NOVEMBER 2026

SPECIAL REPORT

Mass Delegalization

How the Trump Administration Took Away Legal Protections from Millions of Immigrants Following the Rules



American Immigration Council

Introduction

The second Donald Trump administration is carrying out the largest delegalization campaign in U.S. history. While the full scale of the effort is impossible to quantify based solely on public records, the most conservative estimate holds that more than 1.3 million immigrants who were legally protected from deportation in January 2025 are now deportable under US. law and have lost the legal authority to work in the United States, a figure which does not even include hundreds of thousands of individuals who lost humanitarian parole granted through the CBP One process. This delegalization campaign is ongoing and will likely continue across the rest of President Trump's second term, ensnaring an ever-larger number of people.

Delegalization is the elimination of a noncitizen's administratively authorized presence in the United States based on a policy decision made by the executive branch of the federal government rather than due to an individual's acts or behavior.

Because delegalization on this scale is a new phenomenon, there is not yet a single accepted definition of the term — or, as a result, consensus about which of the administration's many attacks on immigrants regardless of status count as "delegalization." We propose the following definition: delegalization is the elimination of a noncitizen's administratively authorized presence in the United States based on a policy decision made by the executive branch of the federal government rather than due to an individual's acts or behavior. The Trump administration has both engaged in mass revocation or termination of administrative protections for entire groups of people — such as the termination of 13 designations for Temporary Protected Status (TPS), as well as the elimination of humanitarian parole programs — and engaged in policy changes (via memos and administrative policy decisions) that make it impossible for people who currently have legal protection to retain it.

The Trump administration has been able to engage in mass delegalization because the granting of these protections to begin with has been left solely to the discretion of the executive branch.

In the years leading up to Donald Trump's second inauguration, more immigrants than

ever before, while considered undocumented in official statistics, in fact, held some form of temporary, discretionary legal protection issued by the federal government. In 2024, for example — the most recent year for which estimates are available — up to 6.3 million immigrants held what the Migration Policy Institute called "liminal" or "twilight" status, accounting for up to 40 percent of the undocumented population at that time.[1] Liminal status refers to the noncitizens without visas or permanent status, whose status will end in the future without policy intervention, but who are nonetheless temporarily permitted to remain and usually permitted to work legally while they stay.

Many of the people who have been delegalized under this administration have been living in the United States for decades, and some have even retained their protections from deportation and work authorization for decades.[2] While those protections may formally have been temporary, the government's continued renewal of these protections and ability to work led recipients to reasonably expect that the United State would retain them indefinitely — after all, it was the only assurance they had about what their future might be.

Many of the people who have been delegalized under this administration have been living in the United States for **decades**.

In other cases, while delegalized immigrants may not have long residency and deep roots, they have retained some sort of legal status or protection for their entire time in the United States.

We distinguish delegalization from the separate phenomenon of "de-documentation," in which the Trump administration has stripped work permits from a growing population of people who lack any administratively authorized presence at all. This population includes roughly 3.7 million applicants for asylum, as well as applicants for other immigration benefits who are authorized to work while they wait.[3] This population does not meet our definition of delegalization because their presence in the United States has never been administratively authorized; however, we discuss them in this report for the purposes of completeness.

The ability of the Trump administration to carry out mass delegalization is fundamentally the result of Congressional inaction, which has allowed a population of long-settled undocumented immigrants, including many that hold the protections and ability to work described above, to grow and remain in the United States without offering any legislative solutions for their long-term access to permanent residence. When the executive branch becomes the only actor in federal immigration policy, pendulum swings every four or eight years become inevitable — at the cost of stability for immigrants and communities.

The new Congress incoming in January has the ability and the duty to stop delegalization — by offering accessible paths to permanent status to people who have been trapped in limbo. With Democrats taking the House and Senate, which will usher in a new majority elected on the promise of opposition to the Trump agenda, Congress can also expand oversight into the Trump administration's delegalization campaign and shed light into the impacts of this campaign. But ultimately, the only solution to delegalization is legalization.

The Emergence of a Broad Population Present with Liminal Status

For most of modern U.S. history, it was possible for at least some immigrants who arrived in the United States without legal status, or whose legal status expired, to "get legal" and obtain permanent residence.[4] This depended less on what form of immigration status they had previously than on whether they were otherwise admissible under U.S. law. In 1929, Congress legislated that many immigrants who had arrived before June 1921 without a record of lawful admission could register for permanent residency; later Congresses amended the law several times to move the registry date forward, up to its current date of 1972.[5]

Meanwhile, individuals who were apprehended and placed in removal proceedings could, in some cases, seek permanent residency from an immigration judge. Legalization was granted based on factors such as length of residency in the United States, ties to the community (including U.S. citizen spouses or children), and good moral character.[6]

In the late 20th century, however, Congress made this substantially harder. Congress has not advanced the registry date since 1986, the date of the last major retroactive legalization program. In 1996, Congress severely restricted the authority of immigration judges to grant permanent residency to people in removal proceedings.[7] In the same law, Congress also acted to make it more difficult for someone who otherwise qualified for legal status to receive it if that person was (or had ever been) in the United States without authorization.[8]

> Congress' failure to update the structure of the legal immigration system [has] further increased the gap between law and lived reality.

These laws disrupted patterns of "circular migration," meaning that immigrants who arrived in the United States without legal status after 1994 were incentivized to stay in the country and settle (instead of migrating back and forth to their home countries) due to the risk of apprehension on a return trip.[9] But even as they were more likely to integrate into American communities, the vast majority no longer had access to legal status. Congress' failure to update the structure of the legal immigration system — something that had happened every decade or two during the 20th century, but was last accomplished in 1990 — further increased the gap between law and lived reality.

During the 20th century, it was common for Congress to pass custom paths to legal status for similar groups of immigrants, preventing the long-term growth of populations which were authorized to remain but lacked any path to permanent status. However, the last major law along those lines was passed in 1997,[10] and apart from a path to legal status for roughly 3,000 Liberian nationals with Deferred Enforcement Departure passed in 2018, Congress has made no major changes to immigration law in 30 years, allowing this population to grow in size without any solutions for their long-term access to permanent residence.

Whenever the federal government ramps up immigration enforcement against people living within the United States — as happened during the 2000s with the establishment and expansion of Immigration and Customs Enforcement (ICE), and as is happening with the unprecedented levels of funding given to the Trump administration's mass deportation agenda — these people are at risk of apprehension and removal, without recourse in immigration court, because legal status is (for the most part) barred to them.

Successive presidents have sought to mitigate this harm by extending temporary protections to some groups of immigrants who have particularly strong ties to the United States, or who would be particularly harmed by removal to their home countries.

Types of Liminal Statuses

These protections take many forms in immigration law, including Temporary Protected Status (TPS), deferred action, and humanitarian parole. In addition to these affirmative protections, the executive branch may choose to make a policy of not removing certain people — such as those who are in the process of applying for legal status but have not yet received it (often due to years-long application backlogs for benefits). Many of these immigrants may also qualify to apply for work permits, allowing them to work legally in the United States without being "legal immigrants" per se.

To retain their protections, these immigrants must remain in active compliance with the federal government. They must renew their protections on a regular basis, which incurs application or biometrics fees. Criminal convictions often result in immediate revocation of legal protections. Immigrants must notify the government of any changes to their residence or other information. By seeking and retaining protection, these immigrants are willingly submitting themselves to the jurisdiction of the United States government and are incentivized to follow the rules the government has set.

By revoking those protections, the Trump administration casts all of that aside. Someone who has been delegalized under this administration has no more security than someone who has never stepped forward to make their presence known.

Why Don't We Know Exactly How Many People Have Been Delegalized?

In many cases, the size of the population affected by a given policy change is publicly known. The federal government has published estimates of the number of people with TPS under any given country designation,[11] for example, and of the number of people granted parole under Biden-era parole programs such as the Cuban, Haitian, Nicaraguan and Venezuelan (CHNV) parole program and Customs and Border Protections (CBP) One app.[12] Quarterly statistics from US Citizenship and Immigration Services (USCIS), meanwhile, offer indications of how many people have pending applications for legal status (such as asylum).[13]

However, determining the total number of people who have been delegalized under the Trump administration's policies *as a whole* is far more difficult, because the extent of overlap *between* these groups is unknown and because the Trump administration has failed to publish data on how many people are impacted by delegalization.

For example, many Venezuelans who entered the United States under the CHNV program in 2023 then became eligible for TPS later that year; even more Haitians who had entered through CHNV were eligible to apply for TPS when Haiti was redesignated in July 2024.[14] Additionally, many of them — or other people with parole, TPS or other protections — may *also* have applied affirmatively for asylum within a year of their arrival, or for other humanitarian protections which remain pending.

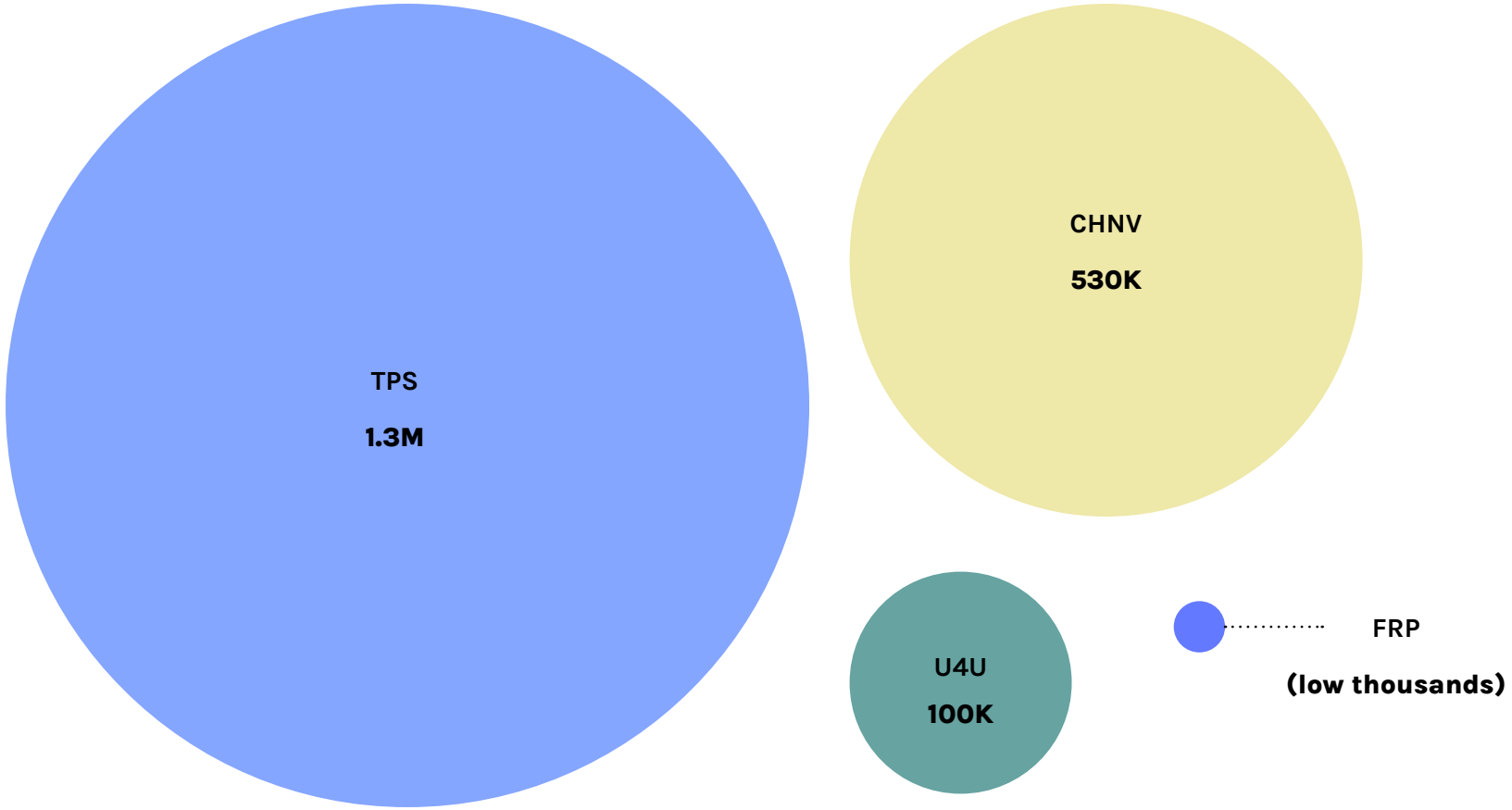
In the absence of more detailed statistics from the federal government, it is impossible to estimate the size of these overlaps; for example, to determine how many Haitians lost humanitarian parole when the CHNV program was terminated in 2025 but retained TPS until that protection was revoked in 2026. While it is impossible to responsibly combine numbers across different protections, however, it is possible to choose subgroups where overlap is either impossible or extremely unlikely. We can aggregate the number of people who have lost TPS without double counting; because TPS is based on nationality, there is no meaningful overlap between one nationality of TPS holders and another. Similarly, because we know nationalities, numbers, and entry months of CHNV parolees, we can determine roughly how many entered after TPS eligibility dates. In addition, USCIS published figures on the DACA population, so we know how many have lost status since January 2025.

