

Global Immigration alert

June 2026

United States

Federal court vacates USCIS policies pausing adjudications and mandating re-reviews of approvals

Executive summary

On 5 June 2026, the United States District Court for the District of Rhode Island in the case of *Dorcas International Institute of Rhode Island, et al v. USCIS, et al*, vacated four US Citizenship and Immigration Services (USCIS) policies imposed through a set of policy memoranda. The Court ruled the following USCIS policies unlawful:

- The Benefits Hold Policy, which paused adjudication of immigration benefits filed by and on behalf of individuals from certain countries
- The Global Asylum Hold Policy, which paused adjudication of immigration benefits for asylum-related applications nationwide
- The Comprehensive Re-Review Policy, which required additional review or re-review of cases for applicants from certain countries
- The Country-Specific Factors Policy, which allowed USCIS to treat applicants' countries of origin as a negative discretionary factor in the adjudication process

Background and analysis

The case challenged several USCIS policy alerts and memoranda issued in late 2025 and early 2026 on the grounds that the policies violate the Administrative Procedure Act (APA). On 27 November 2025, USCIS issued Policy Alert PA-2025-26, titled "Impact of INA 212(f) on USCIS' Adjudication of Discretionary Benefits." This guidance updated the USCIS Policy Manual and directed USCIS officers to consider relevant country-specific factors and circumstances as negative factors in the adjudication process, including those outlined in Presidential Proclamation (PP) 10949, *Restricting the Entry of Foreign*

Nationals To Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats.

USCIS published a subsequent Policy Memorandum, PM-602-0192, on 2 December 2025. This memorandum instructed USCIS adjudicators to place on hold all Asylum and Withholding of Removal approvals regardless of the applicant's country of nationality. Additionally, it required all pending immigration benefit requests for applicants who were born in or are nationals (including dual nationals/citizens) of the countries listed in PP 10949 to undergo comprehensive review as well as re-review for those who entered the United States on or after 20 January 2021. USCIS further expanded the benefits pause to additional countries with PM-602-0194 issued on 1 January 2026 based on PP 10998, *Restricting and Limiting the Entry of Foreign Nationals To Protect the Security of the United States*, which took effect that same day.

Collectively, these memoranda and internal guidance formed the four USCIS policies challenged before the District Court. As expressed by the Court, these policies had resulted in the indefinite pause on adjudication of immigration benefit requests for asylum applications and all benefit requests for individuals from the thirty-nine countries listed in the two Presidential Proclamations. The Court concluded that USCIS acted contrary to law and that the policies were arbitrary and capricious.

As a result, the Court vacated the four policies in their entirety with nationwide impact. However, the Court did not

grant a permanent injunction to restrict USCIS from implementing similar named or unnamed policies in the future. Instead, the District Court noted that future similar policies would need to be challenged with the appropriate mechanisms, if implemented.

What this means

As a result of the Court's ruling:

- USCIS may not delay or hold adjudication of cases solely based on an applicant's country of origin under the vacated policies.
- USCIS may no longer pause adjudication of asylum-related applications under these policies.
- USCIS may not impose blanket re-review requirements tied to the affected country lists.
- Country-specific factors may not be used as a standalone negative factor in adjudications under the vacated guidance.

However, USCIS has the option of seeking a stay pending appeal to halt immediate implementation of the above.

Employers and individuals whose requests for immigration benefits have been impacted by any of the four policies are advised to contact USCIS if their cases are currently outside normal processing times. Expedite requests may also be submitted to USCIS if employees have lost or are at risk of losing work authorization due to processing delays.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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