

New DHS Proposal to Restrict Work Permits for Asylum Seekers *Public comments due April 24, 2026*

On February 23, 2026, the Department of Homeland Security (DHS) published a [Notice of Proposed Rulemaking \(NPRM\)](#), a proposed rule designed to severely limit asylum seekers' work permit access. If finalized, this proposal will devastate immigrant workers, and the communities that rely on them.

When would the proposed changes go into effect?

The proposed changes could go into effect as early as May of 2026 if the public does not speak out against it. If an asylum seeker already has a valid work permit, their work permit should not be impacted by the new rule.

Key Proposed Changes.

(1) Pause on processing initial work permits based on asylum. U.S. Citizenship and Immigration Services (USCIS) will stop accepting initial work permit applications until the agency processes all affirmative asylum applications within an average of 6 months. This will be an indefinite pause given that DHS estimates it could take anywhere from 14 to 173 years to clear backlogs.

(2) New barriers for approval. The rule expands USCIS' authority to deny initial and renewal work permits, including denials:

- at USCIS' discretion for any reason;
- where there is "reason to believe" applicants committed certain crimes;
- if the applicant missed the asylum 1-year filing deadline, or missed a biometrics appointment, asylum interview, or immigration court hearing, with limited exceptions.

(3) Increased wait times for an initial work permit. If processing resumes, applicants would need to wait 1 year (instead of 5 months) after applying for asylum before applying for a work permit. USCIS would then have at least 180 days (instead of the current 30-day max) to adjudicate the work permit application.

Why This Matters.

Many asylum seekers will lose their jobs, and many more will never be able to obtain a work permit. Asylum seekers will have trouble providing for themselves and their families while pursuing their cases, which will destabilize communities and regional economies.

Take Action: Submit a Public Comment by April 24, 2026

You can voice your concerns and influence what changes make it to the final rule by submitting a comment. Before finalizing, DHS must address significant, unique comments or issues repeatedly raised in the comments. Comments are public; so please avoid including sensitive, personal information. You can submit a comment on this [regulations.gov page](#) and include USCIS-2025-0370 in the text of the comment.