By limiting aggregation to only three types of protection, we have deliberately produced a conservative estimate. It should not be understood as a proxy for the total delegalized population. It may not even represent a majority. It should be understood as the known share of a population whose size is publicly unknown.

TABLE 1: TYPES OF LIMINAL STATUS AND IMPACTS OF THE TRUMP ADMINISTRATION

Programs Targeted for Mass Delegalization		
Program	Basic Overview of the Program	Impact of Delegalization
Temporary Protected Status 	Granted to individuals from a country experiencing an armed conflict, natural disaster, or other "extraordinary or temporary condition" that makes return to the country unsafe or impossible. Grants and renewals typically last 18 months and provide a lawful status through this period, authorizing the person to work legally and even travel.	As of March 2025, 1.3 million people across 17 different countries held TPS. Since taking office, the Secretary of Homeland Security has terminated TPS for every country other than El Salvador, Lebanon, Sudan, and Ukraine, stripping legal status from over 1 million people and plunging the status of approximately 274,000 TPS recipients from El Salvador, Sudan, and Ukraine into uncertainty, neither formally terminating nor extending their status.
CHNV Parole	Humanitarian parole program created by the Biden administration allowing U.S. residents to sponsor 30,000 people per month from Cuba, Haiti, Nicaragua, and Venezuela. Beneficiaries were granted a two-year period of humanitarian parole, allowing them to work and reside lawfully during this period.	More than 530,000 individuals used the CHNV program during the time it was in effect. In January 2025, the Trump administration suspended the CHNV parole program, and on March 25, 2025 it terminated CHNV parole for all current holders.
Uniting for Ukraine Parole Program (U4U) 	Humanitarian parole program initiated in April 2022 which authorized U.S. residents to sponsor a Ukrainian national to come to the United States while the war was ongoing. Beneficiaries were granted a two-year period of humanitarian parole, allowing them to work and reside lawfully during this period.	More than 230,000 Ukrainians came through U4U during the time it was in effect. In 2025, the Trump administration paused new U4U admissions and ended re-parole. Upwards of 100,000 Ukrainians who did not hold TPS may lose status.
Family Reunification Parole (FRP) Programs 	Humanitarian parole program implemented for Cuba in 2007, Haiti in 2014, and Colombia, Ecuador, El Salvador, Guatemala, and Honduras in 2023, which authorizes some individuals who have been approved for a family-based immigrant visa to travel to the United States and join family while they wait for the visa to become available.	While the exact number of individuals with FRP parole is unknown, the total is likely in the low thousands. In 2025, the Trump administration suspended new FRP admissions, then in January 2026, the administration moved to terminate all FRP parole. This action has been temporarily blocked in court. All individuals present on FRPs only retain their parole due to a court order.

NUMBER OF PEOPLE IMPACTED BY DELEGALIZATION FOR TARGETED PROGRAMS



Other Legal Statuses Targeted On An Ad-Hoc Basis For Delegalization		
Deferred Action for Childhood Arrivals (DACA)	In 2012, the Obama administration created DACA, under which certain individuals brought to the United States as children could apply for deferred action, which authorizes a person to remain legally and apply for a work permit. No new individuals have been granted DACA since late 2017.	DACA covered over 533,000 individuals as of early 2025. While the Trump admin has not moved to end DACA, the Board of Immigration Appeals has since ruled that DACA is not a bar to the issuance of a removal order and ICE has arrested some DACA recipients before terminating their DACA. In addition, rising renewal delays and increased enforcement have caused many DACA recipients to lose status. The DACA population fell by 96,000 from January 1, 2025 through June 30, 2026.
Deferred Action for Special Immigrant Juvenile Status (SIJS)	Beginning in 2022, individuals granted SIJS who were stuck waiting in immigrant visa backlogs were granted deferred action, allowing them to live legally in the U.S. and obtain a work permit while they wait.	Over 220,000 people were granted SIJS deferred action from 2022 to 2025. In 2025, the Trump admin paused grants of deferred action to SIJS beneficiaries and is treating them as arrest and removal targets. In 2025 alone, roughly 1,000 SIJS beneficiaries had deferred action stripped.
Deferred action for victims of certain crimes	Individuals who file bona fide applications for protections for victims of serious crimes who cooperate with the police (U visas), victims of trafficking (T visas), and victims of domestic violence at the hands of a U.S. citizen spouse (VAWA) have been eligible for deferred action while waiting.	The exact number of people with this population is unknown. In 2025, the Trump admin authorized the rapid arrest and removal of individuals eligible for these protections, even those who already had deferred action while they waited. Some of these changes have been blocked in court.
Individuals released on orders of supervision (OSUP).	Individuals who cannot be deported to their home countries or who were granted prosecutorial discretion are often released from custody and permitted to remain in the United States on an Order of Supervision. These individuals typically receive work authorization, and some may remain in the U.S. for decades.	Since taking office, the Trump admin has deported roughly 29,000 people to third countries, many of whom were previously living in the country on OSUP, as well as targeted individuals granted withholding of removal and other protections against persecution and torture.
Individuals awaiting decisions on immigration benefits	Historically, individuals who apply for immigration benefits have been able to remain present while their applications are processed, unless they commit a crime or otherwise violate immigration law. Many of these individuals are technically removable but have never been prioritized given their pending applications.	There are over 1.4 million asylum applicants and over 1 million applicants for adjustment of status, most of whom have work permits. The Trump administration has begun arresting any of these individuals who lack status and are encountered at USCIS interviews, airports, or during ICE enforcement operations.

Mass Delegalization

Legally speaking, an immigration document issued by the U.S. government is valid until the printed expiration date, in the absence of explicit individual notice that the status or other protection provided by that document has been terminated. Normally, these terminations only occur on an individual basis. However, the executive branch may also refuse to renew an entire category of existing protections, allowing all current grants to expire — or in some circumstances, may revoke existing protections before their expiration date. In either case, the result is the wholesale revocation of protections in a short period of time, throwing entire communities into disarray.

The Trump administration has engaged in repeated actions of this sort of mass delegalization. The two main targets for mass delegalization have been people with TPS and people present on a grant of humanitarian parole.

Temporary Protected Status (TPS)

The most common delegalization action under this Trump administration has been the termination of country-based designations for TPS.[15] These terminations ended protections from deportation and work permits provided to people who were living in the United States at the time the federal government designated their countries as unsafe for return. In March 2025 (per the best contemporaneous data), approximately 1.3 million people held TPS protections;[16] as of publication, approximately 1 million of them have lost those protections under the Trump administration, with approximately 274,000 more left in an unprecedented limbo with their status neither terminated nor extended.[17]

The executive branch started granting temporary relief to groups of people based on unsafe conditions in their home countries in the 1960s, but TPS as it currently exists dates back to 1990.[18] Under the TPS statute (section 244 of the Immigration and Nationality Act), the executive branch has the authority to grant blanket relief from deportation and work authorization to people in the United States if their home country is unsafe to return to due to armed conflict, environmental disaster, or other extraordinary and temporary conditions.[19]

Despite the name, Congress set no time limit on TPS. While the minimum length of TPS is six months, so long as the conditions in the foreign state remain unsafe, TPS may be extended indefinitely. In some cases, the federal government has terminated TPS designations after a couple of years. However, in other cases, countries remained unsafe for return for years after the initial designation was made.

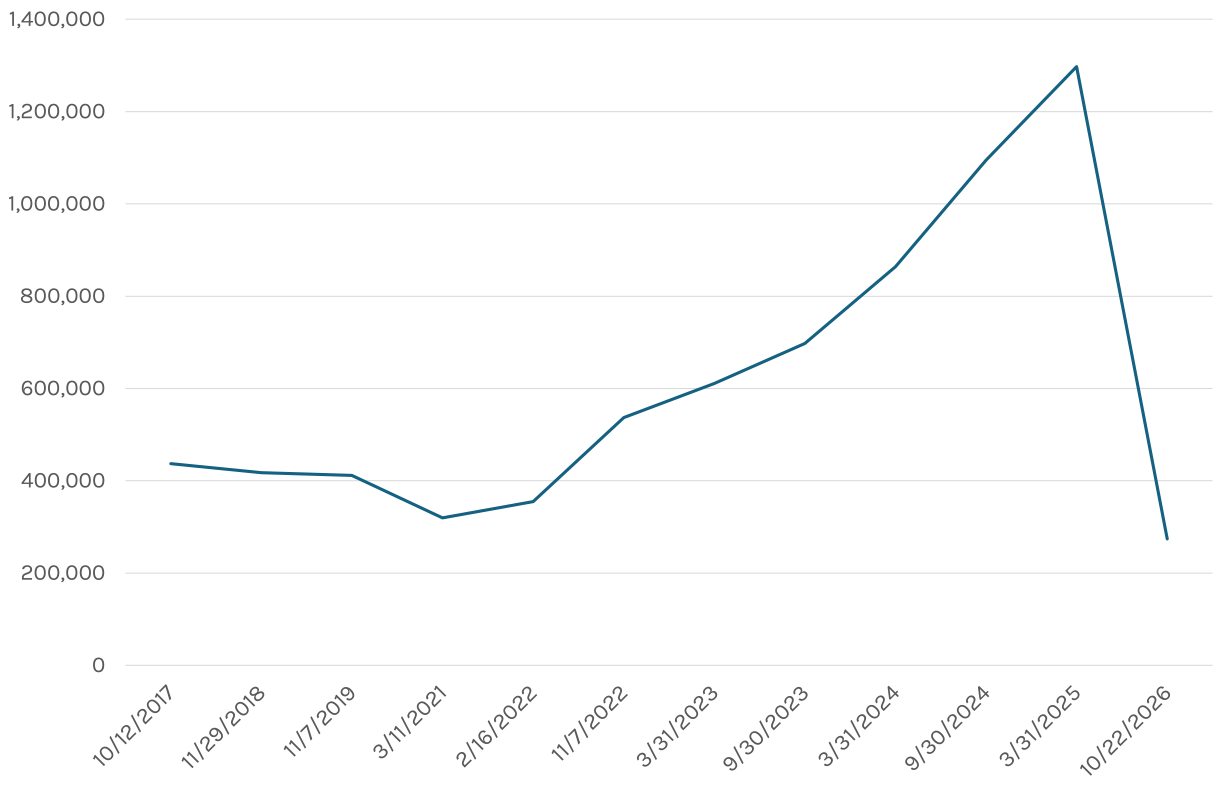
As a result, many populations have held TPS for years or even decades — notably El Salvador, which had retained TPS since 2001, protecting 170,000 people as of 2025; Haiti, which had TPS protections for over 50,000 people from 2010 through 2021 before it was redesignated and expanded; Honduras, whose 1998 TPS designation still protected 51,000 people as of 2025; and Nicaragua, with 3,000 nationals still protected by TPS since 1998.[20] Over time, these individuals established deep roots in the United States. One 2017 study examining TPS

