



 **PRACTICE ALERT¹** 
**USCIS EXTREME VETTING POLICIES
AND THEIR IMPLICATIONS FOR IMMIGRANT SURVIVORS**

December 12, 2025

What Happened?

On December 2, 2025, following the shooting of two National Guard service members allegedly by an Afghan asylee, U.S. Citizenship and Immigration Services (USCIS) issued a new [Policy Memorandum](#): *Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries* (“Vetting Policy Memo”)², implementing and expanding the extreme vetting measures set forth in the June 4, 2025 [Presidential Proclamation](#)³ restricting the entry of nationals from 19 countries⁴ that were deemed high-risk.⁵ The Department of Homeland Security (DHS) did not address the adjudication of benefits by USCIS until the issuance of the Vetting Policy Memo.

¹ Copyright 2025, ASISTA Immigration Assistance. This Practice Alert was authored by Heather Ziemba, ASISTA Anti-Trafficking Project Attorney, with helpful input from Rebecca Eissenova, ASISTA Senior Staff Attorney, and Cristina Velez, ASISTA Legal & Policy Director.

² *USCIS Policy Memorandum: Hold and Review of all Pending Asylum Applications and all USCIS Benefit Applications Filed by Aliens from High-Risk Countries*, PM-602-0192 (Dec. 2, 2025) (“USCIS Vetting Policy Memo”).

³ [Presidential Proclamation 10949](#), *Restricting the Entry of Foreign Nationals To Protect the United States From Foreign Terrorists and Other National Security and Public Safety Threats*. (June 4, 2025).

⁴ Pursuant to Presidential Proclamation 10949, effective June 9, 2025, the entry of all nationals—both immigrants and nonimmigrants— from the following countries was fully suspended: Afghanistan, Burma/Myanmar, Chad, the Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan and Yemen. In addition, the entry of all nationals as immigrants and as nonimmigrants on B-1, B-2, F, M, and J visas from the following countries was suspended: Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela. For these countries, consular officers were also directed to reduce the validity of all other types of nonimmigrant visas to the extent allowed by law.

⁵ These 19 countries were deemed high-risk based on alleged inadequate identity management and information sharing systems, significant terrorist presence, high visa-overstay rates, and lack of cooperation with accepting the return of their removable nationals.

The USCIS Vetting Policy Memo places a hold on the adjudication of ALL I-589 applications for asylum and withholding of removal, regardless of the applicant's country of nationality, pending a comprehensive review of all policies, procedures, and operational guidance. Credible fear and reasonable fear interviews will continue, however, throughout this review. The memorandum also places a hold on the adjudication of ANY pending benefit requests for foreign nationals from the 19 countries⁶ listed in the June 4, 2025, Presidential Proclamation regardless of the applicant's date of entry into the United States.

Perhaps most troubling, the Vetting Policy Memo requires USCIS to conduct a comprehensive re-review of all approved benefits for foreign nationals from the 19 countries included in Presidential Proclamation 10949 who entered⁷ the United States on or after January 20, 2021, which may include interviews and re-interviews of all such foreign nationals. It also notes that in certain circumstances, the interview and re-interview process may be extended to foreign nationals from these countries who entered the United States before January 20, 2021. The memorandum further directs USCIS within 90 days, or by March 2, 2026, to prioritize a list of foreign nationals for review, interview, re-interview, and referral to ICE and other law enforcement agencies as appropriate. These holds will remain in effect indefinitely until lifted by the USCIS Director.

The memorandum acknowledges that requests to lift the hold due to litigation or extraordinary circumstances may be made, but can only be approved by the USCIS Director or Deputy Director. It does not describe what may constitute extraordinary circumstances, nor how to make the request.

Before issuing the Vetting Policy Memo, on November 27, 2025, USCIS issued a [Policy Alert](#), expanding extreme vetting measures to foreign nationals from the 19 designated "high-risk" countries citing its authority under INA 212(f). The new Policy Alert announces updates to the discretionary analysis provisions of the USCIS Policy Manual.⁸ Pursuant to the new policy manual provisions, USCIS will now consider country-specific factors and circumstances as outlined in the June 2025 Presidential Proclamation, including insufficient vetting measures, screening information and high

⁶ The June 4, 2025 travel ban excluded dual nationals of the 19 designated countries if they were traveling on a passport from a non-designated country. In contrast, the new USCIS policy memorandum applies its restrictions based on an individual's country of birth or citizenship, so dual citizens are not exempt simply because they hold a passport from a non-high-risk country.

