



IABA RESOURCE:

USCIS ADJUDICATION
PAUSE

APRIL 24, 2026



INTRODUCTION

On December 2, 2025, U.S. Citizenship and Immigration Services (USCIS) paused adjudication of certain immigration benefits for nationals of designated "high-risk" countries, including Iran. A subsequent memorandum issued on January 1, 2026 expanded the pause to additional countries. As a result, affected nationals have been unable to receive approvals for naturalizations, oath ceremonies, extensions of stay, and employment authorizations, among other benefits.

This pause has left many individuals in prolonged legal and economic limbo. Applicants who followed all legal requirements and submitted applications in good faith are now facing indefinite delays, often without explanation or a clear timeline for resolution.



SCOPE OF THE PAUSE

Two USCIS Policy Memoranda form the basis of the adjudication pause:

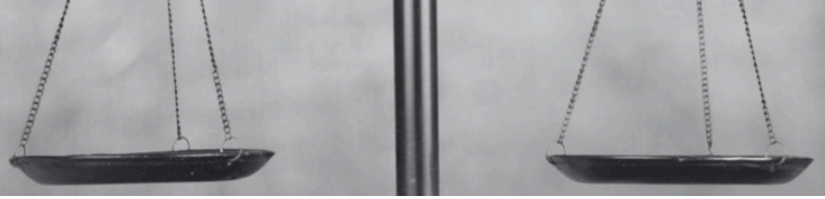
1. PM-602-0192, issued December 2, 2025, directed USCIS officers to place a "hold and review" on all pending asylum applications nationwide, regardless of nationality, and on most immigration benefit requests filed by nationals of 19 designated high-risk countries, including Iran. Covered benefit requests include employment authorization, adjustment of status, extensions or changes of status, and naturalization, including oath ceremonies. The memorandum also requires additional review of certain previously approved cases for individuals from designated countries who entered the United States on or after January 20, 2021, extending uncertainty to applicants who had already received benefits and reasonably believed their cases were resolved.¹



2. PM-602-0194, issued January 1, 2026, expanded the hold to nationals of additional countries designated under Presidential Proclamation 10998, bringing the total number of affected countries to 39.² The expanded memorandum also directs re-review of approved benefit requests for nationals of the newly added countries and clarifies that the hold extends to persons whose country of birth is on the travel ban list; the adjudication pause is not limited to a person's country of citizenship.

Although framed as a temporary security measure, both directives functionally operate as a suspension of adjudications for affected categories of cases. Applications remain pending without decisions, adjudications have effectively stopped, and no public guidance has been issued regarding the duration of the hold or the criteria governing the review process.

- 1 On March 30, 2026, USCIS lifted the hold on asylum applications for asylum seekers from non-travel ban countries. The adjudication pause continues for persons from travel ban countries as of the publication of this resource.
- 2 For a complete list of affected countries, see CRS, IN12631 (available at <https://www.congress.gov/crs-product/IN12631>).

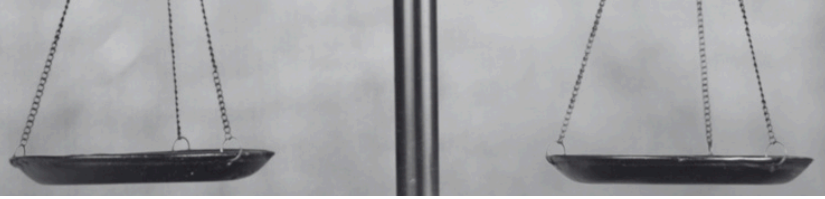


LEGAL FRAMEWORK

USCIS is required under federal law to adjudicate immigration benefit applications within a reasonable time. While the agency retains discretion over how it evaluates individual cases, that discretion does not extend to declining to act altogether.

The Administrative Procedure Act (APA) requires that agencies conclude matters "within a reasonable time," 5 U.S.C. § 555(b), and authorizes courts to "compel agency action unlawfully withheld or unreasonably delayed." 5 U.S.C. § 706(1). Courts have consistently interpreted these provisions to mean that agencies may not leave applications pending indefinitely.