holders from El Salvador, Honduras and Haiti estimated that over 175,000 U.S. citizen children had at least one parent in this group, and that tens of thousands of TPS holders owned homes.[21]

Despite the increasing number of TPS holders through the 2000s and early 2010s, Congress did not provide a path to permanent status for TPS recipients. Subsequently, the first Trump administration failed in its efforts to terminate TPS *en masse*. In spite of the reminder that future presidents might not continue TPS designations, the Biden administration significantly expanded TPS' use: designating Venezuela for TPS in both 2021 and 2023, which protected over 600,000 people, and redesignating Haiti for TPS in 2021, 2023, and 2024, which protected at least 350,000 people.[22]

These decisions allowed many recent immigrants to qualify for TPS shortly after arriving in the United States — and, in many cases, they had arrived in the United States thanks to other Biden-administration programs which they then converted into slightly longer-term protections when their countries were redesignated for TPS. As a result of these designations, the number of people who had TPS tripled under President Biden's four years in office, rising from 320,000 in March 2021 to 1.3 million in March 2025 (see Figure 1).

FIGURE 1. TEMPORARY PROTECTED STATUS HOLDERS, OCTOBER 2017 THROUGH OCTOBER 2026



Source: Jill Wilson, "Temporary Protected Status: History and Issues for Congress," *Congressional Research Service*, September 28, 2026, https://www.congress.gov/crs-product/R49363.

SPOTLIGHT

Carlos Raba, Maryland Entrepreneur Who Worries About the Fate of His Employees on TPS

Carlos Raba is a celebrated restaurateur and entrepreneur in Baltimore, Maryland. After coming to the United States as a teenager from Mexico, he graduated from high school, attended one year of a business program, and then went to work in the supermarket industry — working his way up from butcher to manager of a Whole Foods. In 2015, he opened Clavel, a mezcalería and taqueria that Raba proudly notes is also a community gathering place for the members of his Remington, Maryland community (a Baltimore suburb). Among other awards, Raba was a James Beard semifinalist for Best Chef in the Mid-Atlantic region in 2022.

Raba himself is a U.S. citizen; however, many of his 50 employees are immigrants, often Central Americans in the United States on TPS. His sous chef at Clavel was a Honduran woman who was raising her two U.S.-born children while on TPS. When the Trump administration ended TPS for Honduras in September 2025, she was no longer legally authorized to work in the United States. Raba attempted to advocate for her, but with her protections revoked and facing the possibility of being detained or deported, she left the United States earlier this year to return to Honduras — bringing her children with her. Losing her (along with another employee who decided to self-deport even before losing work authorization due to the uncertainty of their future) cost thousands of dollars in overtime pay as other employees had to work harder to fill the gaps.

> "How can we call ourselves a free country if we have communities living in fear?"

Many more of Raba's employees are Salvadoran TPS holders, who are still living in limbo, as their existing TPS grants expired in September, but the administration has not formally announced that it is being extended or terminated. Raba estimates that he could lose up to 80 percent of his kitchen staff if Salvadoran TPS is terminated — and he has already been struggling to fill empty positions since President Trump retook office and launched his mass deportation campaign. Raba emphasizes that because Salvadorans with TPS have lived and worked in the United States for so long, many of them are now in extremely specialized or senior managerial positions — jobs that require long and expensive training, for which replacements cannot often be found.

Raba says that at the end of the day, he and his restaurant will survive — after all, they had to "reinvent ourselves every day" during the COVID pandemic, for example.[45] But he's worried about the well-being of his employees — and the community that his restaurant serves. As he told a Senate briefing in September, "How can we call ourselves a free country if we have communities living in fear?"[46]

Because the majority of TPS holders in January 2025 had acquired their status under the Biden administration, not *every* TPS holder had years or decades of residence in the United States. However, many had lengthy residencies, including over 50,000 Haitians who first acquired TPS in 2010 and 2011; over 54,000 Hondurans and Nicaraguans who held TPS since 1998; and over 170,000 Salvadorans who had TPS since 2001.[23]

Furthermore, both longer-term residents and newer arrivals with TPS had become essential to the workforces of major American industries. In the Washington, D.C. and Baltimore metro areas, Salvadoran TPS holders formed the backbone of the hospitality and homebuilding industries;[24] in Florida, Haitian TPS workers were essential to the functioning of hospitals and to the well-being of housebound elders through the home health care industry;[25] and in post-industrial communities like Springfield, Ohio, influxes of new arrivals with TPS provided a robust workforce which helped revitalize struggling communities.[26]

In Florida, Haitian TPS workers were essential to the functioning of hospitals and to the well-being of housebound elders through the home health care industry.

The second Trump administration did not even wait, as the first had, for TPS designations to come up for extension or termination. Administration officials began the process of mass delegalization almost immediately. Two weeks after taking office, then Department of Homeland Security (DHS) Secretary Kristi Noem issued Federal Register notices rescinding extensions of the two active Venezuelan TPS designations which had been published under the Biden administration only weeks before, the result of which was that Venezuelan's TPS designations expired in 2025, not 2026.[27] These efforts to overturn the TPS extensions by the Biden administration were initially blocked in court, but the Trump administration appealed to the Supreme Court and successfully halted those lower court orders, permitting an earlier expiration of TPS for over 600,000 Venezuelans.[28] Additionally, in July 2025, the Trump administration attempted to issue a "partial vacatur" of Haiti's TPS designation, in an effort to force an expiration date six months earlier than required, an action which was successfully blocked in court.[29]

Since taking office, the Trump administration has terminated nearly every TPS designation which has come up for extension or termination, sometimes with less than the 60 day-notice generally required under federal law, and often with little meaningful analysis of country conditions — saying only that DHS had determined that allowing TPS holders to stay in the United States was not in the national interest.

Internal government records uncovered through lawsuits challenging these terminations revealed that the administration's decision-making process has been driven by political considerations — a draft memo recommending a 6-month TPS extension for Haiti, for example, was revised to recommend termination after "verbal edits" given by Trump-

appointed USCIS director Joseph Edlow.[30] Similarly, records revealed that contrary to the statutory requirement to consult other government agencies about country conditions prior to making decisions about termination, in multiple cases DHS neither asked for nor received any country conditions information from the State Department.[31] As with the first Trump administration, lower courts often issued preliminary rulings against the administration, allowing many TPS holders to keep their protections while lawsuits played out.

However, the Supreme Court was more willing than it had been in the past to overrule the lower courts and allow terminations to move forward. In June 2026, in the cases *Mullin v. Doe* and *Miot v. Trump*, the Court found that the government's decisions regarding TPS designations could not be challenged on the grounds of violations of federal law — only based on purported constitutional violations.[32] While the plaintiffs in these cases raised arguments that the government's decisions to terminate TPS were grounded in racial bias — a violation of the 14th Amendment — the Supreme Court rejected those arguments in these cases holding that the plaintiffs failed to show that the facially race-neutral decision to terminate certain TPS designations was in fact motivated by racial animus.

The rulings in *Doe* and *Miot* not only cleared the path for the government to terminate protections for Haiti and Syria, but also the other countries with pending litigation over TPS terminations at that time. It also made it substantially less likely that any future challenge of a decision to terminate TPS will succeed.

Targeting of Haitians Who Were Stripped of TPS

In general, the Trump administration has not engaged in large-scale enforcement against individuals immediately after they lost TPS. However, it has targeted some groups of former TPS-holders for high-profile arrests, detentions and deportations: most notably, the Haitian community in Ohio.

Both in the weeks before TPS was initially set to expire for Haiti and in the days following the Supreme Court decision, reports indicated that the administration was mobilizing an enforcement sweep in Springfield, Ohio — where residents had already been victimized and terrorized after attacks by now-Vice President J.D. Vance in the 2024 presidential campaign.[33] Even before the Trump administration fully terminated TPS for Haiti in early August, Haitian TPS holders were ordered to report to local ICE offices in Ohio and be fitted for ankle monitors — indicating they could soon be detained and deported.[34] When a removal flight left for Haiti in the weeks after the termination, ICE social media accounts posted videos of the deportees, shackled together in the rain[35] — and the administration counted it as a "win" that "illegal" Haitian immigrants were deported after the administration delegalized them by revoking TPS.[36]

Since losing TPS, many Haitians in Springfield and other parts of the country have become afraid to leave their homes, much less to speak to outsiders.[37] The impacts of this fear are tangible; a 20-year-old college student who previously had TPS, Pierre Damas Bel, committed suicide in late August after he was fitted with an ankle monitor on July 29, with ICE refusing his requests to remove it because he was ashamed to wear it in front of his classmates.[38] Prior to his death, Bel told family members he felt treated like an animal, and posted on social media that he was being treated like a criminal.[39]



Photo Credit: Phil Pasquini/Shutterstock

While Haitians have been singled out for a particularly harsh treatment post-delegalization, every person who lost status has been impacted. In total, over 1 million people have lost TPS, disrupting their lives, the lives of their loved ones, and their communities.

The impact of this termination has been felt particularly in communities with large Haitian populations. For example, as of the end of July 2026, Springfield, Ohio saw the highest rate of job loss of any urban area in the state.[40] In South Florida, some home healthcare agencies were forced to shut their doors, and many other businesses were left short-staffed.[41] And in New York, some nursing homes were forced to lay off up to 15 percent of their staff, impacting patient care.[42] Haitian immigrant communities have also seen a decline in traffic to restaurants and other small businesses,[43] and community members report a climate of fear as concerns around ICE raids have led some people to retreat into their homes.[44]

Humanitarian Parole

Humanitarian parole is a mechanism the executive branch may use to allow someone to enter and/or remain in the United States without being formally admitted. There are multiple grounds on which the executive branch may grant someone humanitarian parole, but it must always be granted on a discretionary, case-by-case basis.[47]

Like TPS, the Biden administration greatly expanded use of humanitarian parole to manage migration, as part of an effort to shift irregular migration across the United States/Mexico border to more regular, vetted pathways.[48] Several of these parole programs were still in effect when the Trump administration took office and have since been terminated — stripping their beneficiaries of the protections that allowed them to lawfully remain and work in the United States.