⁷ The policy memorandum defines "entry" to include admission, inspection, parole, and entry without inspection. Therefore, if a foreign national from one of the listed high-risk countries departed the United States and returned on advanced parole on or after January 20, 2021, any benefit approved on behalf of such foreign national will be subject to re-review.

⁸ [Chapter 8 - Discretionary Analysis | USCIS](#)

visa overstay rates, as **significant negative** discretionary factors when adjudicating *any* discretionary immigration benefit.

Furthermore, on December 4, USCIS issued another [Policy Alert](#)⁹ reducing the maximum validity of certain categories of employment authorization to allow for more frequent background reviews of applicants.

How Are Immigrant Survivors Affected?

USCIS's new Vetting Policy Memo imposing adjudication holds and additional reviews of already approved applications will have significant implications for immigrant survivors of domestic violence, sexual assault, human trafficking, and other forms of violence. The adjudication holds apply to all immigration benefits, including VAWA self-petitions, U and T visa petitions (including, potentially, bona fide determinations), work authorization, adjustment of status, and naturalization. In addition, the memorandum does not contain exceptions for minors, so it appears that the adjudication holds will also apply to special immigrant juvenile petitions.

It is not clear if the new Vetting Policy Memo will apply to continued presence issued to trafficking survivors in relation to ongoing criminal investigations. Continued presence is a benefit issued by the Department of Homeland Security's Center for Countering Human Trafficking rather than USCIS.¹⁰ However, USCIS prepares all of the documentation and is responsible for issuing employment authorization documents in relation to a grant of continuous presence.

Many survivors depend on timely adjudication of USCIS benefit petitions to secure their safety, obtain financial stability and access critical services and benefits, and ensure independence from their abusers or traffickers. Processing times for survivor-based immigration benefits are already substantial. The Vetting Policy Memo freezes adjudication of these benefits for survivors from the listed countries, further delaying access to critical protection, work authorization, and lawful status.

The indefinite lack of access to employment authorization, in particular, may make it more difficult for survivors to stabilize their financial situation, rendering survivors, including trafficking survivors, more vulnerable to further exploitation or trafficking. For

⁹ USCIS Policy Alert: Updating Certain Employment Authorization Document Validity Periods, PA-2025-27 (Dec. 4, 2025). The Policy Alert reduces the maximum period of validity for employment authorization for those admitted as refugees, granted asylum, granted withholding of deportation or removal, for those with pending applications for asylum or withholding of removal, those with pending applications for adjustment of status under INA 245, and for those with pending applications for suspension of deportation or cancellation of removal from a maximum of 5 years to 18 months. It also reduces the maximum period of EAD validity for parolees, those who are applying for or have Temporary Protected Status, and spouses of an entrepreneur parolee to a maximum of one year.

¹⁰ U.S. Dep't of Homeland Security, *Continued Presence: Temporary Immigration Designation for Victims of Human Trafficking* (pamphlet), [Continued Presence Pamphlet](#)

survivors who are unable to leave an abusive situation while their immigration benefits are pending, substantial delays in obtaining employment authorization make it even more difficult to escape, as they lack the income and financial independence to secure safe housing and meet basic needs.¹¹ In addition, undocumented survivors, who Congress intended to assist through the U, T, and VAWA legislation, will be more vulnerable to enforcement actions, including detention and even deportation, as a result of indefinite delays in the processing of their benefit applications.

Even after the adjudication hold is lifted, USCIS's shorter EAD validity periods for adjustment applicants, when combined with the elimination of automatic extensions¹² and ongoing processing delays, will significantly increase the risk that survivors with pending adjustment of status applications will lose work authorization. This loss of employment eligibility undermines their stability and ability to achieve financial independence from their abusers or traffickers.¹³

For survivors from the 19 designated high-risk countries, it is likely that we will see an increased rate of denials of discretionary benefits including employment authorization and adjustment of status due to the new policy manual provisions designating country-specific factors as a significant negative discretionary factor.

