

Insights, News & Events

USCIS EXPANDS PREMIUM PROCESSING IN FURTHER EFFORT TO REDUCE IMMIGRATION BACKLOG AND PROCESSING DELAYS

Insights
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Since the start of the COVID-19 pandemic, processing delays have plagued the USCIS and frustrated many employers and foreign nationals applying for and extending their visas. At its peak in January 2022, the USCIS had a backlog of over 5 million cases. There's good news, however. During a May 24 stakeholder webinar, federal immigration officials promoted various initiatives aimed at reducing the backlog and increasing capacity, including hiring additional staff, increasing overtime, allowing certain nonimmigrants to re-use prior biometric appointments, increasing virtual interviews, and expanding premium processing.

What Was Announced?

As a further effort to increase efficiency, the USCIS announced last week that it will expand premium processing services to certain additional I-140 immigrant petition types. Premium processing is an additional service offered by the USCIS that expedites the processing of petitions to a 15-day period for an additional filing fee of \$2,500.

Specifically, beginning June 1, the USCIS will allow premium processing requests for pending multinational executive/manager I-140 petitions received on or before January 1, 2021. Then, starting July 1, 2022, the

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USCIS will start accepting premium processing requests for national interest waiver I-140 petitions that were filed on or before March 1, 2021. To focus on reducing the backlog, however, the USCIS will not be accepting premium processing for new (initial) I-140 national interest waiver or multinational executive/manager I-140.

What's Coming Down the Road?

Moving forward, the USCIS has announced that in the coming weeks and months, it will further expand premium processing to various Form I-539 (change/extension of status) and Form I-765 (employment authorization) applications. These changes are expected to provide much needed relief to spouses and relatives of H-1B, TN, and L-1 workers whose derivative applications have been left in limbo with lengthy processing delays even after their spouses' petitions have been long approved.

With these upcoming changes and the USCIS's continued efforts to expand capacity and reduce its backlog, it is important to review open immigration petitions and check in with your Fisher Phillips immigration attorney to see if you can take advantage of any of these efforts.

We'll monitor this situation and provide updates as warranted, so make sure you are subscribed to [Fisher Phillips' Insight system](#) to get the most up-to-date information. If you have further questions, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Immigration Practice Group](#).