The **Cuban, Haitian, Nicaraguan and Venezuelan Parole Program** (CHNV), which was implemented for Venezuelans in late 2022 and for nationals of the other three countries in January 2023, allowed 30,000 people from those four countries to be paroled into the United States each month, via an application from a U.S.-based sponsor.[49] Grants of parole under the CHNV program were valid for two years, and the Biden administration announced in October 2024 that it would not renew any CHNV grants for an additional two-year period.[50]

While a small portion of grants of CHNV parole had already expired before January 20, 2025 — and many parolees were able to seek other immigration benefits, for example by applying for TPS (for Venezuela and Haiti) or for legal permanent residency under the Cuban Adjustment Act — many CHNV parolees were in the middle of their two-year parole grants when the Trump administration took office.

Soon after inauguration, a memo from Trump official Benjamine Huffman instructed ICE agents that they should consider placing eligible immigrants into expedited removal proceedings, even if they currently held parole — setting DHS up to strip an individual's parole and then summarily remove them.[51] In March 2025, the Trump administration announced that it was fully terminating all active CHNV parole grants, and after a brief pause imposed by a federal court, the Supreme Court allowed termination to continue.[52]

There were approximately 195,000 people who had grants of parole under CHNV when the administration announced its termination, but did not have the chance to apply for TPS or status adjustment under the Cuban Adjustment Act.[53] While many of those parolees may have applied for asylum after their arrival in the United States, the Trump administration prematurely stripped work permits and deportation protections from an unknown number of them.

The **Uniting for Ukraine (U4U)** program was created in 2022 to allow Ukrainians fleeing Russia's invasion of their country to remain in the United States until the war had subsided.[54] U4U parole grants were ultimately standardized at two years, and unlike CHNV, re-parole for an additional two-year period was available.[55] Over 250,000 parolees were allowed into the

United States under the program; some worked one or more jobs, or raised young families.[56]

Upon arriving in office, the Trump administration both stopped issuing new parole grants and stopped processing applications for renewals (a federal judge ultimately ordered them to resume processing of re-parole applications that had already been pending prior to inauguration).[57] Without re-parole, by mid-2025, Ukrainians who had been most recently paroled in 2023 began to lose protections, with re-parole no longer an option.

Like CHNV, an unknown — and potentially quite high — share of U4U parolees may have applied for asylum or for TPS after their arrival. Others, however, found themselves without a path to stay in the United States, long before their country was safe for return.



Photo Credit: Mario Tama/Getty Images

Delegalization has also affected an unknown number of nationals from several countries who had been allowed to settle in the United States under **Family Reunification Parole** (FRP) programs. These programs, first established for Cuba during the George W. Bush administration and then expanded to Haiti during the Obama administration,[58] allowed people with pending applications for family-based immigration to come live with their families while their applications worked their way through visa backlogs. The Biden administration revived these programs, and created FRPs for Colombia, Ecuador, El Salvador, Guatemala, and Honduras.[59]

Upon arriving in office, the second Trump administration stopped processing new applications for parole under the FRPs and in February 2025 issued a freeze on processing *any* immigration benefit application from someone who had been admitted under an FRP — in other words, freezing the applications that had formed the basis for their arrival in the United States to begin with.[60] In July 2025, after a court temporarily blocked this pause, USCIS resumed processing of benefits for this population.[61]

In December 2025, the administration announced that it would terminate existing grants of parole under the FRPs on January 14, 2026, and rescinded the regulations authorizing the FRPs.[62] Those terminations are currently stayed by order of a federal court.[63]

The Trump administration has represented the number of people who settled in the United States under FRPs as small; however, exact numbers are not publicly available. In fiscal year 2023, the last year for which we have publicly available data, roughly 2,400 Cubans were granted FRP, while the number of Haitians approved was too small to break out individually in statistics.[64]

SPOTLIGHT

Francisca Doe, Facing Family Separation After Reunification

The mother of "Francisca Doe" (a pseudonym used in a class-action lawsuit challenging the revocation of FRP grants)[65] filed a petition for her adult daughter and son-in-law to immigrate to the United States in 2012.[66] The next year, her petition was approved. However, due to visa backlogs, the family was still waiting to be united a decade later.

In the meantime, the situation Francisca, her husband, and their children faced in Guatemala was becoming increasingly dangerous. Local gangs pressured her husband to pay protection money to operate his bookstore; when he didn't pay, he couldn't open the bookstore, further reducing the family's income. Gang members threatened their children by name.

"We have nothing to go back to in Guatemala"

In 2023, Francisca's mother was invited to apply for Francisca and her family to come to the United States under the FRP program for Guatemala. She filled out the application on her own, and it was approved under the Biden administration in 2024.

Francisca and her family had to sell their car, home, and bookstore to afford the move to the United States; medical exams alone cost the family $2,000. "Coming to the United States felt permanent to us because we were on the pathway to permanent status," she wrote in a court declaration, "so selling all our belongings and property was worth it."[67] They settled in Lynn, Massachusetts, where Francisca's mother and sister lived.

Adjusting to life in the United States wasn't painless, but by the end of 2025 the family was settling in. Francisca's husband worked at a sausage factory, and Francisca obtained a license to work as a childcare assistant in preparation for working for her sister's childcare business. The children were learning English in school and playing soccer in the local park together on weekends.

When the Trump administration announced it was terminating all parole grants under the FRP programs, Francisca found out on Facebook — not from the government itself. Luckily, the family's visa had finally become available, allowing them to apply for adjustment of status, although they were still in the early stages of putting an application together. Francisca reached out to the family's immigration attorney, and they mailed the application by the December 15, 2025, deadline set by the government. Despite their timeliness, USCIS informed them that the agency had not received it in time and therefore the family had missed the cutoff and faced revocation of their parole.

"We have nothing left to go back to in Guatemala," Francisca wrote in her court declaration.[68] In Massachusetts, she, her husband, and their children have family, a stable community, and schools that will keep their children educated and safe. In Guatemala, they have none of those things. While the court case remains ongoing and no final judicial decision has allowed the Trump administration's FRP terminations to go into final effect, that could change at any time. The new life they have built at great cost and effort because they thought it was "permanent," could still vanish into thin air.



Photo Credit: Lev Radin/Shutterstock

The Undermining of Other Legal Statuses on an Ad-Hoc Basis

Temporary Protected Status (TPS) and humanitarian parole are not the only forms of liminal status that exist. Other forms of temporary protections exist that are not codified in immigration law, but that stem from the basic principle that the executive branch has broad discretion as to whether and how to enforce immigration laws.[69] As the Supreme Court has explained, this discretion provides not only the power to decide when to seek deportation, but also "whether it makes sense to pursue removal at all."[70]

Beyond formal exercise of prosecutorial discretion, there have also been longstanding practices which have allowed certain groups or individuals to remain in the United States despite lacking formal immigration status or even having been ordered removed. Although these protections are even more precarious than TPS or parole, they nevertheless have permitted many to remain in this country for years and even decades.

Under the Trump administration, millions of people who have been living here under these authorities and policy precedent are now at risk. While the administration has yet to carry out mass delegalization for these populations, DHS and other parts of the immigration bureaucracy have taken

multiple steps to undermine these protections on an ad-hoc basis, removing any sense of stability for those that have relied upon these long-standing exercises of discretion and policies.

Not everything discussed in this section constitutes delegalization, defined in this report as the elimination of a noncitizen's administratively authorized presence in the United States due to a policy decision made by the executive branch of the federal government rather than the individual's act or behavior. In some cases, this is because not all of those targeted by a policy change have had their presence in the United States "administratively authorized." In others, it is because changes to agency practice — delays in processing renewals, for example, or increased arrests of people with existing protections — do not necessarily constitute a "policy decision." While we explicitly note which phenomena we describe do not fit our definition of delegalization, it is important to understand the scope of the targeting of people who had previously been assured of protection from immigration enforcement.

Deferred Action Programs

The most well-known form of temporary discretionary protection is "deferred action," which has existed since at least the 1970s.[71] Deferred action was created by the executive branch to formalize a decision not to seek to "pursue removal" against an individual who may have violated immigration law. Unlike TPS, a grant of deferred action does not grant a formal immigration status, nor does it provide inherent authorization to work lawfully, nor are there any statutory protections against rapid revocation of deferred action. Under long-standing regulations, individuals granted deferred action may apply for work authorization, allowing them to support themselves in the United States while they live here.[72]

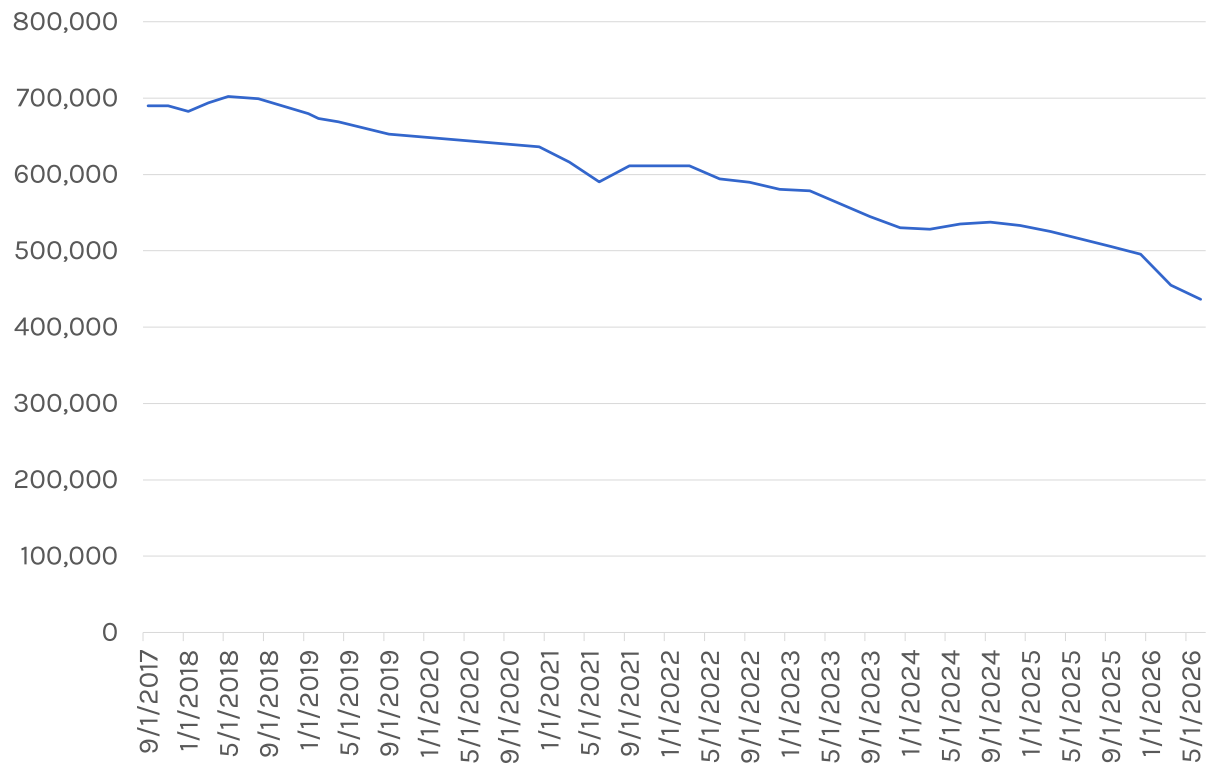
All current DACA recipients were granted their initial protections prior to 2018.

