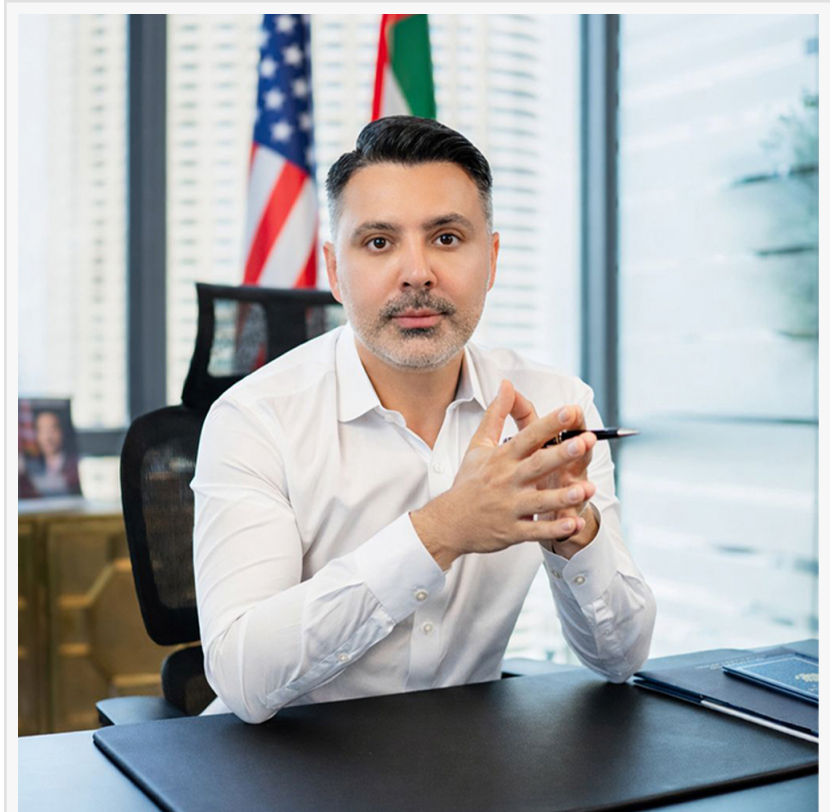


Federal Court Orders USCIS to Resume Processing for Nationals of 39 Countries

The ruling restores confidence for EB-5 investors from affected countries who had delayed U.S. immigration plans due to USCIS processing uncertainty.

DUBAI, UNITED ARAB EMIRATES, June 23, 2026 /EINPresswire.com/ -- A recent federal court ruling involving the U.S. Citizenship and Immigration Services (USCIS) is providing renewed hope for prospective EB-5 investors from 39 countries affected by the recent presidential travel restrictions. Although the decision is currently under appeal, it has renewed discussion around the future of immigration processing and comes at a critical time for investors considering the EB-5 program.



Shai Zamanian

Why the Court Ruled Against USCIS

The decision stems from *Dorcas International Institute of Rhode Island v. USCIS*, in which Chief Judge John J. McConnell Jr. found that USCIS acted unlawfully when it implemented the adjudication pause.

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The court held that USCIS exceeded the authority granted to it by Congress and violated the Administrative Procedure Act, the federal law governing how agencies develop and implement policy. Judge McConnell concluded that the agency failed to provide a sufficient legal justification for the processing freeze, did not adequately consider the interests of applicants who had already filed under the existing rules, and relied on national security

justifications that the court found were not the true basis for the policy.

As a result, the court ordered USCIS to resume adjudicating the affected immigration petitions.

Why the Decision Matters for EB-5 Investors

For many prospective EB-5 investors, uncertainty surrounding USCIS processing became a deciding factor in postponing their investment and immigration plans.

The court's decision comes at a critical time for the EB-5 program. While immigration policies and legal challenges continue to evolve, the statutory deadlines established under the EB-5 Reform and Integrity Act of 2022 (RIA) remain unchanged. Investors considering the EB-5 program should keep these deadlines in mind when planning their U.S. immigration strategy.

The first is the [September 30, 2026 grandfathering deadline](#). Investors who properly file Form I-526E before this date benefit from statutory grandfathering protections, ensuring their petitions will continue to be adjudicated even if the EB-5 Regional Center Program is amended, suspended or allowed to lapse in the future.

The second is the [January 2027 inflation adjustment](#) to the EB-5 minimum investment amount. Under the RIA, the minimum investment thresholds will be adjusted for inflation every five years. Investors who file before the adjustment takes effect will lock in the current investment amount, while those who delay may be required to invest at the higher threshold.

"For many prospective investors, the greatest challenge over the past few months has not been eligibility but uncertainty," said [Shai Zamanian, Founder and Director of The American Legal Center](#). "This case reminds us that immigration policies can evolve quickly, but opportunities under the EB-5 program do not remain open indefinitely. Investors who prepare early are often in the strongest position to take advantage of those opportunities."

What the Ruling Does and Does Not Do

While the district court ruled that USCIS acted unlawfully in implementing the adjudication pause, the government's appeal means the litigation has not yet reached its final conclusion.

The ruling does not automatically approve pending immigration applications or remove the underlying presidential travel restrictions affecting the designated countries. Rather, the appeal will determine whether the district court's decision requiring USCIS to resume adjudications ultimately remains in place.

For prospective EB-5 investors, however, the case highlights the importance of planning ahead. As the legal process continues, the September 30, 2026 grandfathering deadline and the anticipated January 2027 investment threshold adjustment remain unchanged. Investors who

wait for the final outcome of the litigation may have less time to prepare the documentation required for an EB-5 petition or could ultimately be subject to higher minimum investment requirements.

Prospective investors should consult experienced U.S. immigration counsel to understand how the evolving litigation and the upcoming EB-5 statutory deadlines may affect their individual circumstances and long-term immigration strategy

Shai Zamanian
The American Legal Center
+971 524466095
media@america.ae

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