

USCIS Processing Times: What to Expect

A comprehensive guide from EB5 Attorneys

USCIS processing times measure how long the agency takes to adjudicate immigration applications, from receipt to decision. As of early 2026, processing times range from a few months for straightforward employment authorization applications to over two years for certain green card and naturalization cases. Processing times vary by form type, service center or field office, and the applicant's specific circumstances. USCIS publishes estimated processing times online, but actual times frequently exceed published estimates.

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How USCIS Measures and Reports Processing Times

USCIS publishes processing time estimates at egov.uscis.gov/processing-times. The estimates are based on the time it takes the relevant service center or field office to complete 80% of adjudicated cases in the most recent reporting period. This means 20% of cases take longer than the published estimate.

Processing times are reported by form type and filing location. The same form may have very different processing times at different service centers. For example, I 130 petitions processed at the Nebraska Service Center may have shorter times than those at the California Service Center during the same period.

USCIS updates processing time data approximately monthly, though updates are sometimes delayed. The data reflects historical adjudication performance, not a guarantee of future processing speed. Agency reorganizations, staffing changes, policy shifts, and filing volume fluctuations can all cause processing times to change.

Each case receives a receipt date (the date USCIS accepts the application for processing) and a receipt number (beginning with a three letter code identifying the service center: SRC for Texas, LIN for Nebraska, WAC for California, EAC for Vermont, IOE for online filings). The receipt number is used to check case status online.

Current Processing Times by Major Form Type

As of early 2026, approximate processing times for commonly filed forms include:

Form I 130 (Petition for Alien Relative): 5 to 12 months for immediate relative petitions; 12 to 24 months for preference category petitions.

Form I 485 (Adjustment of Status): 8 to 24 months depending on the field office and category. Employment based cases may process faster than family based cases at some offices.

Form I 140 (Immigrant Worker Petition): 6 to 12 months at standard processing; 15 business days with premium processing (\$2,805).

Form I 526E (EB 5 Investor Petition): 12 to 36 months at standard processing; 120 business days with premium processing (\$2,805).

Form I 751 (Remove Conditions on Residence): 12 to 24 months.

Form I 829 (EB 5 Remove Conditions): 12 to 30 months.

Form N 400 (Naturalization): 6 to 18 months depending on field office.

Form I 765 (Employment Authorization): 2 to 7 months. Many EAD categories are subject to auto extension provisions that extend work authorization for up to 540 days while the renewal is pending.

Form I 131 (Advance Parole): 2 to 6 months when filed concurrently with I 485.

All timeframes are estimates based on published data and practitioner experience as of early 2026. Actual processing for any individual case may be shorter or longer.

Why Processing Times Vary

Several factors contribute to processing time variation:

Filing volume: when USCIS receives a surge of applications (such as after a fee increase announcement or a policy change), backlogs grow and processing times increase. The introduction of EB 5 premium processing in 2023 shifted some I 526E cases to faster adjudication but did not reduce overall standard processing backlogs.

Case complexity: cases requiring extensive document review, security background checks, or multiple Requests for Evidence take longer than straightforward cases. EB 5 source of funds cases with multi country financial transactions are inherently more complex than a simple family based immediate relative case.

Service center or field office workload: some USCIS locations are chronically slower than others due to staffing levels, caseload distribution, and management practices. USCIS periodically transfers cases between service centers to balance workloads, which can cause temporary processing time increases at the receiving center.

Security checks: all applications require biometric screening and background checks through the FBI. If a background check returns a "hit" (a match or potential match), the case is delayed until the issue is resolved. Name checks for applicants with common names can take months to clear.

RFEs and NOIDs: when USCIS issues a Request for Evidence (RFE) or Notice of Intent to Deny (NOID), the processing clock effectively stops until the applicant responds and the officer reviews the response. RFEs can add 3 to 12 months to total processing time.

Premium Processing: Availability and Limitations

Premium processing (Form I 907) guarantees a response from USCIS within a specified timeframe in exchange for an additional fee. As of April 2026, premium processing is available for:

Form I 140 (all categories): \$2,805 fee, 15 business day response.

Form I 526E (EB 5 petitions): \$2,805 fee, 120 business day response.

Form I 129 (nonimmigrant worker petitions): \$2,805 fee, 15 business day response.

Form I 539 (change/extension of nonimmigrant status): \$1,750 fee, 30 business day response.

Form I 765 (EAD, certain categories): \$1,750 fee, 30 business day response.

A "response" under premium processing means USCIS will issue an approval, a denial, a Request for Evidence, or a Notice of Intent to Deny within the guaranteed timeframe. An RFE or NOID resets the clock. This means premium processing does not guarantee approval within the stated period; it guarantees that USCIS will take some action.

Premium processing is not available for Form I 130, Form I 485, Form I 751, Form I 829, or Form N 400. For these forms, there is no mechanism to expedite processing beyond filing an expedite request based on qualifying circumstances (severe financial loss, humanitarian reasons, or nonprofit status of the petitioning organization).

