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US IMMIGRATION & NATIONALITY LAW

IMMIGRATION UPDATE - MAY 14, 2026

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Headlines:

USCIS Ordered to Resume Processing for Certain 'Restricted' Countries' Applicants – On April 30, 2026, a federal court in Massachusetts ordered the U.S. government to lift its blanket hold on certain U.S. Citizenship and Immigration Services immigration applications for approximately 200 plaintiffs from specific countries.

Enhanced Security Vetting Causes Adjudications Pause, Coinciding With New RFE Trends – U.S. Citizenship and Immigration Services has begun implementing enhanced security vetting procedures that are expected to delay certain pending immigration benefit adjudications. In addition, more types of petitions and applications will require fingerprint-based background checks.

USCIS Lifts Adjudication Hold for Foreign Physicians – U.S. Citizenship and Immigration Services has quietly updated its enhanced screening and vetting policy to lift the adjudication hold for foreign national physicians. The update applies only to cases pending or filed with USCIS and does not affect visa applications processed abroad through the Department of State.

Details:

USCIS Ordered to Resume Processing for Certain 'Restricted' Countries' Applicants

On April 30, 2026, a federal court in Massachusetts issued a significant ruling ordering the U.S. government to lift its blanket hold on certain U.S. Citizenship and Immigration Services (USCIS) immigration applications for approximately 200 plaintiffs from specific countries. The court found that two key USCIS policies, which have been responsible for freezing cases for months, are likely unlawful. While this marks an important legal victory, the decision currently applies only to the individuals involved in the case. Thousands of other

applicants remain subject to these policies and may need to take additional steps to obtain relief.

The court found that:

- USCIS likely does not have the authority to freeze applications indefinitely based on nationality;
- Using nationality as a negative factor is likely inconsistent with immigration law;
- The government did not follow proper rulemaking procedures before implementing these policies; and
- Applicants suffered real and immediate harm, including:
    - Loss of work authorization
    - Disruption of lawful status
    - Financial and personal hardship

The decision signals the type of relief other litigants may be able to pursue through similar lawsuits. The court held that:

- USCIS must resume processing applications for certain plaintiffs;
- USCIS must stop applying these policies to those individuals; and
- The court will determine whether additional plaintiffs are also entitled to relief.

The affected countries include Afghanistan, Angola, Antigua and Barbuda, Benin, Burkina Faso, Burma (Myanmar), Burundi, Chad, Congo-Brazzaville (Republic of the Congo), Côte d'Ivoire, Cuba, Dominica, Equatorial Guinea, Eritrea, Gabon, The Gambia, Haiti, Iran, Laos, Libya, Malawi, Mali, Mauritania, Niger, Nigeria, Palestinian Authority (those using P.A.-issued documents), Senegal, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Tanzania, Togo, Tonga, Turkmenistan, Venezuela, Yemen, Zambia, and Zimbabwe.

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Enhanced Security Vetting Causes Adjudications Pause, Coinciding With New RFE Trends

U.S. Citizenship and Immigration Services (USCIS) has begun implementing enhanced security vetting procedures that are expected to delay certain pending immigration benefit adjudications. In addition, more types of petitions and applications will require fingerprint-based background checks.

These changes follow Executive Order 14385, issued on February 6, 2026, which directs the Attorney General to provide the Department of Homeland Security (DHS) with access to criminal history record information, maintained by the Department of Justice for DHS screening and vetting purposes, to the maximum extent permitted by law.

USCIS has not yet issued detailed public guidance explaining how the new process will be applied across all case types, but recent internal guidance and public reporting indicate that, effective April 27, 2026, USCIS began receiving enhanced criminal history record information for fingerprint-based background checks submitted through the Federal Bureau of Investigation's (FBI) "Next Generation Identification (NGI)" system. According to reporting on the internal guidance, USCIS officers have been directed not to approve certain pending cases until the enhanced checks have been completed, and to resubmit fingerprint-based screenings for any application or petition where the FBI information was received before April 27, 2026.

The most immediate impact appears to be on pending applications and petitions that require fingerprint-based background checks. These commonly include adjustment of status, naturalization, asylum-related filings, and certain employment authorization applications. The new process has coincided with emerging trends in requests for evidence involving biometrics in certain employment-based matters.

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USCIS Lifts Adjudication Hold for Foreign Physicians

According to reports, U.S. Citizenship and Immigration Services (USCIS) has quietly updated its enhanced screening and vetting policy to lift the adjudication hold for foreign national physicians. The update applies only to cases pending or filed with USCIS and does not affect visa applications processed abroad through the Department of State.

Medical organizations lobbied for a national interest exemption from the hold, outlining the serious public health consequences and noting that 23% of licensed physicians in the United States are foreign-trained and 64% of foreign-trained physicians practice in medically underserved areas or health professional shortage areas. The prolonged adjudication hold has resulted in physicians losing their status or work authorization, thereby rendering them

unable to provide much needed medical services to U.S. patients.

Other vetting measures remain in effect. Employers and physicians with pending cases should monitor their case status online for updates or requests for evidence and prepare for potential biometrics appointments or re-interviews.

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