

USCIS Clarifies Criteria for Expedite Requests: Key Changes for 2024

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U.S. Citizenship and Immigration Services (USCIS) recently published updated guidance clarifying its expedite request criteria. The latest changes primarily focus on expedite requests related to government interests and travel-related requests for planned or unplanned events. The revisions also provide guidance regarding the submission and processing of expedite requests.

Quick Hits

- For expedite requests based on government interests, USCIS clarified that it will generally defer to a government agency or department's assessment.
- USCIS will consider expediting a Form I-131, Application for Travel Documents, when the requestor has an urgent travel need due to a planned or unplanned event.
- USCIS also clarified how to submit an expedite request and how USCIS processes expedite requests.

The latest [update](#) to USCIS' Policy Manual enumerates the categories that USCIS will consider for an [expedite request](#) and provides details concerning each criterion.

1. **Severe financial loss.** USCIS emphasized that expedited treatment due to severe financial loss will require corroborating documentation. For companies, this may require evidence that the company is at risk of business failure or may be considering layoffs. For individuals, a need for employment authorization alone generally does not warrant expedited treatment "without evidence of other compelling factors."
2. **Humanitarian and emergency situations.** A humanitarian situation must be pressing, such as "illness, disability, [or] death of a family member or close friend." Requests related to natural disasters or conflict may also qualify for expedited treatment. However, requesting expedited treatment based on the filing of a humanitarian-based benefit alone (such as asylum applications, refugee applications, and requests for humanitarian parole) generally does not warrant expedited treatment "without evidence of other time-sensitive or compelling factors."

In addition to humanitarian situations, USCIS will also consider expedite requests for a Form I-131, Application for Travel Documents. An unplanned event warranting expedited

processing may include medical treatment or “the death or grave illness of a family member or close friend.” A planned event can also warrant expedited treatment if the requestor timely filed an application, but USCIS’ processing times will prevent approval by the intended date of departure.

3. **Nonprofit organizations.** Expedite requests from nonprofits must show “an urgent need” related to the “beneficiary’s specific role within the nonprofit in furthering cultural or social interests.” USCIS confirmed that it does not expedite cases based solely on the organization’s purpose. Rather, the organization must articulate why the beneficiary is specifically needed, as opposed to merely identifying a general shortage.
4. **Government interests.** Federal, state, or local government agencies can request expedited processing if it serves urgent “public interest, public safety, national interest, or national security concerns.” The request must be made by an authorized official and “must demonstrate that the interests are pressing and substantive.” If a federal agency or department identifies an articulable federal government interest, USCIS will generally defer to that agency or department’s assessment.
5. **Clear USCIS errors.** An expedite request based on a USCIS error may be granted if there is “an urgent need to correct the error.” For example, an applicant who receives an employment authorization document (EAD) with incorrect information may not have proper work authorization. If USCIS caused the error, the applicant may request a replacement EAD on an expedited basis.

Key Takeaways

The process and requirements for requesting expedited adjudication may vary depending on the application type and unique circumstances. USCIS considers all expedite requests on a case-by-case basis and may exercise its discretion when reaching a decision. Further, the agency is not required to provide detailed justifications in its response. Nonetheless, the updates to USCIS’ Policy Manual provide increased transparency regarding the applicable standards and review process and should help ensure consistent adjudications for expedite requests.

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