

In light of the Supreme Court's order, OIL advises that the third-country-transit rule now applies nationwide to:

- (1) All credible-fear screenings, or immigration-judge reviews of such screenings, that are either conducted after or remain pending after September 11, 2019; and
- (2) All asylum applications filed by aliens who entered, attempted to enter, or arrive in the United States on or after July 16, 2019—whether filed affirmatively with USCIS or defensively in removal proceedings—that remain pending (whether before USCIS, before an immigration judge, or before the Board of Immigration Appeals) after September 11, 2019.

OIL further advises, in line with the above, that the rule should not be applied to any alien who has a final administrative decision granting asylum on or before September 11, 2019. However, if the case is still pending on appeal before the Board, the rule may apply. Additionally, as a reminder, the rule applies only to an alien who enters, attempts to enter, or arrives in the United States across the southern land border on or after July 16, 2019.