



U.S. Citizenship
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Services

[Home](#) > [News](#) > [News Releases](#) > USCIS Updates Policies to Improve Immigration Services

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WASHINGTON—U.S. Citizenship and Immigration Services has issued new policy updates in the [USCIS Policy Manual](#) to clarify the criteria and circumstances for expedited processing; improve request for evidence (RFE) and notice of intent to deny (NOID) guidance; and increase the validity period for initial and renewal employment authorization documents (EADs) for certain noncitizens with pending adjustment of status applications.

“We are taking action to eliminate policies that fail to promote access to the legal immigration system, and will continue to make improvements that help individuals navigate the path to citizenship, and that modernize our immigration system,” said Secretary of Homeland Security Alejandro N. Mayorkas.

“These policy measures are consistent with the Biden-Harris administration's priorities to eliminate unnecessary barriers to our nation’s legal immigration system and reduce burdens on noncitizens who may be eligible for immigration benefits,” said Acting USCIS Director Tracy Renaud. “USCIS is committed to promoting policies and procedures that ensure we operate in a fair, efficient, and humane manner that reflects America’s heritage as a land of opportunity for those who seek it.”

Expedited Processing

Under the [updated expedite criteria policy \(PDF, 293.62 KB\)](#), benefit requestors and USCIS officers are provided further guidance on when [expedited processing](#) may be warranted. Additionally, nonprofit organizations whose request is in furtherance of the cultural and social interests of the United States may request that a benefit be considered for expedited processing, even if premium processing is available for that benefit.

Expedited processing is a [special-situation service](#) that USCIS considers for benefit requestors who urgently need their request for immigration benefits adjudicated. USCIS reviews such requests on a case-by-case basis. Expedited requests for noncitizens with a final order of removal or noncitizens in removal proceedings are coordinated between USCIS and U.S. Immigration and Customs Enforcement.

Requests for Evidence and Notices of Intent to Deny

USCIS is returning to the adjudicative principles of a [June 2013 memo \(PDF\)](#) that instructed agency officers to issue an RFE or NOID when additional evidence could potentially demonstrate eligibility for an immigration benefit. As part of the [updated RFE and NOID policy \(PDF, 319.1 KB\)](#), USCIS is rescinding a [July](#)

[2018 memo](#) that permitted agency officers to deny certain immigration benefit requests instead of first issuing an RFE or NOID.

This updated policy will ensure that benefit requestors are given an opportunity to correct innocent mistakes and unintentional omissions. In general, a USCIS officer will issue an RFE or NOID when the officer determines additional information or explanation may potentially establish eligibility for an immigration benefit.

Employment Authorization Documents

[Updated policy guidance \(PDF, 296.76 KB\)](#) will increase the current one-year validity period on both initial and renewal EADs to two years for certain adjustment of status applicants. Increasing the validity period on EADs for certain adjustment applicants is expected to reduce the number of employment authorization requests USCIS receives and allow the agency to shift limited resources to other priority areas.

This guidance was issued due to ongoing processing delays affecting the completion of adjustment of status applications. Renewing EADs in this category is generally free, and USCIS received nearly 370,000 adjustment-related employment authorization requests in fiscal year 2020.

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