COMPLETING FORM I-907, REQUEST FOR PREMIUM PROCESSING SERVICE

by Magdale Labbe Henke and Paul L. Samartin

NOTE: Always check the website for the most recent version of this form and current filing fees!

Form I-907, Request for Premium Processing Service, is utilized by petitioners or applicants when requesting that U.S. Citizenship and Immigration Services (USCIS) expeditiously process certain Forms I-129, Petition for Nonimmigrant Worker, and I-140, Immigrant Petition for Alien Worker.

By using Premium Processing Service, a petitioner or applicant is guaranteed to receive a response on a case from USCIS within 15 calendar days; however, the response may be an approval notice, a denial notice, notice of intent to deny (NOID), request for evidence (RFE), or a referral of the case for investigation for suspected fraud or misrepresentation. If USCIS issues a NOID or RFE, USCIS has a further 15-calendar days to adjudicate the petition from the date USCIS receives a response to the NOID or RFE.

The following are petition types and visa categories that are currently eligible for Premium Processing Service:

- I-129, Petition for Nonimmigrant Worker
  - E Treaty Trader or Investor
  - H-1B Workers in a Specialty Occupation
  - H-3 Trainee
  - L-1 Intracompany Transferee
  - LZ Application for a Blanket Approval
  - O-1 Individuals with Extraordinary Ability or Achievement
  - O-2 Individual providing essential support services to O-1 principal
  - All P categories (P-1, P-1S, P-2, P-2S, P-3, P-3S)
  - Q-1 International Cultural Exchange Visitor
  - R-1 Religious Workers
  - TN-1 NAFTA Professional, Canada
  - TN-2 NAFTA Professional, Mexico

* Articles do not necessarily reflect the views of the American Immigration Lawyers Association.

* Magdale Labbe Henke is the principal of MLH Consular Consulting—Global Immigration Law Services, based in Munich. Her practice focuses on U.S. consular processing and nonimmigrant and immigrant visa petitions, including employment, investor, and family-based applications, as well as assisting with global immigration/expatriate assignments. She is chair of the AILA Rome District Chapter Consular Liaison Committee and a member of AILA national’s Military Assistance Program Task Force. She was admitted to the New York and New Jersey Bars in 2001, and is licensed as a Solicitor of the Supreme Court of England and Wales.

* Paul L. Samartin is head of the U.S. immigration practice at Laura Devine Solicitors. Mr. Samartin specializes in business- and family-based immigration to the United States and has extensive experience working with embassies and consulates throughout Europe. He regularly speaks on a wide range of business- and family-based immigration matters, and has written numerous articles for AILA. He earned his J.D. from Pepperdine University School of Law and is admitted to the State Bar of California.

1 R-1 premium processing is currently available only for those petitioners who have previously completed a successful on-site inspection at the location where the beneficiary will be employed. For additional information, see the USCIS instructions on premium processing.
I-140, Immigrant Petition for Alien Worker

- EB-1 Foreign nationals of extraordinary ability and outstanding professors and researchers
- EB-2 Members of professions with advanced degrees or exceptional ability not seeking a National Interest Waiver (NIW)
- EB-3 Skilled workers, professionals, workers other than skilled workers and professionals

Premium Processing Service is not yet available for EB-1 Multinational Executives and Managers (it was projected to become available in the 2012 calendar year but USCIS has yet to add it to the list). In addition, Premium Processing Service is not available for EB-2 petitions seeking a NIW.

The I-907 may be filed by mail or electronically through the USCIS e-filing system. Currently, USCIS instructions state that if an underlying/related I-129 or I-140 petition has already been filed, the I-907 should be filed with the service center where the underlying petition is pending, with a copy of the I-797C, Notice of Action, receipt notice issued by USCIS. If the Form I-907 is being filed with an initial I-129, the I-129 petition, relevant forms, and supporting documentation must be filed with either USCIS California Service Center or USCIS Vermont Service Center depending on the location where the beneficiary will be temporarily employed. If the I-907 is being filed with an initial I-140, the I-140 petition, relevant forms, and supporting documentation should be filed with either USCIS Nebraska Service Center or USCIS Texas Service Center depending on the location where the beneficiary will be permanently employed. Requests for Premium Processing Service should not be sent to a USCIS lockbox but to the direct Premium Processing Service filing addresses as stated on the I-129 and I-140 form instructions. As filing instructions are updated frequently, it is important to regularly consult www.uscis.gov/forms for the most up-to-date instructions.

