

USCIS temporarily increases automatic extension period for certain EADs

U.S. Citizenship and Immigration Services (USCIS) issued a [temporary final rule](#) on May 4, 2022 that temporarily increases the automatic extension period for Employment Authorization Documents (EADs) to a maximum of 540 days for certain EAD applicants. This temporary final rule, aimed to ultimately reduce processing time for EAD renewals, will also alleviate hardships often faced by both employers and employees.

The automatic extension applies only to certain EAD renewal applicants, including Adjustment of Status applicants, H-4 spouses, and E and L-2 dependent spouses. To be eligible, the applicant must have filed a Form I-765 (Application for Employment Authorization) prior to the expiration of their current EAD. In addition, the renewal application must be in a classification that is eligible for an automatic extension. A complete list of the eligible categories for this automatic extension may be found [here](#).

For those that currently have an EAD renewal application pending and have been granted an automatic 180-day extension, USCIS will provide an additional 360 day extension. Individuals seeking an EAD renewal after May 4, 2022 who fall under an eligible category will be granted the 540-day automatic extension.

While this rule change is helpful to certain renewal applicants, it does not provide relief to anyone applying for an initial EAD or to those individuals who want to renew their EADs but are not in a category that is eligible for an automatic extension. Those individuals, and their employers, will continue to suffer as a result of the extremely long processing times at USCIS.