United States Senate

WASHINGTON, DC 20510

June 4, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20528

The Honorable Joseph B. Edlow
Director
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, Maryland 20588

Dear Secretary Mullin and Director Edlow:

We write to express serious concern regarding U.S. Citizenship and Immigration Services' (USCIS) overbroad and indefinite pauses on completions of immigration and citizenship cases, particularly when they are based solely on national origin. Such stops in legal immigration based on arbitrary factors do not make America safer and leave immigrants, their American families, and employers in limbo due to no fault of their own.

On December 2, 2025,[1] then on January 1, 2026,[2] USCIS issued policy memoranda directing its personnel to place a hold on all pending and future immigration benefit requests. These memoranda impose an indefinite, sweeping hold on the issuance of final decisions on immigration and naturalization applications for foreign nationals from 39 countries, impacting permanent residence (i.e., green card) petitions and applications, naturalization interviews, citizenship ceremonies, and applications for employment authorization documents, based solely on the person's country of birth or nationality if listed in Presidential Proclamation 10949 and 10998. In addition, the memoranda ordered a "comprehensive re-review" of approved applications and petitions for individuals from these countries, if they "entered the U.S. on or after January 20, 2021." The December 2nd memorandum initially placed an indefinite hold on all asylum applications, regardless of national origin, but this pause is now being applied only to asylum seekers whose national origin is reflected in the presidential proclamations. The January 1st memorandum also included a section entitled *Exceptions to the Adjudication Hold*, but did not include clear guidance on how applicants or legal representatives should file for such exceptions, even after requests for clarification have been made.

Furthermore, USCIS has not informed Congress, affected parties, or the general public about how it is conducting these stoppages. On April 29, press reported that USCIS has stopped approvals of pending asylum, immigration, and naturalization applications and petitions regardless of the subjects' country of origin and ordered USCIS personnel to re-submit fingerprints if the cases began prior to April 27, 2026.[3] It is unclear how many applications are impacted by this latest hold on approvals and how long impacted cases will be delayed. On the other hand, USCIS is now apparently adjudicating applications and petitions for foreign doctors from the 39 countries but did

[1] https://www.uscis.gov/sites/default/files/document/policy-alerts/PM-602-0192-PendingApplicationsHighRiskCountries-20251202.pdf
[2] https://www.uscis.gov/sites/default/files/document/policy-alerts/PM-602-0194-PendingApplicationsAdditionalHighRiskCountries-20260101.pdf
[3] https://www.cbsnews.com/news/trump-administration-mandates-enhanced-security-checks-immigration-applicants-uscis/

not announce this important update other than by a change on its website, which was done without any notice.[4]

USCIS cannot stop adjudicating or re-adjudicate previously approved applications and petitions based solely on arbitrary factors such as the subject's national origin, date of entry, or the type of application they filed. This approach is overbroad, imposes significant harm on immigrants and their American families and employers, and raises questions about USCIS's discretion and operational capacity.

These memoranda provide that they were issued in the wake of the tragic shootings of National Guard members in November 2025, which resulted in the death of a servicemember and seriously injured an additional servicemember. The Administration has inappropriately and unreasonably used this isolated attack, involving a single foreign national, as justification for suspending immigration benefit processing for millions of applicants across nearly 40 countries. Imposing a blanket ban on legal immigration processing based on the actions of a single individual is neither proportionate nor consistent with due process principles that undergird our immigration system.

The impacts of this pause are far-reaching and growing. Individuals who are lawfully present in the U.S., many of whom have already undergone extensive, multi-step background checks, interviews, and security screenings, now face indefinite uncertainty through no fault of their own. Our offices are hearing from constituents whose naturalization interviews have been canceled, whose green card applications have stalled, and whose employment authorization documents have lapsed while awaiting renewal. These lapses in work authorization are forcing individuals out of jobs, threatening their families' financial stability, and creating losses for employers who depend on their contributions. Additionally, individuals seeking travel documents, including advance parole, face disruptions to future travel plans. The pause is also compounding an already significant immigration processing backlog at USCIS, which will only grow more severe the longer it continues.