Further, the I-907 must either be filed by: the petitioner who filed the corresponding petition, or by an attorney or accredited representative. If filed by an attorney on behalf of a petitioner, a completed and signed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, must be included with the filing, unless a G-28 was previously submitted with the related petition. While the I-907 form indicates that it can be filed by a petitioner or an applicant, premium processing currently is only available for I-129 and I-140 petitioners, and not on any applications. The fee for requesting Premium Processing Service is currently $1,225 USD.

PART 1 – PETITIONER INFORMATION

The first part of this section requests information about the petitioner that filed or is filing the underlying petition. The full company name should be provided. The second part of the section requests information about the actual person submitting the I-907, whether petitioner, applicant or attorney; the appropriate box must be checked to indicate who “the person submitting the request” is. In addition, if the request is being submitted utilizing an attorney, the “To Be Completed by” information should be completed by ticking the box indicated a G-28 is attached and providing the attorney’s license number if any.

No space should be left blank: if a section is not applicable, then write “N/A” in the space. Likewise “None” should be indicated if appropriate. This is applicable to all parts of the form.

PART 2 – INFORMATION ABOUT REQUEST

In this section, you will provide information about the underlying petition for which you are requesting Premium Processing Service.

1. Form Number of Related Petition/Application

Indicate the form number of the underlying petition, such as “I-129” or “I-140.”

2. Receipt Number of Related Petition/Application

If you have already filed the underlying petition and received an I-797C Notice of Action receipt notice, insert the receipt number in this block.
3. **Classification/Eligibility Requested**
   Indicate the specific classification for the related petition/application, such as “L-1A” or “EB-1 Extraordinary Ability.”

4. **Petitioner/Applicant in the Relating Case**
   The petitioner or applicant should once again be provided in this section.

5. **Beneficiary in the Relating Case**
   As above, give the beneficiary’s name in this block.

**PART 3 – ORIGINAL SIGNATURE**
   In this section, the individual submitting the request (whether the petitioner, applicant or attorney or accredited representative) must provide an original signature on the form, along with that person’s company/firm name (if applicable), address, and phone number. If the attorney is not the individual submitting the form and thus has not signed in Part 3, then he/she must provide an original signature in Part 4.

**PART 4 – SIGNATURE OF ATTORNEY OR ACCREDITED REPRESENTATIVE**
   If the attorney (or accredited representative) has already provided an original signature in Part 3, then the box “Same individual as signing above in Part 3” should be checked, and the attorney does not need to sign again in Part 4 but must re-insert the firm name, address and telephone number as required.
Sample Form I-907, Request for Premium Processing Service
Submitted by the Petitioner

START HERE - Type or Print (Use black ink)

Part 1. Information About You (Person filing this petition)

Family Name (Last Name)  Given Name (First Name)  Full Middle Name
N/A  N/A  N/A

If filed on behalf of a company: Company or Business Named in the Related Case
Acme Company Limited

Mailing Address - Street Number and Name / P.O. Box Number
28 Brookings Road

Company Contact Information:
Name of Company Contact  Title/Position
James Acme  CEO

City  State/Province  Zip/Postal Code  Country
New City  New York  11111  USA

IRS Tax ID (if any)
12-3456789

You (the person submitting this request):

☐ Are the petitioner who is filing or has filed a petition eligible for Premium Processing.
☐ Are the attorney or accredited representative for the petitioner who is filing or has filed a petition eligible for Premium Processing. (Complete and submit Form G-28, if Form G-28 has not been submitted with the petition.)
☐ Are the applicant who is filing or has filed an application eligible for Premium Processing.
☐ Are the attorney or accredited representative for the applicant who is filing or has filed an application eligible for Premium Processing. (Complete and submit Form G-28, if Form G-28 has not been submitted with the application)

Phone Number (Area/Country Code)  Fax Number (Area/Country Code)  E-Mail Address (if any)
(555) 444-4444  (555) 444-4445  acme@email.com

Part 2. Information About Request

1. Form Number of Related Petition/Application
   I-129

2. Receipt Number of Related Petition/Application
   EAC-12-345-67890

3. Classification/Eligibility Requested
   L-1A

4. Petitioner/Applicant in the Relating Case
   Acme Company Limited

5. Beneficiary in the Relating Case
   Jane Allison DOE

Form I-907 (Rev. 10/19/11) Y

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### Part 3. Original Signature

I understand that U.S. Citizenship and Immigration Services (USCIS) will issue a refund of the Premium Processing fee to the addressee above in Part 1 of this request if USCIS does not take an action on the relating premium processing eligible case within 15 calendar days after this request has been physically received at the appropriate USCIS office. Case actions include a referral for investigation of suspected fraud or misrepresentation, or:

- An approval notice;
- A request for evidence; or
- A notice of intent to deny.