Deferred Action for Childhood Arrivals

In 2012, the Obama administration created the Deferred Action for Childhood Arrivals (DACA) program, which built on the deferred action authority to authorize certain individuals brought to the United States as children before June 2007 to apply for deferred action so long as they had no disqualifying criminal record and met certain other requirements.[73] In 2018, President Trump attempted to end the DACA program. While this effort eventually failed at the Supreme Court, a separate lawsuit brought by Texas and other states prevented the program from resuming as it had before 2018, and no additional applicants have been able to join the program.[74] As a result, all current DACA recipients were granted their initial protections prior to 2018.

As of the start of the second Trump administration, there were over 530,000 people with active DACA. However, the administration has made several changes — some of which constitute delegalization, according to our definition — which have amounted to an attack on current DACA holders. By the end of June 2026, the number of active DACA recipients had dropped to 436,000, the steepest drop in the DACA population since the termination of new admissions in 2018 (see Figure 2):

FIGURE 2: ACTIVE DACA RECIPIENTS, SEPTEMBER 2017 THROUGH JUNE 30, 2026



Source: U.S. Citizenship and Immigration Services, "Active DACA Recipients," Immigration and Citizenship Data, https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data (last updated September 8, 2026).

In some cases, explicit policy changes have allowed the Trump administration to delegalize DACA holders, or to make it impossible for them to receive permanent status by other means.

First, the Trump administration has undermined protections available for DACA recipients who were in removal proceedings at the time they were granted DACA. Since the DACA program began, immigration officials did not pursue any further action against people with DACA, as the very purpose of the program was to provide protection from deportation. This changed in April 2026 when the Board of Immigration Appeals (BIA) ruled that immigration judges should not terminate removal proceedings "based solely on the fact that [a person] has been accorded" DACA.[75] This has permitted immigration courts to pursue removal proceedings against individuals even while they hold active DACA protections.

Second, ICE has made it harder for some DACA recipients to adjust their status by transitioning to a green card if they qualify through a citizen spouse or through some other family or employment-based immigrant visa category. In August 2026, the BIA overturned a decade-old precedent and held that individuals who travel outside of the country and return through "advance parole" have legally departed the country and thus may be barred from seeking any immigration benefits for up to 10 years if they had accrued at least one year of

"unlawful presence."[76] This has made it harder for the remaining active DACA recipients to find permanent status — forcing them to remain under protection soley from DACA, amidst DACA protections eroding.

While other attacks on DACA do not fit our definition of delegalization, they have had the effect both of reducing the number of people who currently have deferred action under the program and making those who still have it more vulnerable to arrest and removal.

Growing backlogs in the legal immigration system have measurably slowed the process of renewing DACA.[77] As of the start of fiscal year 2026, there were 130,207 pending DACA renewals, a number which rose to 228,969 by the end of June of the same year.[78] This administrative delay has caused an unknown number of people to lose their protections.[79]Individuals who applied to renew their DACA months in advance of their expiration date have been arrested after their status expired due to USCIS's delay in processing DACA renewals.[80]

In addition, ICE, under the Trump administration, appears to be treating DACA recipients differently than under past administration and has arrested many DACA recipients who had not violated any of the terms of their DACA.[81] In 2025 and 2026, ICE deported multiple people who still had active DACA and was forced to bring back at least one wrongfully deported person with DACA under court order.[82]

Importantly, the drop in active DACA recipients is not only the result of actions taken by the Trump administration. As shown by Figure 2, the number of active DACA recipients has consistently fallen since 2018. Some of these people have managed to obtain green cards — a path that has now been blocked by this administration's BIA ruling on adjustment of status. Others lose their DACA by failing to renew, departing the country, violating the terms of the program, or after passing away. However, the steep drop in the DACA population beginning in fiscal year 2026 shows how the program is being undermined by the second Trump administration.

Deferred Action for Beneficiaries of Special Immigrant Juvenile Status

Previous administrations have exercised the authority to grant deferred action to provide protections for individuals who have qualified for a form of legal status that allows them to remain permanently in the United States but who cannot receive the protection yet due to various government delays in finalizing that protection. The Trump administration has either terminated or significantly decreased this use of deferred action. The result is that increasing numbers of people have been approved for permanent protection but still face deportation.

The most vulnerable group facing removal because of these changes are beneficiaries of Special Immigrant Juvenile Status (SIJS), which is a protection granted to migrant children who a state family court judge determines were abused, abandoned, or neglected by a parent.[83]

When a person applies for and is granted SIJS status by USCIS, they do not automatically receive a green card, and must wait until there is an available visa in the employment-based fourth preference category (EB-4), a category set aside for *all* "special immigrant" visa applicants.

The EB-4 category includes not just SIJS beneficiaries, but also religious workers, certain broadcasters, and individuals who assisted U.S. Coalition forces in Iraq and Afghanistan.[84] Just 7.1 percent of all employment-based visas may go to "special immigrant" visas each year, a minimum of 9,940 visas total.[85] As there are substantially more than 9,940 special immigrant petitions approved annually,[86] there is a large and growing backlog of more than 100,000 people approved for SIJS but waiting for a visa to obtain their green card.[87]

To address this growing challenge, in 2022, the Biden administration created a program where individuals approved for SIJS would be automatically granted a 4-year period of deferred action while they waited for their immigrant visa to become available.[88] This program allowed people who had already *proven* that they qualified for a visa to stay in the country and work lawfully without fear of deportation while they waited for a visa to become available.

From 2022 through 2025, over 220,000 approved SIJS beneficiaries were granted deferred action through this program.[89] However, in 2025, the Trump administration moved to terminate this program, ending automatic deferred action for children granted SIJS.[90] After this effort was blocked in court, the Trump administration again moved to end the grant of deferred action for SIJS beneficiaries, although only for individuals who newly sought SIJS or deferred action after May 10, 2026.[91]

From April 2025 through December 2025, over 42,000 people were approved for SIJS but not granted deferred action, leaving them even more vulnerable to arrest. During this period, DHS stripped SIJS deferred action from 860 people, more than twice the amount who had lost deferred action in the three years prior.[92]The result of these actions means that over 100,000 vulnerable youth now risk arrest if they encounter an immigration officer, even though they are already on an approved path to permanent legal status.

In March 2026, the BIA also made it easier to deport SIJS beneficiaries who are waiting for visas, ruling that immigration judges should not delay cases to wait for SIJS beneficiaries for that reason[93] — effectively greenlighting the deportation of people who have already been found to be eligible for a green card.

SPOTLIGHT

Elias, An SIJS Holder Illegally Deported to Guatemala

When "Marco" left Guatemala for the United States in 2019, his partner promised that she would take care of their children — including ten-year-old "Elias." ("Marco" and "Elias" are the pseudonyms used in their lawsuit against the federal government.) But she started drinking heavily and abusing and neglecting the children. Elias went without food for weeks on end. When he attempted to flee to his grandmother's house, the police came to their door and forced him to return to his mother. In 2023, at the age of fourteen, Elias came to the United States alone to reunite with his father and older brother, who lived in New Orleans.

In Louisiana, Elias was behind his peers in school and still coping with the trauma of his life in Guatemala, but he had a support network. He was enrolled in a small program at school to improve his language skills and worked one-on-one with a counselor who helped him learn to read. He started seeing a school social worker, who helped him feel "calm and safe" in school, improving his focus and concentration.[94] He was doing well in his science classes and considering taking college courses after his high school graduation. He enjoyed attending church with his family. He felt, he wrote in a court declaration, like "a normal kid again."[95]

Elias told [his father] he felt "anguished" every day.

In 2024, a state court determined that Elias could not be reunited with his mother due to her abuse, and that it was in his best interest to remain in the United States. This allowed Elias to apply for SIJS, which he received, along with a grant of deferred action and a work permit. In April 2025, however, USCIS terminated his deferred action and along with it the validity of his work permit. Given that he retained his SIJS, he reapplied for deferred action the following month with the Trump administration.

On May 20, 2025, Marco had a scheduled check-in with ICE. Marco had been ordered deported in absentia before Elias arrived in the United States but was placed under an order of supervision in 2024 that allowed him to stay in the United States as long as he checked in with ICE and complied with instructions. For the May check-in, ICE instructed Marco to bring both Elias' older brother and Elias — even though neither of them were covered by the order of supervision, and Elias had SIJS protections.

Elias thought he was safe. But "I was wrong that nothing bad could happen," he wrote in his declaration. "As soon as the officer called my dad's name and we entered the room, we were told that we were being detained and would be deported."[96] ICE agents refused to allow Elias to call his lawyer. Less than 24 hours after they arrived for the check-in, the family was on a plane to Guatemala.

Elias' father told the court (in the lawsuit challenging Elias' deportation) that "all the progress he was making in the United States is gone."[97] He was prevented from enrolling in school for several months after his deportation to Guatemala. His father often found him staring into the distance at nothing, and Elias told him he felt "anguished" every day.[98]

Ironically, in October 2025, USCIS finally denied Elias' application for deferred action, but assured him that he retained his SIJS. This could allow him to be safely returned to the United States in future — but the psychological damage he has suffered in the past year cannot so easily be reversed.

Deferred Action for Applicants for Protections for Crime and Trafficking Victims

Beyond SIJS, deferred action has also been used to help individuals applying for protections Congress set aside for noncitizen victims of trafficking (T visas), victims of serious crimes who cooperate with the police (U visas), and victims of domestic violence at the hands of a U.S. citizen or lawful permanent resident spouse (VAWA).

Pre-existing regulations require that T visa applicants who can show they have a "bona fide" application (an application which appears approvable on its face) may be granted deferred action.[99] Similarly, regulations provide that people found eligible for a U visa must be granted deferred action to wait for a U visa to become available (current wait times are over a decade).[100] In 2021, the Biden administration created a process for U visa applicants facing multi-year application processing delays to receive deferred action on a showing that their application was "bona fide."[101] Finally, since 1997, the government has provided deferred action to individuals and their dependents who apply for and are found eligible for VAWA protections.[102]

While the Trump administration has not formally ended these uses of deferred action, it has taken several steps to permit the arrest, detention, and deportation of these victims of crime. First, in January 2025, ICE issued a memo revoking prior guidance which had ordered ICE to treat victims of crime, trafficking, and abuse with special care, and to ensure they have a right to seek protection.[103] This memo authorized ICE officers to arrest and process for removal immigrants with deferred action through a pending U or T visa petition.[104]

Similarly, a May 2026 USCIS memo entitled "Deferred Action as an Extraordinary Use of Prosecutorial Discretion" described how the agency intends to restrict grants of deferred action in general.[105] The memo declares that USCIS should only grant deferred action as an "extraordinary exercise of prosecutorial discretion," and emphasizes that USCIS may revoke deferred action at any point.