The directive to re-review previously approved benefits applications, including the possibility that approved survivors will be interviewed or re-interviewed and potentially referred to ICE or other law enforcement agencies, is likely to increase anxiety and fear for survivors who believed their immigration status was stabilized.¹⁴ For survivors who have already been granted legal status and begun the process of healing, reopening their cases and requiring additional interviews can inflict significant psychological harm. Forcing survivors to recount traumatic events that they believed were finally behind them may trigger retraumatization and undermine the progress they have made toward recovery. In addition, in situations where there are ongoing criminal proceedings related to the victimization, the destabilization of survivors' status may discourage them from following through with these legal actions.

What Can Practitioners and Advocates Do?

- **Advise clients of holds on adjudications.** Review open caseloads and advise any clients who may be subject to these updated extreme vetting policies that there will be additional delays in processing their applications.

¹¹ See Her Justice Policy Agenda, [Stories from Immigrant Survivors of Gender-Based Violence: The Impact of Work Authorization](#) (November 2023).

¹² [DHS Ends Automatic Extension of Employment Authorization | USCIS](#)

¹³ *Supra*, note 10.

¹⁴ See Alliance for Immigrant Survivors (AIS), [Fear and Silence Report: 2025 Insights from Advocates for Immigrant Survivors of Domestic Violence, Sexual Assault, and Human Trafficking](#) (December 2025).

- **Continue filing applications for benefits for applicants subject to the new holds on adjudications.** The policy memorandum only places a hold on the *adjudication* of pending applications and does not prohibit the acceptance of new applications and issuance of receipt notices. Filing the applications will provide applicants with proof of delivery and eventually a receipt showing that they have an application for immigration status pending. It will place them in the line for adjudication when that resumes. Attorneys should advise clients of the increased delays before filing.
- **Discuss the possibility of interviews or re-interviews.** Prepare survivors for potential requests for additional evidence or interviews, and assure them that you will work together to gather any additional supporting evidence and prepare them for interviews.
- **Implement safety planning.** For clients in dangerous or unstable situations, coordinate with service providers to update safety plans, especially if delays may prolong dependency on an abuser or trafficker.
- **Prepare arguments for case-specific exceptions to the hold on adjudications.** Emphasize that delays threaten ongoing criminal investigations, hinder cooperation with law enforcement, and endanger survivors—especially those who cannot safely leave their abusers until their applications are approved—thereby undermining the very purpose of these humanitarian benefits.
- **Object to reopening of favorable decisions in violation of statutory and regulatory requirements.** USCIS must satisfy regulatory criteria to reopen finalized decisions. USCIS regulations set forth limited circumstances under which U and T visas may be revoked and require notice and an opportunity to respond to the notice.¹⁵ LPR status can only be rescinded for failure to meet eligibility requirements for permanent residence, and only if rescission is initiated within 5 years of the grant.¹⁶
- **Consider litigation and prepare arguments challenging the legal validity of the holds on adjudication and reopening of previously approved benefit applications.** Coordinate with litigation experts to develop arguments against the application of these extreme vetting measures and follow or join national impact litigation efforts in consultation with your clients.

¹⁵ [8 C.F.R. § 214.213](#) sets forth specific limited circumstances under which USCIS may reopen and revoke T nonimmigrant status, and [8 C.F.R. §214.14\(h\)](#) sets forth the circumstances under which U nonimmigrant status may be reopened and revoked. Reopening T and U nonimmigrant cases based solely on the beneficiary's place of birth or citizenship would violate these regulations. Furthermore, [8 C.F.R. 103.5](#) requires USCIS to provide written notice and an opportunity to respond to any Service motions to reopen and must include specific reasons for the basis for reopening. In addition, with regard to immigrant visa processing, reopening previously approved immigrant visas based solely on one's place of birth or citizenship is in direct violation of INA §202(a)(1)(A).

¹⁶ E.g., 7 USCIS-PM Q.

Additional Resources:

ASAP Breaking News Updates: <https://asaptogether.org/en/recent-posts/>

USCIS: [USCIS Increases Screening, Vetting of Aliens Working in U.S.](#)

AILA: [Practice Alert: Sweeping immigration restrictions announced in the wake of the National Guard shooting](#) (Dec. 2, 2025)