing Services FAQ
USCIS Suspension of Premium Processing Services

U.S. Citizenship and Immigration Services (USCIS) recently announced that as of April 3, 2017, they will be suspending premium processing for all H-1B visa petitions, including those filed by cap-exempt employers such as CU Boulder. In their announcement, USCIS states that the suspension may last up to 6 months. In the past, USCIS has suspended premium processing of certain H-1B petitions but they have not included those filed by cap-exempt employers such as CU Boulder. Currently regular processing of H-1B petitions has been taking 6 to 8 months. However, it is difficult to predict if these processing times will improve in the future or will remain the same. Therefore, ISSS must submit prior to April 3, 2017 all H-1B petitions requesting USCIS premium processing service.

Please read this document carefully prior to contacting ISSS with questions about the upcoming suspension of premium processing for H-1B visa petitions. ISSS designed this document to answer most of your questions.

What steps should you take now if you are a department sponsoring an employee for H-1B status who does not currently hold H-1B nonimmigrant status?

If you are hiring or extending the employment of an employee who requires initial H-1B visa sponsorship, and the proposed H-1B start date is in the next 8 months, if you have not done so already, you should immediately submit an H-1B visa request packet to International Student and Scholar Services (ISSS) following the instructions on our website. Premium processing service will be required. Initiate the Procurement Service Center’s (PSC) check request and the Research & Innovation Office’s Export License Certification processes immediately. See the H-1B Department Checklist on the ISSS website for instructions on how to request the three required filing fee checks ($460, $500, & $1225) that ISSS must submit to the USCIS with the H-1B visa petition. [Please note that on December 23, 2016, the H-1B petition filing fee changed to $460 and the Form I-539 fee (for dependents in the U.S. extending or changing status) changed to $370.]

In order for ISSS to have adequate time to prepare the H-1B petitions including a required process with the U.S. Department of Labor, we must receive the H-1B visa request packets in our office no later than March 15, 2017. If you have all the required documents except for the filing fee checks and/or the Visa Export Certification Form, submit the packet to ISSS. You will then need to follow up with PSC and/or the Research & Innovation Office (RIO) to ensure that ISSS receives the checks and/or Visa Export Certification Form by March 22, 2017.

What steps should you take if you are a department sponsoring a new employee who currently holds H-1B status with another employer and will be starting employment at CU Boulder?
Before an individual who currently holds H-1B status with another employer starts work at CU Boulder, the university must file a petition with USCIS to transfer the H-1B status to our university prior to the individual starting work here. Once CU Boulder files the H-1B transfer petition with USCIS, the employee can work for CU Boulder on the proposed start date while the transfer petition is pending with USCIS. Therefore, for employment authorization purposes, premium processing is not required. However, if an employee needs to renew or obtain a Colorado driver’s license, s/he is likely to encounter difficulties without the approval notice for the H-1B transfer petition. Also, if the employee needs to travel outside of the U.S. after commencing employment at CU Boulder and does not have a valid H-1B visa stamp in his/her passport, the employee needs the approval notice for the H-1B transfer petition in order to apply for a new H-1B visa and return to the U.S..

In summary, if CU Boulder is filing a H-1B transfer petition for a new employee who currently holds H-1B status with another employer and either

1) the individual needs to obtain a new Colorado driver’s license or renew an existing one or
2) the individual needs to travel abroad in the 6 – 8 months subsequent to starting employment at CU Boulder,

then premium processing service is required.

In order for ISSS to have adequate time to prepare the H-1B petitions, which includes a mandatory process with the U.S. Department of Labor, we must receive the H-1B visa request packets including H-1B transfer requests in our office no later than March 15, 2017. If you have all the required documents except for the filing fee checks and/or the Visa Export Certification Form, submit the packet to ISSS. You will then need to follow up with PSC and/or the RIO to ensure that ISSS receives the checks and/or Visa Export Certification Form by March 22, 2017.

