

USCIS Expands Premium Processing Program

June 5, 2006

On May 23, 2006, U.S. Citizenship & Immigration Services (USCIS) announced that it will soon offer “premium processing” of certain types of I-140 Immigrant Petitions, I-765 Applications for Employment Authorization and I-539 Applications to Extend/Change Nonimmigrant status. **It is important to note that premium processing is NOT yet in effect for these forms.** USCIS will place an announcement on its website when the program goes into effect.

Currently, premium processing is available only for I-129 Nonimmigrant Petitions. For an additional \$1,000 premium processing fee, USCIS will provide initial adjudications of premium petitions within 15 calendar days. Once the premium processing program is expanded, it will include I-140 Immigrant Petitions for the first, second and third employment-based preference categories (*except* for National Interest Waivers); I-765 Applications for Employment Authorization tied to employment-based Adjustment of Status Applications; and I-539 Applications to Extend/Change Nonimmigrant Status in the following visa categories: B-1, J-1, J-1, E-1, E-2, H-4, L-2, O-3, P-4, R-2 and TD.

Petitioners and applicants who do not wish to pay the \$1,000 premium processing fee will still be able to file forms I-140, I-765 and I-539 by paying the regular filing fees. We will post additional updates on the expanded premium processing program as more information becomes available.

If you have any questions about USCIS policies and procedures, please contact your McCandlish Holton immigration attorney.