In *Telecommunications Research & Action Center v. FCC*, 750 F.2d 70 (D.C. Cir. 1984), the D.C. Circuit established a six-factor framework for evaluating whether agency delay is unreasonable. Relevant factors include whether the agency's timeline is governed by a rule of reason, whether delays that might be tolerable in economic regulation are less acceptable



when human health and welfare are at stake, and the nature of the interests prejudiced by the delay. These factors have been widely applied in immigration cases involving delayed adjudications.

Congress has also expressed an expectation of timely processing. Under 8 U.S.C. § 1571(b), it is the sense of Congress that immigration benefit applications should be completed within 180 days of filing. Although this provision is precatory rather than mandatory, it reflects the statutory context in which USCIS operates and supports the conclusion that prolonged or indefinite delays are disfavored.

Against this backdrop, a categorical directive to place applications on “hold,” particularly one that applies across broad categories of cases or based on nationality, raises significant legal and humanitarian concerns.



IMPACT ON INDIVIDUALS AND COMMUNITIES

The adjudication pause has had immediate and significant consequences for individuals, families, and communities. Applicants awaiting employment authorization have been unable to work legally, resulting in lost income, job instability, and, in many cases, termination of employment. Individuals seeking extensions or changes of status remain in limbo, uncertain about their lawful presence and unable to make basic decisions about housing, travel, or long-term planning. For naturalization applicants, the process has stalled at its final stage, with oath ceremonies delayed indefinitely.

Many individuals who complied with all legal requirements and submitted applications in good faith now face prolonged uncertainty with significant legal, financial, and personal consequences. For some, this leaves no realistic option but to depart the United States despite having pending applications. For Iranian nationals, that is often not a viable option given



current conflict conditions, and this places individuals in an untenable position.

These effects extend beyond individual applicants. Employers face workforce disruptions, families experience prolonged separation, and communities absorb the broader economic and social consequences of delayed integration.


The impact is particularly acute for Iranian nationals. Existing barriers, including limited consular processing options and heightened administrative scrutiny, already constrain immigration pathways. Prior restrictions imposed under INA § 212(f) authority continue to shape the landscape. For many Iranian applicants, USCIS adjudication within the United States represents the primary viable pathway, and the pause therefore compounds existing constraints and disproportionately affects this community.



LEGAL CHALLENGES AND LITIGATION

Litigation challenging the USCIS adjudication pause is active and expanding across multiple jurisdictions. These cases seek to compel USCIS to resume adjudications primarily under the Administrative Procedure Act, arguing that the "hold and review" directives amount to an unlawful withholding of required agency action, unreasonable delay, arbitrary and capricious rulemaking, and violation of notice-and-comment requirements.

Multiple lawsuits have been filed nationwide by individual applicants and groups seeking mandamus and APA relief. The cases follow a consistent pattern, asserting that USCIS has effectively suspended processing for broad categories of applicants without individualized justification, a timeline, or compliance with required rulemaking procedures.



Several federal courts have now issued rulings blocking the adjudication hold as applied to specific plaintiffs. One of the most significant recent developments comes from ongoing litigation led by Curtis Morrison of Red Eagle Law, L.C., who has filed challenges to the adjudication pause across multiple jurisdictions. On April 17, 2026, in *Behdin v. Edlow*, No. 5:26-cv-00566 (N.D. Cal.), a case involving 32 plaintiffs, 31 of whom are Iranian, a federal court recently ruled that USCIS cannot freeze work permit applications and must adjudicate them within 180 days.³ The ruling does not require approval, but it does require the agency to act. While limited to the plaintiffs, it provides meaningful precedent and a pathway for similar challenges.

Meschi v. Edlow, No. 3:26-cv-01993 (N.D. Cal.), presents the next significant opportunity for judicial relief. Like *Behdin*, the case challenges PM-602-0192 and PM-602-0194 and seeks a preliminary injunction compelling USCIS to resume

3 Eakin, Britain. “Judge Says USCIS Can't Keep Delaying Iranians' Work Permits.” Law 360, <https://www.law360.com/articles/2466725> (April 17, 2026).



adjudications for the named plaintiffs. The preliminary injunction hearing is scheduled for May 1, 2026.