What to Do When Processing Takes Too Long

Several options exist for applicants whose cases exceed normal processing times:

Check case status online: use the receipt number at egov.uscis.gov/casestatus to check for updates. Status changes (case received, RFE sent, case approved) are reflected in the online system.

Contact USCIS: if your case has been pending longer than the published processing time for your form and service center, you can submit an inquiry through the USCIS Contact Center (1 800 375 5283) or make an InfoPass appointment (now called an appointment through the USCIS online scheduling tool) at your local field office.

Submit an expedite request: USCIS may expedite processing for cases involving severe financial loss to a company or person, emergency situations, humanitarian reasons, nonprofit organizations whose request is in furtherance of the U.S. government's cultural or social interests, or a government agency request. Expedite requests must be supported by evidence of the qualifying circumstance.

File a mandamus lawsuit: if USCIS has unreasonably delayed adjudication and all administrative remedies have been exhausted, the applicant may file a lawsuit in federal district court under the Mandamus Act (28 U.S.C. 1361) or the Administrative Procedure Act (5 U.S.C. 706) to compel USCIS to act. Mandamus suits have become increasingly common in response to prolonged USCIS delays. Many cases are resolved after the lawsuit is filed but before trial, as USCIS adjudicates the application once litigation is initiated.

Contact your congressional representative: most members of Congress have caseworkers who handle constituent inquiries to federal agencies, including USCIS. A congressional inquiry does not change the legal merits of your case, but it can prompt USCIS to review the file and provide a status update.

How to Track and Plan Around Processing Times

Effective case management requires realistic planning around USCIS timelines:

Check published processing times before filing. Use the USCIS processing times tool to look up the estimated timeline for your specific form and filing location. Plan your personal and professional life around the longer end of the estimate, not the shorter end.

File interim benefit applications concurrently. When filing I 485, always file I 765 (EAD) and I 131 (advance parole) at the same time. The combo card provides work and travel authorization while the green card is pending.

Track your receipt date and compare it to the processing time range. If your case exceeds the outer bound of the posted processing time, initiate an inquiry immediately rather than waiting further.

Use eb5status.com processing time tools for EB 5 specific data, including historical trends and category specific timelines.

Keep all contact information current with USCIS. If you move, file Form AR 11 (change of address) within 10 days as required by INA section 265. A missed notice because of an outdated address can result in case denial or abandonment.

Frequently Asked Questions

1. Can I check my case status online?

Yes. Enter your receipt number (the 13 character code beginning with three letters, such as SRC, LIN, WAC, EAC, or IOE) at egov.uscis.gov/casestatus. The system shows the current status (received, pending, RFE issued, approved, denied) and the date of the most recent action. The information may lag behind actual processing by a few days.

2. What is premium processing and is it worth it?

Premium processing guarantees a USCIS response (not necessarily an approval) within a specified timeframe for an additional fee. For I 140 petitions, the response comes within 15 business days for \$2,805. For I 526E petitions, within 120 business days for \$2,805. It is worth considering when timing is critical, such as when an H 1B worker needs the I 140 approved before their sixth year H 1B limit, or when an EB 5 investor wants concurrent filing eligibility confirmed quickly.

3. My case has been pending longer than the estimated time. What should I do?

First, check the online case status for any updates. If the case exceeds the posted processing time, call the USCIS Contact Center at 1 800 375 5283 to request a status inquiry. You may also submit an online inquiry through your USCIS account. If the delay continues, consider submitting an expedite request (if qualifying circumstances exist), contacting your congressional representative, or consulting an attorney about a mandamus lawsuit to compel USCIS to act.

4. Does an RFE mean my case will be denied?

No. A Request for Evidence means USCIS needs additional documentation or clarification before making a decision. Many RFEs are routine and result in approval after the requested evidence is submitted. However, an RFE should be taken seriously. Respond within the stated deadline (typically 84 days) with thorough, well organized evidence addressing every point raised. Failure to respond results in denial based on the record as it stands.

5. Why are processing times different at different USCIS offices?

Each USCIS service center and field office has its own caseload, staffing levels, and management priorities. Some offices receive a disproportionate share of complex cases. Staffing shortages at certain locations create backlogs. USCIS periodically transfers cases between centers to balance workloads, but this redistribution is imperfect. The result is that the same form type can take six months at one office and two years at another.

6. Can my employer or attorney speed up my case?

Neither your employer nor your attorney can directly accelerate USCIS adjudication. However, an attorney can: ensure the initial filing is complete and well documented (reducing the likelihood of RFEs, which add months); file expedite requests when qualifying circumstances exist; submit congressional inquiries; and file mandamus suits for unreasonable delays. A clean, well prepared initial filing is the single most effective way to minimize processing time.

Disclaimer: This guide is provided for general informational purposes only and does not constitute legal advice. Every immigration case is unique. Consult a qualified immigration attorney for advice specific to your circumstances.

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