Of particular concern, both memoranda direct USCIS to "conduct a comprehensive re-review of all approved benefit requests" for nationals of the designated countries in Presidential Proclamation 10949 and 10998 and that were approved on or after January 20, 2021, the start of the prior Administration's term. This retroactive re-review effectively calls into question every immigration benefit granted to individuals from these countries over the past five years, completely ignoring that these approvals followed well-established, lawful procedures and thorough vetting at the time. Reopening previously adjudicated cases on the sole basis of national origin undermines the finality of agency action, destabilizes the lives of individuals who reasonably relied on those decisions, and raises serious questions about whether this review is motivated by legitimate security concerns or by a blanket presumption that prior approvals were deficient.

With respect to immigrant visa applicants, USCIS has provided no legal analysis as to how these policies comply with the prohibition in section 202(a)(1)(A) of the Immigration and Nationality Act on discrimination "in the issuance of an immigrant visa because of the person's

[4] https://www.nytimes.com/2026/05/03/us/trump-travel-ban-doctors-us-immigration.html

race, sex, nationality, place of birth, or place of residence."[5] According to reports, USCIS has also issued guidance that national origin is "a significant negative factor" for consideration of applications and petitions for immigration benefits from within the United States, including green card applications. It must be noted that while many applicants may have been born in one of the currently listed "high-risk" countries, these same applicants also hold passports from second countries where they have lived and held ties to for several years, but are being castigated for where their birth is registered.

We also note that both memoranda committed USCIS to issuing operational guidance within 90 days of issuance. The deadlines for both memoranda have passed, yet to our knowledge no such guidance has been published. The agency provided a March 30, 2026 update, yet it read vague and did not issue real guidance for impacted individuals. The absence of clear operational procedures raises serious questions about the agency's capacity to administer this policy and the timeline for resuming normal adjudications.

Finally, USCIS issued yet another policy memorandum on May 21, 2026, that attempts to change decades of well-established immigration law and practice on lawful permanent residence without the requisite changes in the statute or regulations.[6] While the memorandum itself does not explicitly state what it is trying to do, the May 22 press release announcing the memorandum makes it clear that the goal of this memorandum is to force immigrants who are applying for permanent residence to "return to their home countries to apply, except in extraordinary circumstances."[7]

However, for decades, the Immigration and Nationality Act has allowed immigrants who have been "inspected, admitted, and paroled" into the United States to "adjust" their status to lawful permanent residence.[8] Under both Democratic and Republican administrations since the 1950s, millions of immigrants who met the statutory criteria for adjustment of status have become lawful permanent residents without having to leave the U.S. for an indefinite period of time to apply from abroad. For example, in Fiscal Years 2018 to 2020, during President Trump's first administration, 1,579,606 immigrants became lawful permanent residents through the adjustment status process.[9]

The May 21 policy memorandum caused a firestorm of concern from those eligible for adjustment of status, as well as their U.S. families and employers who are at risk of lengthy separation from their loved ones or valued employees. A USCIS spokesperson later suggested that green card applicants in the U.S. who will provide an "economic benefit" or serve the "national interest" would be allowed to complete their lawful permanent residence process without having to leave the U.S.[10] It is unclear whether USCIS leadership reviewed this subsequent clarification,

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[5] Immigration and Nationality Act § 202(a)(1)(A), 8 U.S.C. § 1152(a)(1)(A)
[6] https://www.uscis.gov/sites/default/files/document/memos/PM-602-0199-AdjustmentOfStatusAndDiscretion-20260521.pdf
[7] https://www.uscis.gov/newsroom/news-releases/us-citizenship-and-immigration-services-will-grant-adjustment-of-status-only-in-extraordinary
[8] Immigration and Nationality Act § 245(a), 8 U.S.C. § 1255(a)
[9] https://ohss.dhs.gov/topics/immigration/legal-immigration-and-adjustment-status-report
[10] https://x.com/camiloreports/status/2057950896051409137

since immigration law does not require "economic benefit" or "national interest" for adjustment of status.

