

USCIS to Implement Premium Processing for Certain Pending EB-1, EB-2 Form I-140 Petitions

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In March 2022, USCIS published a final rule expanding its premium processing service to include additional immigration petition and application types. This announcement was welcome news to businesses and foreign nationals dealing with extensive delays in the processing of immigration benefits.

On May 24, 2022, USCIS announced that premium processing will begin as of June 1, 2022, with Forms I-140, Immigrant Petition for Alien Workers, in the first preference EB-1 multinational managers and executives category and the second preference EB-2 national interest waiver category. However, the [service is limited](#) only to petitions that were filed more than a year ago.

According to USCIS, the initial phase of premium processing expansion will be as follows:

- As of June 1, 2022, USCIS will start to accept Form I-907, Requests for Premium Processing, for EB-1 multinational executive and manager petitions *received by the USCIS on or before January 1, 2021*.
- As of July 1, 2022, USCIS will start to accept Form I-907 requests for EB-2 national interest waiver petitions *received on or before June 1, 2021*.
- As of July 1, 2022, USCIS will start to accept Form I-907 requests for EB-1 multinational manager or executive petitions *received on or before March 1, 2021*.
- USCIS will reject interfiled requests for premium processing for any of the above before the effective start dates.
- USCIS will not accept new “initial” filings for any of the above with premium processing requests at this time.

As to the [Form I-907 itself](#):

- For the month of June 2022, USCIS will accept both the 09/30/20 and the 05/31/22 edition of

the form.

- Starting on July 1, 2022, the older version will be rejected for all premium processing requests.

The cost for this expanded premium processing benefit will remain \$2,500, but, unlike the current 15-day premium processing timeframe, USCIS will guarantee adjudication within 45 days. Nevertheless, that is considerably better than the current 12-to-18-month delays for many applications.

USCIS indicated that additional premium processing benefits are being introduced to increase efficiency on a staggered basis, when revenues exist to hire additional staff and when it would not adversely affect other processing times. It is not clear yet when premium processing for Form I-539 requests for change of status or extension of stay in nonimmigrant dependent categories or when Form I-765 Requests for Employment Authorization will become available. However, USCIS [previously noted](#) that all the new benefits may not be available until 2025.

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