Most cases remain in early stages, with courts now beginning to address whether the pause constitutes unlawful delay and whether relief should extend beyond individual plaintiffs.



CONGRESSIONAL AND OVERSIGHT ACTIVITY

Congressional scrutiny of the USCIS adjudication pause has intensified, with lawmakers raising legal, humanitarian, and systemic concerns.

On April 22, 2026, Senate Judiciary Committee Democrats formally requested that the Government Accountability Office (GAO) open independent investigations into the administration's indefinite holds on immigration processing for nationals of 39 countries and the re-review of previously approved immigration benefits, including green cards and naturalization decisions.⁴ In their letters, the Senators expressed concern that the processing pauses "are an attempt to

4 Letter from Senate Judiciary Committee Democrats to U.S. Gov't Accountability Off. (Apr. 22, 2026), <https://www.judiciary.senate.gov/imo/media/doc/26.04.22%20Letters%20from%20SJC%20Dems%20to%20GAO%20Regarding%20Indefinite%20Holds%20on%20Processing.pdf>



circumvent the statutory scheme for lawful immigration to the United States, rather than a legitimate exercise in improving the integrity of our immigration system," and noted that the administration has provided no meaningful explanation to enable immigrants, families, or employers to understand how to maintain lawful status. The Senators requested that GAO examine the evidentiary and legal basis for the holds, whether any internal analysis was conducted before adjudications were suspended, and what steps are being taken to resume normal processing.

On April 23, 2026, Senator Edward Markey and Representative Yassamin Ansari led a congressional letter to the Secretaries of Homeland Security and State, Acting ICE Director, and USCIS Director urging immediate protections for Iranian nationals in the United States who cannot safely return to Iran given the current security situation.⁵ The letter also challenged the

5 Letter from Sen. Edward J. Markey et al. to the Administration Regarding Iranian Nationals in the United States (Apr. 23, 2026), https://www.markey.senate.gov/imo/media/doc/letter_to_administration_on_iranian_nationals_in_the_us.pdf



January 1, 2026 adjudication pause directly, asking the administration to explain its continued legal justification, the criteria governing re-review of previously approved benefits, and whether USCIS has complied with its own 90-day timeline for issuing operational guidance.

Taken together, these efforts reflect a shift from concern to active oversight. Congress is no longer just seeking explanations; it is investigating whether the adjudication pause is lawful at all. This level of scrutiny increases pressure on USCIS and the administration to justify the policy, provide transparency, and ultimately restore adjudications.

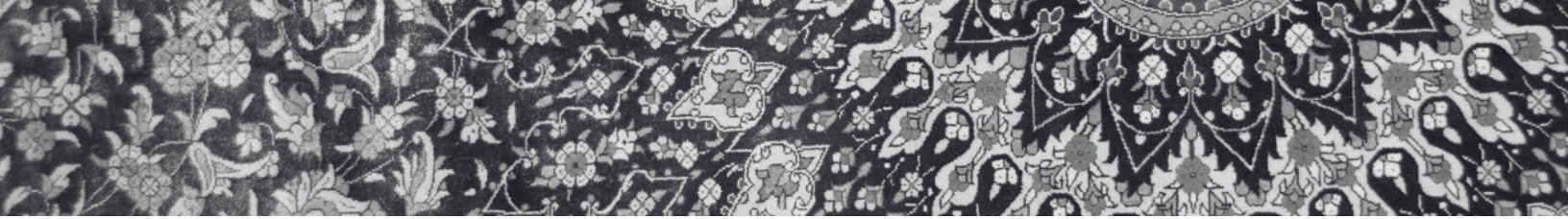


IABA RESPONSE AND ADVOCACY EFFORTS

As the adjudication pause has deepened, IABA has mounted a coordinated response across five areas: educational outreach, formal advocacy, community support and education, regulatory engagement, and public awareness.