Please see the previous question and answer regarding where to find instructions on preparing an H-1B visa request packet including requesting checks from PSC and the Visa Export Certification Form from the RIO.

What steps should you take if you are a department sponsoring an employee who currently holds H-1B status that will expire in the next 7 months and you want to extend their status to continue employment at CU Boulder?

For a current CU Boulder employee who holds H-1B status that will expire in the next 7 months, to extend the H-1B status for continued employment, the university must file a petition with USCIS to extend the H-1B status before the expiration of the current H-1B status in order for the individual to continue working here. (ISSS can only file the petition to extend the H-1B status 6 months prior to the expiration of the current H-1B status.) Once CU Boulder files the H-1B extension petition with USCIS, the employee may continue to work for CU Boulder and can remain lawfully in the U.S. for up to 240
days beyond the expiration of the previous H-1B status while the government is adjudicating the H-1B extension petition. Therefore, for employment authorization purposes, premium processing is not required. However, if an employee needs to renew or obtain a Colorado driver’s license, s/he is likely to encounter difficulties without the approval notice for the H-1B extension petition. In addition, if the employee needs to travel outside of the U.S. after the expiration of the current H-1B status, s/he will need the approval notice for the H-1B extension petition in order to apply for a new H-1B visa and return to the U.S.

In summary, if CU Boulder is filing an H-1B extension petition for an employee who currently holds H-1B status which will expire in the next 7 months and either

1) the individual needs to renew a driver’s license or
2) the individual needs to travel abroad in the 6 – 8 months following the expiration of his/her current H-1B status,

then premium processing service is required.

In order for ISSS to have adequate time to prepare the H-1B petitions including a required process with the U.S. Department of Labor, we must receive the H-1B visa request packets including H-1B extension requests in our office no later than March 15, 2017. If you have all the required documents except for the filing fee checks and/or the Visa Export Certification Form, submit the packet to ISSS. You will then need to follow up with PSC and/or the RIO to ensure that ISSS receives the checks and/or Visa Export Certification Form by March 22, 2017.

Please see the first question and answer regarding where to find instructions on preparing an H-1B visa request packet including requesting checks from PSC and the Visa Export Certification Form from the RIO.

**What steps should you take if you are a current employee in H-1B status and there is an H-1B petition filed on your behalf pending with the USCIS under regular processing?**

First, based on the scenarios described in the questions above, determine if you need to upgrade the petition to premium processing service with the USCIS. To upgrade the pending petition to premium processing, your sponsoring department will need to request a check from PSC for the $1225 premium processing fee. See the [H-1B Department Checklist](#) on the ISSS website for instructions on how to request the filing fee check for $1225 that ISSS must submit to the USCIS with the upgrade request.

**What steps should you take if you are an employee in H-1B status or a future employee in H-1B status and you have questions?**

First, determine the appropriate administrative contact in your sponsoring department to assist with the H-1B visa process. Set up a meeting with him/her and together read over this document carefully to determine what action your department needs to take. If you still are unsure of the appropriate course of action once you and your sponsoring
department have carefully reviewed this document, please email ISSS at isss@colorado.edu and provide the details about your inquiry. Please do not email or call directly individual advisors as they are working diligently to prepare and file H-1B petitions prior to the April 3, 2017 deadline. ISSS checks email messages to isss@colorado.edu multiple times a day and they will be forwarded to the appropriate person for a prompt response.

**What steps should you take if you are an employee in H-1B status and are anxious to know the status of a H-1B petition that ISSS is preparing on your behalf?**

Please be patient. ISSS understands your anxiety and we are working diligently to serve all of our employees on H-1B visas. First, reach out to the administrative contact in your sponsoring department to confirm that they have submitted all the required information and documents to the ISSS. ISSS will send email messages to the administrative contacts and H-1B sponsored employees to confirm the receipt of documents, request any missing information and/or documents, and inform them when ISSS submits H-1B visa petitions to USCIS. Thank you for your patience.

**International Student & Scholar Services**
University of Colorado Boulder