In May 2026, a federal court ruled that the 2025 memo that revoked prior guidance was unlawful and entered an order barring ICE from unilaterally stripping deferred action from individuals with U and T deferred action or deporting them while their deferred action was in effect.[106]

While the full impact of this policy change remains uncertain following the court order, while the policies were in effect, ICE under the Trump administration has arrested dozens of people with deferred action through a pending U and T visa petition. An analysis of 1,100 habeas petitions filed in Minnesota between December 2025 and March 2026 identified 75 different people who were detained and arrested by ICE despite having active deferred action for victims of crimes.[107] In many cases, the individuals with deferred action were given no explanation for why ICE was arresting them despite their deferred action protections.

Applicants for Legal Immigration Benefits Waiting in Backlogs

Beyond formal protections such as deferred action, certain unwritten practices have long governed immigration enforcement. One of the most basic of these practices was the longstanding rule that individuals who entered the United States lawfully and then applied to change or extend their immigration status would generally not be arrested while they waited for the government to decide their case. Similarly, individuals would not be targeted for arrest if they applied for legal immigration benefits with USCIS and until the agency formally denied their application for status.

The U.S. government has never affirmatively authorized the presence of these individuals in the United States as it has for those granted deferred action, parole, TPS or other forms of protection. While this means that the administration's attacks on them do not constitute "delegalization" under our definition, for generations, the government has treated these people *as if* they have protections from removal — creating a precedent on which countless people have relied as they wait for their applications to be approved. Additionally, the government has formally authorized many of them to *work* in the United States but is now subjecting them to de-documentation via the revocation or expiration of their work permits.

The Trump administration has created an atmosphere where all potentially removable noncitizens are always targets, no matter the equities in their cases. Those targeted include individuals who entered the United States legally and applied for asylum before their visas expired,[108] spouses of U.S. citizens applying for green cards,[109] and even people in a "period of authorized stay" after entering on a visa and timely filing an application for a green card.[110]

ICE can carry out these arrests because people who come to the United States and then apply for status may remain past the validity period of their authorized stay while waiting for the government to decide; making the individual technically removable. While Congress insulated people in that situation from *one* impact of being present without status (the accrual of "unlawful presence," which leads to a multi-year bar to immigration benefits after six months),[111] lawmakers never expressly barred arrest and removal proceedings in this situation. However, prior to 2025, no administration had ever enacted a policy or practice of arresting people who were present in the United States without status solely because of government delay.

These practices have expanded as the Trump administration faces political pressure to increase immigration arrests, leading to an unprecedented situation as of July 2026 where a majority of people arrested by ICE had no criminal record (the vast majority of applicants have no criminal record).[112] Applicants for immigration benefits have been arrested at USCIS when attempting to finalize their application, on the street when encountered by ICE, and increasingly at airports when travelling domestically.[113]

These practices have destabilized millions of people who are waiting in backlogs for the government to decide their case. As of June 30, 2026, roughly 1.4 million people who had applied for asylum "affirmatively" with USCIS, meaning they were not currently in removal proceedings facing deportation.[114] Given backlogs, some of those people have been waiting for

up to a decade for the government to decide their case, all while lawfully working the entire time. Now they have become targets for arrest by ICE, despite following the process asked of them by the U.S. government.

People Released with Orders of Supervision

Finally, the Trump administration is also targeting the most precarious of all populations who have been living with government permission in the United States: individuals ordered removed at some point in the past who the government released from immigration custody on "Orders of Supervision" and previously permitted to remain rather than be deported. Some of these individuals were granted prosecutorial discretion in the past, often due to compelling humanitarian issues, while some came from countries which did not accept deportation, making deportation to their country of origin impossible or unlikely. Others were granted formal protections like "withholding of removal," which prevents the U.S. government from deporting a person to a specific country — usually the person's country of origin — due to persecution or violence they are likely to face.[115]

People who have received final orders of removal are not considered "legalized" given the standing order of removal against them. However, their continued presence in the United States is due to the full awareness and official approval of federal immigration officials. Additionally, those with formal protections issued by immigration judges such as "withholding of removal" have had their presence in the United States administratively authorized.[116]

People in this population may have been living and working legally in the United States for years or even decades after receiving their orders of supervision or grants of withholding of removal. Many of these individuals have been checking in regularly with ICE under assurances from the agency that they are not a priority for arrest and deportation.[117] This implicit permission to remain has allowed many to remain in the United States and deepen their ties to the community. Many of these people also have U.S. citizen families and were authorized to work throughout this entire period.

The Trump administration has targeted this population, in part, through expanded agreements permitting the deportation of people to countries they have never been to before and where they have no ties.[118] This practice of "third country removal" has been applied to thousands of people who could not be deported to their home countries, including over 4,000 Cubans deported to Mexico between January 2025 and March 2026, many of whom had been living in the United States for decades.[119]

Because there is no statute of limitations on an order of removal, individuals may be targeted for this type of effective delegalization even if they were ordered removed more than a generation in the past. In situations such as this, prior administrations would have agreed to not carry out a deportation for humanitarian reasons. But under the Trump administration, humanitarian considerations have been abandoned almost entirely.



Conclusion

Nearly two years into President Trump's campaign of mass delegalization, the impacts continue to grow. With over 1.3 million people stripped of protections and hundreds of thousands more teetering on the edge, more people have more people have been delegalized than deported. This has led to a growing population of previously-legal people who lived and worked with official U.S. government permission but have now been driven into the shadow economy — or forced to leave, even if their home or destination countries are deeply unsafe.

Whether longtime residents who relied on longstanding policy, or recent arrivals who proactively navigated a complex asylum system, these individuals expected the rule of law to protect them as they submitted to it. By engaging in mass delegalization, and arresting, detaining and deporting those who have been delegalized, the administration is undermining the compact at the center of the rule of law.

Beyond the direct impact on each individual, there are also growing impacts on U.S. citizen family members, employers, employees, friends, and the broader immigrant communities. Entire neighborhoods have been reduced to ghost towns for weeks or months as people leave or hide and businesses shut down. Some of these communities may rebound slowly and painfully; others will, likely, disappear.

The impact of delegalization will only deepen as more people who have been made removable are arrested and detained. It is a matter of urgency for Congress to step in to provide stability for those people who have been delegalized under President Trump. It is no less imperative on Congress to ensure that the United States does not find itself in a situation like this in the future. Reforms which provide paths to permanent legal status for individuals who have been living legally in the United States on temporary or liminal statuses are broadly popular politically[120] and must be a priority of the next Congress. With the cracks in our immigration law system clear, Congress can make the necessary repairs to ensure that this never happens again.

Endnotes

1 Ariel G. Ruiz Soto et al., "Following Years of High Border Arrivals, the U.S. Unauthorized Immigrant Population Hits New Peak," Migration Policy Institute, July 29, 2026, https://www.migrationpolicy.org/commentary/us-unauthorized-immigrant-population-new-peak.

2 *See, e.g.*, "Temporary Protected Status (TPS) Terminations: What You Need to Know," FWD.us, August 10, 2026, https://www.fwd.us/news/temporary-protected-status-tps-terminations/.

3 As of the third quarter of fiscal year (FY) 2026, there were 2.3 million pending asylum applications in immigration court proceedings, and 1.4 million pending asylum applications at U.S. Citizenship and Immigration Services (USCIS). Executive Office for Immigration Review, "Total Asylum Applications," July 24, 2026, https://www.justice.gov/eoir/media/1344871/dl?inline; U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2026, Quarter 3)," September 8, 2026, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2026_q3_v1.xlsx.

4 American Immigration Council, "Legalization Through 'Registry'," September 27, 2021, https://www.americanimmigrationcouncil.org/fact-sheet/legalization-through-registry/.

5 Ibid.

6 American Immigration Council, "The Removal System of the United States: An Overview,"August 8, 2022, https://www.americanimmigrationcouncil.org/fact-sheet/removal-system-united-states-overview/.

7 Dara Lind, "The disastrous, forgotten 1996 law that created today's immigration problem," *Vox*, April 28, 2016, https://www.vox.com/2016/4/28/11515132/iirira-clinton-immigration.

8 American Immigration Council, "The Three- and Ten-Year Bars," October 27, 2016, https://www.americanimmigrationcouncil.org/fact-sheet/three-and-ten-year-bars/.

9 *See, e.g.*, Manuela Angelucci, "US Border Enforcement and the Net Flow of Mexican Illegal Migration," *Economic Development and Cultural Change*, Vol 60 (2) (2012): 311-57, https://ideas.repec.org/a/ucp/ecdecc/doi10.1086-662575.html; Viktor Olah, "History in the Blind Spot: The Failure of Enforcement Policies in the Post-IIRIRA Era," Unidos US, May 21, 2024, https://unidosus.org/blog/2024/05/21/history-in-the-blind-spot-the-failure-of-enforcement-policies-in-the-post-iirira-era/.

10 U.S. Congress, "Nicaraguan Adjustment and Central American Relief Act, title II of Pub. L. 105–100, 105th Cong.,1997.

11 Jill H. Wilson, "Temporary Protected Status and Deferred Enforced Departure," Congressional Research Service, August 28, 2025, https://www.congress.gov/crs-product/RS20844.

12 See, e.g., U.S. Customs and Border Protection, "CBP Releases December 2024 Monthly Update," January 14, 2025, https://www.cbp.gov/newsroom/national-media-release/cbp-releases-december-2024-monthly-update.

13 U.S. Citizenship and Immigration Services, "Immigration and Citizenship Data," https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data.

14 U.S. Citizenship and Immigration Services, "Extension and Redesignation of Venezuela for Temporary Protected Status," 88 Fed. Reg. 68130 (October 3, 2023), https://www.federalregister.gov/documents/2023/10/03/2023-21865/extension-and-redesignation-of-venezuela-for-temporary-protected-status; U.S. Citizenship and Immigration Services, "Extension and Redesignation of Haiti for Temporary Protected Status," 59 Fed. Reg. 54484 (July 1, 2024), https://www.federalregister.gov/documents/2025/11/28/2025-21379/termination-of-the-designation-of-haiti-for-temporary-protected-status.

15 American Immigration Council, "Temporary Protected Status (TPS): An Overview," September 30, 2026,https://www.americanimmigrationcouncil.org/fact-sheet/temporary-protected-status-tps-overview/.

16 Wilson, "Temporary Protected Status and Deferred Enforced Departure."

17 American Immigration Council, "Temporary Protected Status (TPS)."

18 Ibid.

19 8 U.S.C. § 1254a.

20 Wilson, "Temporary Protected Status and Deferred Enforced Departure."

21 Robert Warren and Donald Kerwin, "A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti," Center for Migration Studies, 2017 , https://cmsny.org/publications/jmhs-tps-elsalvador-honduras-haiti/.

22 Wilson, "Temporary Protected Status and Deferred Enforced Departure."

23 Wilson, "Temporary Protected Status and Deferred Enforced Departure."

24 Lautaro Grinspan, "Here's Why the Fate of TPS Has Such Major Implications for DC," *Washingtonian*, October 16, 2018, https://washingtonian.com/2018/10/16/temporary-protected-status-tps-el-salvadoran-community-washington-dc-trump-federal-judge/.