Educational Outreach

IABA has engaged in sustained outreach to congressional offices since early 2026, providing education on how the adjudication pause operates in practice and its effects on Iranian Americans and other affected communities. Since mid-March, IABA has worked closely with the legislative teams of Senator Markey and Congresswoman Ansari, helping inform staff of the scope and legal implications of the pause. IABA also conducted outreach to additional congressional offices, successfully encouraging several members to sign the Markey/Ansari letter of April 23, 2026. This sustained



educational engagement has helped shape the framing of recent congressional inquiries into the policy.

Formal Advocacy

IABA has also engaged directly with the administration. On March 30, 2026, IABA sent a coalition letter to the federal government alongside aligned organizations, urging the restoration of immigration benefits for affected individuals.⁶ The letter was also circulated among congressional offices and industry leaders, reflecting IABA's recognized expertise in immigration law and its role as a representative voice for the Iranian American community. This effort reflects IABA's broader approach of ensuring that advocacy on these issues extends beyond any single organization and presents a unified call from the Iranian American and wider immigrant community.

6 Iranian Am. Bar Ass'n, IABA Sends Coalition Letter Urging Federal Government to Restore Immigration Benefits (Mar. 30, 2026), <https://iaba.us/wp-content/uploads/IABA-Coalition-Letter-re-Immigration-Benefits-2.pdf>

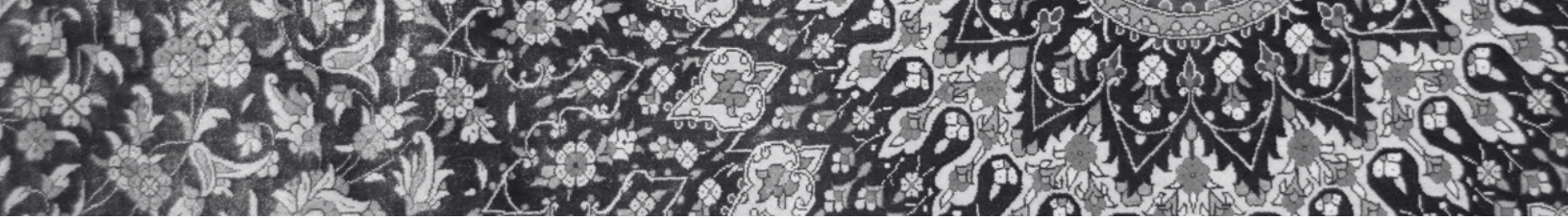


Community Support and Education

Recognizing that many affected individuals lack access to reliable information about their rights and options, IABA has organized webinars connecting immigration attorneys directly with students and other community members who are navigating the pause. These sessions help participants understand their legal situation, available pathways, and practical steps they can take as the policy and litigation landscape continues to evolve. Additional programming is planned as developments unfold. IABA also provides referrals to immigration attorneys for those who need individualized assistance.

Regulatory Engagement

IABA has engaged the federal rulemaking process directly, submitting formal comments to DHS in opposition to the proposed rule on Employment Authorization Reform for Asylum Applicants (DHS Docket No. USCIS-2025-0370; RIN 1615-AC97). The proposed rule would extend the employment



authorization waiting period for asylum seekers from 180 to 365 days and authorize suspension of work permit applications when asylum processing times exceed 180 days. IABA opposed the rule as unsupported by evidence, as improperly shifting the burden of agency delay onto asylum seekers, and as disproportionately harmful to Iranian asylum seekers.

Public Awareness

IABA has worked to ensure the human impact of the adjudication pause remains visible in the broader legal and policy debate. This has included elevating the stories of affected individuals, connecting community members with media outlets, and facilitating direct constituent engagement with congressional representatives. Hearing from people who followed every legal requirement and now face an uncertain future carries weight with decision-makers in ways that legal arguments alone cannot.

SUPPORT IABA

Support IABA's mission in three impactful ways:

- **Donate.** Make a tax-deductible contribution to fund scholarships, advocacy, and community programs.
- **Join.** Become a member to stay informed, engaged, and connected to opportunities.
- **Follow.** Help amplify our voice by following and sharing our posts on Instagram, LinkedIn, and Facebook.

DISCLAIMER: This guide provides general information that information may not be applicable in every situation and does NOT constitute legal advice. If you need legal advice regarding a specific situation, you should consult with a licensed and trusted attorney.

