

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

CATHOLIC LEGAL IMMIGRATION
NETWORK, INC., et al.,

Plaintiffs,

v.

MARCO RUBIO, Secretary of State, et al.,

Defendants.

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Case No. 1:26-cv-858-JAV

DEFENDANTS' STATUS REPORT

Pursuant to the Court's August 31, 2026 Order, Defendants respectfully submit this status report concerning implementation of the remand of immigrant-visa applications that were refused solely pursuant to the Department of State's January 14, 2026 guidance (the "IV Pause"). The factual representations below are supported by the accompanying Declaration of John Armstrong, Principal Deputy Assistant Secretary in the Department's Bureau of Consular Affairs.

1. **Identification and status of affected cases.** The Department has the ability to identify applications that were refused solely on the basis of the vacated IV Pause. Armstrong Decl. ¶ 4. In some instances, identifying those applications requires manual review by the adjudicating consular section to confirm that the IV Pause was the sole basis for refusal. *Id.* More than 43,000 immigrant-visa applications are subject to the Court's vacatur and remand order. *Id.* The Department has undertaken additional rescheduling of immigrant-visa appointments globally through September 2026 to allow time to complete identification of affected cases and take appropriate next steps. *Id.* ¶ 5.

2. **Notice to affected applicants.** The Department has updated public-facing websites to notify applicants and the public that the IV Pause has been vacated and continues to remove

references to the vacated IV Pause as they are identified on vendor and post-specific websites. *Id.*

¶ 6. Once a consular officer reconsiders an individual case, the officer will notify the applicant if missing documents, including where applicable an updated medical examination, are necessary for adjudication. *Id.* ¶ 7. Applicants who are required to provide additional information will receive written instructions identifying the information required and explaining how to submit it. *Id.* ¶ 8.

3. **Documents and other applicant requirements.** A consular officer will review each individual case to determine what, if any, additional documents are required before the case can move forward. *Id.* ¶ 8. Applicants will then receive written instructions identifying any required information and how to submit it. *Id.* Some applicants may need to complete an updated medical examination or provide additional documentation, such as an updated police certificate. *Id.* ¶ 9. Whether such materials are required, and which materials are required, depends on the individual circumstances and the time elapsed since the applicant's original submission. *Id.*

4. **Additional interviews.** As part of the consular officer's case-by-case review of an applicant's qualifications and eligibility for a visa, an applicant may be asked to schedule an additional interview. *Id.* ¶ 10. Whether an additional interview is required will be determined individually by the reviewing officer. *Id.* An applicant who must schedule another interview will receive direct notification and instructions for scheduling it. *Id.*

5. **Process and timing.** The Department is developing guidance for consular posts concerning implementation of the Court's Order, including guidance on identifying affected cases and resuming processing of those cases. *Id.* ¶ 11. To accommodate a global training initiative, the Department has rescheduled many immigrant-visa appointments originally scheduled through September 2026, which provides additional time to identify affected cases and begin case-by-case reconsideration of eligibility in accordance with the Court's Order. *Id.* ¶ 12. The Department has

also deployed guidance to the field outlining new training requirements to assist consular officers in moving these applications forward. *Id.* ¶ 13. There is no fixed date by which reconsideration of all affected applications will be completed; affected cases will proceed on a rolling basis as they are identified and reviewed, and the timing of individual cases will depend on circumstances including whether manual review, updated documentation, or an additional interview is required. *Id.* ¶ 12.

6. **Public-charge review.** Remanded cases will be reconsidered by adjudicating consular officers in accordance with the Department’s guidance on public-charge inadmissibility and other Department guidance relevant to determining an applicant’s qualifications and eligibility for an immigrant visa. *Id.* ¶ 15. Consular officers will use additional adjudication tools deployed since the January 14 guidance, including a public-charge worksheet that informs the officer’s assessment of public-charge inadmissibility under the totality of the circumstances. *Id.* The worksheet was deployed globally pursuant to guidance issued on August 15, 2026. *Id.* Consular officers will review remanded cases on an individualized basis; some applicants may be asked to provide additional or updated information relevant to public charge, while other applicants will not need to provide anything additional before issuance. *Id.* Consular officers will also reconsider the remanded cases consistent with elements of four new training requirements that the Bureau of Consular Affairs formally deployed on September 1, 2026, including expanded managerial review of consular-officer adjudications and mandated training concerning the public-charge analysis required by Department guidance. *Id.* ¶ 16. Those updated training requirements and adjudication tools apply to immigrant-visa adjudications globally and are not limited to cases remanded under the Court’s Order. *Id.* ¶ 17.

Dated: September 8, 2026

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I, Susan Ansari, hereby certify that on September 8, 2026, I filed the foregoing brief with the Court's electronic filing system, which electronically served this brief on all counsel of record.

/s/ Susan Ansari
SUSAN ANSARI
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