25 Fadia Patterson, "End of Haitian TPS raises concerns over Florida's healthcare workforce," *Spectrum News 9*, July 30, 2026, https://baynews9.com/fl/tampa/news/2026/07/30/end-of-haitian-tps-raises-concerns-over-floridas-health-care-workforce.

26 Miriam Jordan, "The Ohio City Revived by Haitian Immigration Sees an Uncertain Future," *New York Times*, June 29, 2026, https://www.nytimes.com/2026/06/29/us/springfield-ohio-haitians-tps.html.

27 U.S. Citizenship and Immigration Services, "Vacatur of 2025 Temporary Protected Status Decision for Venezuela," 90 Fed. Reg. 8805 (Feb. 3, 2025), https://www.federalregister.gov/documents/2025/02/03/2025-02183/vacatur-of-2025-temporary-protected-status-decision-for-venezuela.

28 Order in Pending Case, *Noem et al. v. National TPS Alliance et al.*, No. 24A1059, 605 U.S. (May 19, 2025), https://www.supremecourt.gov/orders/courtorders/051925zr1_5h26.pdf; Amy Howe, "Supreme Court allows Trump to end protected status for group of Venezuelan nationals," *SCOTUSblog*, May 19, 2025, https://www.scotusblog.com/2025/05/supreme-court-allows-trump-to-end-protected-status-for-group-of-venezuelan-nationals/.

29 Memorandum Decision and Order to Show Cause, *Haitian Evangelical Clergy Ass'n et al. v. Trump et al.*, No. 25-cv-1464, ECF No. 63 (E.D.N.Y. July 1, 2025), https://storage.courtlistener.com/recap/gov.uscourts.nyed.528747/gov.uscourts.nyed.528747.63.0_2.pdf.

30 Katie Millard, "Springfield faith leaders hope Supreme Court filing will protect Haitian immigrants," *NBC 4*, June 19, 2026, https://www.nbc4i.com/news/local-news/central-ohio-news/springfield-faith-leaders-hope-supreme-court-filing-will-protect-haitian-immigrants/.

31 Syra Ortiz Blanes, "'Noem lied': Emails suggest DHS ignored federal law to end TPS for 350k Haitians," *Miami Herald*, June 17, 2026, https://www.miamiherald.com/news/local/immigration/article316161308.html.

32 *Mullin et al. v. Doe et al.*, No. 25-1083, ___ U.S. ___ (June 25, 2026), https://www.supremecourt.gov/opinions/25pdf/25-1083_f204.pdf.

33 Katie Millard, "Springfield braces for possible ICE operation targeting Haitian immigrants," *NBC4*, January 30, 2026, https://www.nbc4i.com/news/politics/springfield-braces-for-possible-ice-operation-targeting-haitian-immigrants/.

34 Julia Ainsley and Nathan Gonzalez, "Haitians in Ohio who lost protected status get ankle monitors instead of ICE detention," *NBC News*, August 13, 2026, https://www.nbcnews.com/politics/immigration/haitians-ohio-lost-protected-status-get-ankle-monitors-instead-ice-det-rcna591989.

35 Ari Odzer, "Haitian community outraged by "reprehensible" video posted by DHS," *NBC 6*, August 31, 2026, https://www.nbcmiami.com/news/local/haitian-community-outraged-by-reprehensible-video-posted-by-dhs/3852996/.

36 The White House, "Trump Delivers: 14 Recent Wins You May Have Missed," August 26, 2026, https://www.whitehouse.gov/releases/2026/08/trump-delivers-14-wins-you-may-have-missed/.

37 Yesenia Amaro, "'Everybody's scared': Haitian families living in limbo after feds revoke legal protections," *The Oregonian*, August 26, 2026, https://www.oregonlive.com/politics/2026/08/everybodys-scared-haitian-families-living-in-limbo-after-feds-revoke-legal-protections.html; Stephen Starr, "Death and fear stalk Haitians in Ohio city amid Trump's anti-immigrant crackdown," *The Guardian*, September 9, 2026, https://www.theguardian.com/us-news/2026/sep/09/haitians-ohio-city-trump-anti-immigrant-crackdown.

38 Camilo Montoya-Galvez, "Family blames suicide of 20-year-old Haitian immigrant on ICE crackdown," *CBS News*, September 2, 2026, https://www.cbsnews.com/news/20-year-old-haitian-immigrant-ice-crackdown/.

39 Ibid.

40 Cornelius Frolik, "Springfield area suffers worst job losses in Ohio as TPS elimination looms large," *Springfield News-Sun*, July 30, 2026, https://www.springfieldnewssun.com/local/springfield-area-suffers-worst-job-losses-in-ohio-as-tps-elimination-looms-large/article_94c0ddc2-af64-536c-933e-1d080cb5c5a7.html.

41 Martin Vassolo, "South Florida businesses feel loss of Haitian TPS workers," *Axios Miami*, August 20, 2026, https://www.axios.com/local/miami/2026/08/20/south-florida-businesses-feel-loss-of-haitian-tps-workers.

42 Michelle Wilson, "A Month After the End of TPS for Haitians: Here's the Effect on New York," *Fordham Observer*, September 9, 2026, https://fordhamobserver.com/82986/recent/news/a-month-after-the-end-of-tps-for-haitians-heres-the-effect-on-new-york/.

43 *See, e.g.*, Guethsina Altena and Fritznel Octave, "Longtime Boynton Beach restaurant sees customers, sales drop as Haitian TPS ends," *The Haitian Times*, August 7, 2026, https://haitiantimes.com/2026/08/07/florida-haitian-restaurant-tps-revocation-impact/; Ralph Thomassaint Joseph, "New York Restaurants Struggle to Stay Open as Haiti TPS Ends," *Documented*, August 10, 2026, https://documentedny.com/2026/08/10/haiti-tps-termination-impact-businesses/.

44 Sergio Martínez-Beltrán, "For thousands of Haitians in the U.S., end of protected status brings fear, grief and defiance," *NPR*, September 15, 2026, https://www.npr.org/2026/09/15/nx-s1-5961154/for-thousands-of-haitians-in-the-u-s-end-of-protected-status-brings-fear-grief-and-defiance.

45 Interview with Carlos Raba (speaking to Dara Lind), July 15, 2026.

46 Spotlight Forum on the Trump Administratration's Attacks on TPS, September 29, 2026. https://www.youtube.com/watch?v=D7KlsvYQFfQ

47 American Immigration Council, "The Use of Parole Under Immigration Law," August 3, 2026, https://www.americanimmigrationcouncil.org/fact-sheet/use-parole-under-immigration-law/.

48 Susan Fratzke et al., "Legal Pathways and Enforcement: What the U.S. Safe Mobility Strategy Can Teach Europe about Migration Management," Migration Policy Institute, December 2024, https://www.migrationpolicy.org/commentary/legal-pathways-and-enforcement-what-us-safe-mobility-strategy-can-teach-europe-about.

49 American Immigration Council, "The Biden Administration's Humanitarian Parole Program for Cubans, Haitians, Nicaraguans, and Venezuelans: An Overview," July 1, 2025, https://www.americanimmigrationcouncil.org/fact-sheet/biden-administrations-humanitarian-parole-program-cubans-haitians-nicaraguans-and/.

50 Camilo Montoya-Galvez, "U.S. won't extend legal status for 530,000 migrants who arrived under Biden program," *CBS News*, October 4, 2024, https://www.cbsnews.com/news/venezuelans-legal-status-chnv-program/.

51 Benjamin C. Huffman, Acting Secretary of Homeland Security, "Guidance Regarding How to Exercise Enforcement Discretion," January 23, 2025, *available at* https://immpolicytracking.org/policies/dhs-provides-guidance-for-use-of-expanded-expedited-removal-including-for-parolees/#/tab-policy-documents.

52 Amy Howe, "Supreme Court allows DHS to end parole for a half-million noncitizens," *SCOTUSblog*, May 30, 2025, https://www.scotusblog.com/2025/05/supreme-court-allows-dhs-to-end-parole-for-a-half-million-noncitizens/.

53 American Immigration Council, "Trump Administration Terminates CHNV Program, Impacting More Than a Half-Million Immigrants," April 8, 2025, https://www.americanimmigrationcouncil.org/blog/trump-terminates-chnv-program-impacting-more-than-half-million-migrants/.

54 American Immigration Council, " An Overview of the 'Uniting for Ukraine' Program," January 13, 2023, https://www.americanimmigrationcouncil.org/fact-sheet/overview-uniting-ukraine-program/.

55 U.S. Citizenship and Immigration Services, "Eligible Ukrainians Can Now Apply for Re-Parole," February 27, 2024, https://www.uscis.gov/newsroom/alerts/eligible-ukrainians-can-now-apply-for-re-parole.

56 Ukraine Immigration Task Force, "Applying for Re-Parole: Updates and Recommendations for Ukrainian Parolees," September 29, 2025, https://ukrainetaskforce.org/applying-for-re-parole-updates-and-recommendations-for-ukrainian-parolees/.

57 Memorandum and Order Granting Partial Relief on Plaintiffs' Motion for Preliminary Injunction and Stay of Administrative Action, *Svitlana Doe et al. v. Noem et al.*, No. 25-cv-10495, ECF No. 107 (D. Mass., May 28, 2025), *available at* https://justiceactioncenter.org/wp-content/uploads/2025/05/107-Second-Stay-Order.pdf.

58 U.S. Citizenship and Immigration Services, "The Cuban Family Reunification Parole Program," https://www.uscis.gov/humanitarian/humanitarian-parole/the-cuban-family-reunification-parole-program, *last updated* January 27, 2026; U.S. Citizenship and Immigration Services, "The Haitian Family Reunification Parole (HFRP) Program," https://www.uscis.gov/humanitarian/humanitarian-or-significant-public-benefit-parole-for-aliens-outside-the-united-states/the-haitian-family-reunification-parole-hfrp-program, *last updated* January 27, 2026.

59 Implementation of a Family Reunification Parole Process for Colombians, 88 Fed. Reg. 43591 (July 10, 2023); Implementation of a Family Reunification Parole Process for Ecuadorians, 88 Fed. Reg. 78762 (Nov. 16, 2023); Implementation of a Family Reunification Parole Process for Salvadorans, 88 Fed. Reg. 43611 (July 10, 2023); Implementation of a Family Reunification Parole Process for Guatemalans, 88 Fed. Reg. 43581 (July 10, 2023); Implementation of a Family Reunification Parole Process for Hondurans, 88 Fed. Reg. 43601 (July 10, 2023).

60 Andrew Davidson, Acting Deputy Director, U.S. Citizenship and Immigration Services, Memorandum, "Administrative Hold on All USCIS Benefit Requests filed by Parolees Under the Uniting for Ukraine (U4U) Process, Processes for Haitians, Cubans, Nicaraguans, and Venezuelans (CHNV) Process, or Family Reunification Parole (FRP) Process," February 14, 2025, *available at* https://asaptogether.org/media/1Tcg5FI4lDrdvSsWWkNvOZ/2025.02.14_Benefits_Pause_Memo__Released_via_FOIA_.pdf.

