



U.S. Department of Justice  
Civil Division  
Office of Immigration Litigation

February 20, 2026

The Honorable Stephanie A. Gallagher  
United States District Judge  
United States District Court  
District of Maryland  
101 West Lombard Street  
Chambers 7C  
Baltimore, MD 21201  
*Sent by ECF System*

**Re: *J.O.P. et al. v. U.S. Dep't of Homeland Security, et al.*,  
Case No. 8:19-cv-01944-SAG  
Correction And Clarification To Statements Made In Court**

Dear Judge Gallagher:

I am writing to correct and clarify two statements that I made at the hearing on February 18, 2026 concerning the Policy Memorandum issued by U.S. Citizenship and Immigration Services (USCIS), dated December 2, 2025, at ECF No. 459-6.

First, I told the Court that, according to my understanding, the Policy Memorandum does not currently permit adjudications to take place. In fact, the Policy Memorandum allows for exceptions. It is true that the Policy Memorandum instructs USCIS to “[p]lace a hold on all Form I-589 (Application for Asylum and for Withholding of Removal), regardless of the alien’s country of nationality, pending a comprehensive review.” ECF No. 459-6 at 2. The Policy Memorandum continues that “requests to lift the hold due to litigation or other extraordinary circumstances must receive approval from the USCIS Director or Deputy Director.” *Id.* at 4.

Second, at yesterday’s hearing I agreed with the Court that there is no end date in the Policy Memorandum. To clarify, the Policy Memorandum states in part: “Within 90 days of issuance of this memorandum, USCIS will prioritize a list for review, interview, re-interview, and referral to ICE and other law enforcement agencies as appropriate . . . .” *Id.* at 4.

I regret any confusion that resulted from my statements. I assure the Court that I spoke at the hearing with what was then my understanding of the Policy Memorandum. I hope that this letter serves to correct the record, and also to assist the Court.

Sincerely,

/s/ Evan P. Schultz

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cc: Class Counsel (via ECF system)