In light of these concerns, we respectfully request that you provide written responses to the following questions within two weeks of receiving this letter:

1. What is the anticipated duration of the adjudication stops? What has been the impact of the fingerprint resubmission requirement on the duration? What specific conditions or benchmarks must be met before USCIS resumes normal processing of applications and petitions?
2. How many applications and petitions are currently subject to the adjudication stops? Please break out this number by form numbers (e.g. N-400, I-130, I-589, etc.) and country of nationality and birth.
3. How many employment authorization document renewal requests have been impacted? How long have these requests been pending? Please break this number down by the employment authorization category (i.e., whether the application is associated with a pending asylum application, Deferred Action for Childhood Arrivals, etc.). What steps is USCIS taking to mitigate economic harm to these individuals and their employers?
4. What is the status of the operational guidance that USCIS committed to issuing within 90 days of each memorandum? When does USCIS expect to publish this guidance?
5. Given that the Presidential Proclamation itself does not apply to dual nationals, what is the legal justification for applying the pause to individuals who are dual nationals applying with a passport from a non-travel ban country?
6. Please provide a copy of any guidance, memoranda, or written policy reflecting that the previous hold on all asylum applications now only applies to individuals whose national origin is reflected in the presidential proclamations. What steps has USCIS taken to effectuate this policy change? Please provide the number of asylum applications processed, broken down by nationality and country of origin since the pause was lifted.
7. What is USCIS's projected impact on the agency's processing backlog as a result of the travel ban pause and the fingerprint resubmission process, and what resources have been allocated to address the anticipated surge in adjudications once the hold is lifted?
8. Both memoranda direct a comprehensive re-review of all immigration benefits approved on or after January 20, 2021. How many previously approved cases are subject to this retroactive review? What specific deficiencies in the original adjudications, if any, has USCIS identified to warrant reopening these cases, and what criteria will USCIS use to determine whether a previously approved benefit should be revoked? What is the expected timeframe for completing this re-review? What type of notice will individuals receive if their case is subject to re-review? Would an individual's status at present be affected when flagged for re-review?
9. How many naturalization interviews, citizenship oath ceremonies, and interviews for lawful permanent residence have been canceled or postponed since December 2, 2025, as a result of these memoranda? Please break down this data by country of nationality and states in which these applicants reside.

10. Please provide the number of individuals who have been sent a Request for Evidence, Notice of Intent to Deny, or denial based on the new policy considering national origin "a significant negative factor," broken down by country of nationality, country of origin, and associated form type.

11. The President rolled out an expedited pathway to lawful permanent resident status via the "gold card".[11] Without any clear legal authority, DHS announced this new path to citizenship for "qualified individuals and corporations, who contribute $1 million and $2 million respectively . . ."[12] Will the adjudication hold apply to gold card applicants?

12. Will USCIS apply the May 21, 2026 memorandum to individuals who already filed I-485 applications for adjustment of status and are currently present in the United States?

13. The May 21, 2026 memorandum provides that USCIS "may" provide specific guidance as to whether applications "may or may not warrant [an] act of grace and exception to the regular consular process." When does USCIS plan to issue this guidance and will it be made public?

As a country, we have long pledged that individuals who follow the law and navigate our legal immigration system in good faith deserve timely and fair adjudication of their applications. Additionally, the legal requirement set forth by the Homeland Security Act requires timely adjudications by USCIS.[13] An indefinite, nationality-based freeze on processing - without clear operational guidance, a defined timeline, or adequate transparency - undermines that commitment and imposes real consequences on families and communities across the nation. We urge USCIS to provide the requested information promptly and to take immediate steps to resume the orderly processing of immigration and naturalization applications.

Sincerely,

Mark R. Warner
United States Senator

Tim Kaine
United States Senator

Angela D. Alsobrooks
United States Senator

Chris Van Hollen
United States Senator

[11] https://www.cbsnews.com/news/trump-gold-card-website-1-million-platinum-card-how-it-works/.
[12] https://x.com/Sec_Noem/status/1998854631405826534.
[13] https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title6-section271&num=0&edition=prelim