

## **USCIS Agrees to Bundle Adjudications for H-4, L-2, and EAD Applications for Dependents of H-1 and L-1 Visa Holders**

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On Jan. 19, 2023, the U.S. Department of Homeland Security (DHS) reached a settlement agreement in the *Edakunni v. Mayorkas* matter challenging the U.S. Citizenship and Immigration Services (USCIS) over lengthy processing delays for applications to extend or change dependent H-4 or L-2 status and Employment Authorization Document (EAD). The USCIS' long processing delays have affected dependent spouses taking up to two years or more to adjudicate their I-539 and I-765 applications. These processing delays have caused frustration to dependent spouses in H-4 and L-2 status, many of whom are waiting for work authorization or renewals to continue employment.

As background, Form I-539 is the Application to Extend or Change Nonimmigrant Status. Form I-765 is the Application for Employment Authorization.

Effective Jan. 25, 2023, under the settlement the USCIS will reinstate bundled adjudication of properly filed I-539 and I-765 applications for H-4 and L-2 dependents submitted concurrently with the principal applicant's I-129 Petition for Nonimmigrant Workers. When filed properly and concurrently, the USCIS will bundle adjudication for petitions filed under standard and premium processing. For applications filed or upgraded to premium processing, the USCIS will review the application within 15 calendar days of receipt. The *Edakunni* settlement terms will remain valid for two years.

At this time, the USCIS has not published an announcement regarding the *Edakunni* settlement or the process for pending I-539 or I-765 petitions filed concurrently with the underlying I-129 petition prior to Jan. 25, 2023.

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