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this request is all true and correct. USCIS may obtain any information from the records of the related case that USCIS needs to determine eligibility for the benefit being sought.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Title (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CEO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Print Your Name</th>
<th>Date (mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Acme</td>
<td>01/21/2012</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Company Name and Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acme Company Limited, 28 Brookings Road, New City, New York 11111</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Daytime Phone Number (Area Code and Number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(555) 444-4444</td>
</tr>
</tbody>
</table>

### Part 4. Original Signature of Attorney or Accredited Representative (Note if attorney is signing above in Part 3)

I declare that I prepared this application at the request of the above person, and it is based on all information of which I have knowledge.

☐ Same individual as signing above in Part 3. (If this box is checked, provide your firm name and address and daytime phone number below and submit Form G-28, if Form G-28 has not been submitted with the petition or application. If this box is not checked, provide the requested information below)

<table>
<thead>
<tr>
<th>Signature</th>
<th>Print Your Name</th>
<th>Date (mm/dd/yyyy)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>John A. Attorney</td>
<td>01/21/2012</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Firm Name and Complete Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>John A. Attorney and Associates, 123 River Drive, New City, New York 11111</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Daytime Phone Number (Area Code and Number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(555) 555-5555</td>
</tr>
</tbody>
</table>
## Sample Form I-907, Request for Premium Processing Service

Submitted by the Attorney

### Part 1. Information About You

<table>
<thead>
<tr>
<th>Family Name (Last Name)</th>
<th>Given Name (First Name)</th>
<th>Full Middle Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**If filed on behalf of a company:** Company or Business Named in the Related Case

Acme Company Limited

**Mailing Address:** Street Number and Name / P.O. Box Number

28 Brookings Road

**Company Contact Information:**

<table>
<thead>
<tr>
<th>Name of Company Contact</th>
<th>Title/Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Acme</td>
<td>CEO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State/Province</th>
<th>Zip/Postal Code</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>New City</td>
<td>New York</td>
<td>11111</td>
<td>USA</td>
</tr>
</tbody>
</table>

**IRS Tax# (if any):**

12-3456789

**You (the person submitting this request):**

- Are the petitioner who is filing or has filed a petition eligible for Premium Processing.

- **[X]** Are the attorney or accredited representative for the petitioner who is filing or has filed a petition eligible for Premium Processing. *(Complete and submit Form G-28, if Form G-28 has not been submitted with the petition.)*

- Are the applicant who is filing or has filed an application eligible for Premium Processing.

- Are the attorney or accredited representative for the applicant who is filing or has filed an application eligible for Premium Processing. *(Complete and submit Form G-28, if Form G-28 has not been submitted with the application)*

**Phone Number (Area/Country Code):** (555) 555-5555

**Fax Number (Area/Country Code):** (555) 555-5556

**E-Mail Address (if any):** attorney@email.com

### Part 2. Information About Request

1. Form Number of Related Petition/Application

   - I-140

2. Receipt Number of Related Petition/Application

   - N/A

3. Classification/Eligibility Requested

   - EB-1 Outstanding Researcher

4. Petitioner/Applicant in the Relating Case

   - Acme Company Limited

5. Beneficiary in the Relating Case

   - Jane Allison DOE

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Form I-907 (Rev. 10/19/11) Y

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Part 3. Original Signature

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The issuance of:

1. An approval notice;
2. A request for evidence; or
3. A notice of intent to deny.

I certify, under penalty of perjury under the laws of the United States of America, that the information provided with this request is all true and correct. USCIS may obtain any information from the records of the related case that USCIS needs to determine eligibility for the benefit being sought.

Signature

Print Your Name
John A. Attorney

Title (if applicable)
Attorney at Law

Date (mm/dd/yyyy)
01/21/2012

Company Name and Address
John A. Attorney and Associates, 123 River Drive, New City, New York 11111

Daytime Phone Number (Area Code and Number)
(555) 555-5555

Part 4. Original Signature of Attorney or Accredited Representative (Note if attorney is signing above in Part 3)

I declare that I prepared this application at the request of the above person, and it is based on all information of which I have knowledge.

[ ] Same individual as signing above in Part 3. (If this box is checked, provide your firm name and address and daytime phone number below and submit Form G-28, if Form G-28 has not been submitted with the petition or application. If this box is not checked, provide the requested information below)

Signature
[not needed if attorney signed above]

Print Your Name
[not needed if attorney signed above]

Date (mm/dd/yyyy)
[also not needed]

Firm Name and Complete Address
John A. Attorney and Associates, 123 River Drive, New City, New York 11111

Daytime Phone Number (Area Code and Number)
(555) 555-5555