

**CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA**

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March 23, 2017

Donald Neufeld  
Associate Director  
United States Citizenship and Immigration Services  
Department of Homeland Security  
20 Massachusetts Avenue, NW  
Washington, DC 20529-2140

Dear Associate Director Neufeld:

The U.S. Chamber of Commerce writes to express its concerns regarding the actions of U.S. Citizenship and Immigration Services (hereinafter "USCIS") in temporarily suspending the use of premium processing for H-1B petitions beginning April 3, 2017. The suspension of the premium processing option will be disruptive not only for the various types of businesses who rely upon this tool for planning purposes, but also for the many workers and their families who stand to bear the brunt of the impact from this suspension.

Chamber members have expressed many concerns about the potential impact this suspension will have on their businesses and workers, several of which are outlined below.

- Employers whose petitions were selected under the H-1B cap for fiscal year 2018 will not be approved in time to begin employment on October 1, 2017;
- Employers of H-1B visa holders who have timely filed petitions to extend the legal status for their current workers do not receive approval of said extensions from USCIS within 240 days of their application, which may lead to:
  - o Employers needing to remove workers from the company's payroll, which can be very disruptive if the workers are needed for time sensitive projects, and
  - o H-1B workers being prevented from renewing their drivers' licenses in certain states, as well as hindering their ability to open bank accounts or apply for loans.
- Hospitals across the country that suffer from acute staffing shortages will have even greater difficulty obtaining medical residents/fellows if they cannot use premium processing to hire new residents in time for the beginning of their programs in the fall. The lack of premium processing also injects further uncertainty for hospitals seeking to extend the status of their current doctors. The effect of this suspension will be most profound for university/teaching hospitals, as well as hospitals located in rural and other underserved areas of the U.S.

- H-1B visa holders working in the U.S. pursuant to their 240 day extension of work authorization cannot leave the U.S. before their extension request is approved; if these workers serve multinational clients such that they need to travel outside the U.S. frequently, the inability of their employer to utilize premium processing can hinder the company's ability to serve its clients in a satisfactory manner.
- U.S. colleges and universities trying to hire new professors or simply extend the status of current professors, especially those teaching in STEM fields, will not be able to offer the classes they intended to if the petitions for the relevant professors are not approved.

The Chamber is not insensitive to the agency's stated need to process long-pending petitions and prioritizing extension of status petitions that are nearing the 240 day mark where individual workers will have their legal status lapse. However, a potential half-year suspension of premium processing is a very drastic measure to take; further, in doing so, the agency is foregoing a significant amount of revenue through losing fees paid for by premium processing requests. Those are resources that could be used for maintaining and expanding the number of USCIS adjudicators, which would undoubtedly help USCIS deal with its processing issues.

The Chamber appreciates your willingness to take these serious concerns of our members into consideration. We look forward to working with you in the future and should you have any questions, please do not hesitate to contact us.

Sincerely,



Randel K. Johnson  
Senior Vice President  
Labor, Immigration and  
Employee Benefits



Jonathan B. Baselice  
Director  
Immigration Policy

Cc: James McCament, Deputy Associate Director, USCIS