61 Declaration of Kika Scott, *Svitlana Doe et al. v. Noem et al.*, No. 25-cv-10495, ECF No. 120-1 (D. Mass., June 9, 2025), *available at* https://storage.courtlistener.com/recap/gov.uscourts.mad.281389/gov.uscourts.mad.281389.120.1_1.pdf.

62 Department of Homeland Security, "DHS Ends the Abuse of the Humanitarian Parole Process and Terminates Family Reunification Parole Programs," December 12, 2025, https://www.uscis.gov/newsroom/alerts/dhs-ends-the-abuse-of-the-humanitarian-parole-process-and-terminates-family-reunification-parole.

63 Order, *Svitlana Doe et al. v. Noem et al.*, No. 25-cv-10495, ECF No. 257 (D. Mass., January 24, 2026), *available at* https://storage.courtlistener.com/recap/gov.uscourts.mad.281389/gov.uscourts.mad.281389.257.0.pdf.

64 Department of Homeland Security, "Parole Requests, Fiscal Year 2023, Fourth Quarter," April 3, 2024, https://www.dhs.gov/sites/default/files/2024-07/2024_0403_dmo_plcy_parole_requests_q4.pdf.

65 *Doe v. Mullin*, 1:25-cv-10495, (D. Mass.)

66 Declaration of Francisca Doe, *Doe v. Mullin*, 1:25-cv-10495, (D. Mass. Dec 29, 2025) ECF No. 214

67 Ibid.

68 Ibid.

69 Shoba Sivaprasad Wadhia, *Beyond Deportation: The Role of Prosecutorial Discretion in Immigration Cases*(New York University Press 2015), 152-155.

70 *Arizona v. United States*, 567 U.S. 387 (2012).

71 *See generally* Shoba Sivaprasad Wadhia, "The Aftermath of United States v. Texas: Rediscovering Deferred Action," *Yale Journal on Regulation*, August 10, 2016, https://www.yalejreg.com/nc/the-aftermath-of-united-states-v-texas-rediscovering-deferred-action-by-shoba-sivaprasad-wadhia/.

72 8 C.F.R. § 274a.1(c)(14).

73 American Immigration Council, "Deferred Action for Childhood Arrivals (DACA): An Overview," June 15, 2026), https://www.americanimmigrationcouncil.org/fact-sheet/deferred-action-childhood-arrivals-daca-overview/.

74 Ibid.

75 *Matter of Santiago-Santiago*, 29 I&N Dec. 589 (BIA 2026).

76 *Matter of Delcarmen-Lara*, 29 I&N Dec. 830 (BIA 2026); Alex Chen, "New BIA Ruling on Advance Parole Narrows Legal Immigration Options for DACA Recipients and Others," American Immigration Council, August 28, 2026, https://www.americanimmigrationcouncil.org/blog/bia-ruling-advance-parole-daca/.

77 American Immigration Council, "USCIS Immigration Filing Trends," https://www.americanimmigrationcouncil.org/uscis-immigration-filing-trends/.

78 *Compare* U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2025, Quarter 4," March 20, 2026, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2025_q4_v1.xlsx *with* U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2026, Quarter 3," September 8, 2026, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2026_q3_v1.xlsx.

79 Gustavo Solis, "DACA recipients are losing their protected status due to lengthy administrative delays," *KPBS*, July 15, 2026, https://www.kpbs.org/news/border-immigration/2026/07/15/daca-recipients-are-losing-their-protected-status-due-to-lengthy-administrative-delays; Ignacia Rodriguez Kmec, "Why Some DACA Renewals Are Taking Longer — and What You Can Do," National Immigration Law Center, March 24, 2026, https://www.nilc.org/articles/why-some-daca-renewals-are-taking-longer-and-what-you-can-do/.

80 "DACA Delays, Denials, Detentions, & Deportations," Fwd.us, May 10, 2026, https://www.fwd.us/news/daca-delays-denials-detentions-deportations/.

81 Lauren Villagran, "A Dying Dream: How Trump Targets Immigrants Who Arrived as Children," *The Marshall Project*, July 1, 2026, https://www.themarshallproject.org/2026/07/01/trump-targets-daca-immigration.

82 Liz Landers, Jonah Anderson, Amalia Huot-Marchand, "'This is my home,' says DACA recipient deported then returned to U.S.," *PBS News Hour*, April 23, 2026, https://www.pbs.org/newshour/show/this-is-my-home-says-daca-recipient-deported-then-returned-to-u-s; Valeria Gonzalez, "DACA mother of three suing the federal government over deportation to Mexico," *Texas Tribune*, July 30, 2026, https://www.texastribune.org/2026/07/30/texas-mother-daca-recepient-deportation-lawsuit/.

83 8 U.S.C. § 1101(a)(27)(J); "What is Special Immigrant Juvenile Status (SIJS)?," Immigrant Legal Resource Center, May 2024, https://www.ilrc.org/sites/default/files/2024-05/What%20is%20SIJS_May%202024.pdf.

84 U.S. Citizenship and Immigration Services, "Employment-Based Immigration: Fourth Preference EB-4," *last updated April 8, 2025*, https://www.uscis.gov/working-in-the-united-states/permanent-workers/employment-based-immigration-fourth-preference-eb-4.

85 8 U.S.C. § 1153(b)(4).

86 In FY 2024, there were 20,292 Special Immigrant petitions approved by USCIS, which dropped to 17,602 in FY 2025. *Compare* U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2024, Quarter 4)," December 18, 2025, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2024_q4.xlsx *with* U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2025, Quarter 4)," March 20, 2026, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2025_q4_v1.xlsx.

87 End SIJS Backlog, "About the SIJS Backlog," https://www.sijsbacklog.com/aboutsijs.

88 U.S. Citizenship and Immigration Services, "PA-2022-10: Special Immigrant Juvenile Classification and Deferred Action," March 7, 2022, https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220307-SIJAndDeferredAction.pdf

89 Letter from the U.S. Department of Homeland Security to Senator Cortez Masto, June 5, 2025, https://drive.google.com/file/d/1jfqf1D3jKhpqzAX-9lvRdxm8bvFZ6ZfU/view.

90 U.S. Citizenship and Immigration Services, "PA-2025-07: Special Immigrant Juvenile Classification and Deferred Action," June 6, 2025, https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250606-SIJDeferredAction.pdf.

91 U.S. Citizenship and Immigration Services, "PM-602-0198: Special Immigrant Juvenile Classification and Deferred Action," April 10, 2026, https://www.uscis.gov/sites/default/files/document/memos/PM-602-0198-SIJDeferredAction-20260410.pdf.

92 Letter from the U.S. Department of Homeland Security to Senator Cortez Masto.

93 *Matter of Pinzon Rozo*, 29 I&N Dec. 507 (BIA 2026).

94 Declaration of Elias Doe, November 10, 2025, *I.G.I. v. NOEM*, 1:25-cv-03898, (D.D.C.) ECF 10, Attachment 9.

95 Ibid.

96 Ibid.

97 Declaration of Marcos Doe, November 10, 2025, *I.G.I. v. NOEM*, 1:25-cv-03898, (D.D.C.), ECF 10, Attachment 10.

98 Ibid.

99 8 C.F.R. § 214.205(c), (e).

100 8 C.F.R. § 214.14(d)(2).

101 U.S. Citizenship and Immigration Services, "National Engagement - U Visa and Bona Fide Determination Process - Frequently Asked Questions," *last updated* October 29, 2022, https://www.uscis.gov/records/electronic-reading-room/national-engagement-u-visa-and-bona-fide-determination-process-frequently-asked-questions.

102 National Immigration Forum, "Deferred Action basics," April 15, 2016, https://forumtogether.org/article/deferred-action-basics/.

103 Acting Director Caleb Vitello, U.S. Immigration and Customs Enforcement, Policy 11005.4, "Interim Guidance on Civil Immigration Enforcement Actions Involving Current or Potential Beneficiaries of Victim-Based Immigration Benefits," January 30, 2025, https://www.ice.gov/doclib/foia/policy/11005.4.pdf.

104 ICWC et al, "ICWC v. Noem Practice Advisory and Toolkit," https://ba2119da-8699-4a93-afb7-a45bca247d5c.usrfiles.com/ugd/ba2119_5dda44fb2f5d42ba89950742a76cf24b.pdf.

105 U.S. Citizenship and Immigration Services, "PA-2026-01, Deferred Action as an Extraordinary Use of Prosecutorial Discretion," May 8, 2026, https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20260508-DeferredAction.pdf.

106 Center for Human Rights and Constitutional Law, "ICWC v. Noem," *last updated* June 5, 2025, https://www.centerforhumanrights.org/icwc-v-noem.

107 Madison McVan, "During Operation Metro Surge, ICE arrested dozens of immigrant crime victims," *Minnesota Reformer*, August 7, 2026, https://minnesotareformer.com/2026/08/07/ice-arrested-dozens-of-immigrant-crime-victims/.

108 Simon Prokupcez, Meridith Edwards, Rachel Clarke, "She thought she had permission to be in the US. Then ICE arrested her on a jetway," *CNN*, August 28, 2026, https://www.cnn.com/2026/08/27/us/ice-detentions-airports-asylum-seekers.

109 Danielle Silva, "Green card applicants married to U.S. citizens face new uncertainty amid arrests," *NBC News*, December 12, 2025, https://www.nbcnews.com/news/us-news/green-card-applicants-married-us-citizens-arrests-uncertainty-rcna247265.

110 Tim Henderson, "With new tactics, ICE reaches new high in monthly arrests," *Stateline*, August 10, 2026, https://stateline.org/2026/08/10/with-new-tactics-ice-reaches-new-high-in-monthly-arrests/.

111 8 U.S.C. 1182(a)(9)(b)(iii); American Immigration Council, "The Three- and Ten-Year Bars," October 28, 2016, https://www.americanimmigrationcouncil.org/fact-sheet/three-and-ten-year-bars/.

112 Rebecca Beitsch, "Trump administration expands mass deportations with noncriminals," *The Hill*, September 6, 2026, https://thehill.com/homenews/administration/6072318-ice-arrests-surge-non-criminals/.

113 Alexandra Skores and Priscilla Alvarez, "ICE arrests at US airports are happening more frequently, attorneys say. Here's what we know," *CNN*, July 28, 2026, https://www.cnn.com/2026/07/28/us/ice-airport-arrests.

114 U.S. Citizenship and Immigration Services, "All USCIS Application and Petition Form Types (Fiscal Year 2026, Quarter 3)," September 8, 2026, https://www.uscis.gov/sites/default/files/document/data/quarterly_all_forms_fy2026_q3_v1.xlsx.

115 American Immigration Council, "The Difference Between Asylum and Withholding of Removal," October 6, 2020, https://www.americanimmigrationcouncil.org/fact-sheet/asylum-withholding-of-removal/.

116 American Immigration Council, " The Difference Between Asylum and Withholding of Removal," October 6, 2020, https://www.americanimmigrationcouncil.org/fact-sheet/asylum-withholding-of-removal/

117 See e.g. Aala Abdullahi and Geoff Hing, " ICE Detained Them, and Then They Vanished," The Marshall Project, June 1, 2026, https://www.themarshallproject.org/2026/06/01/ice-transparency-immigrants-disappear-transfers. "Under an order of supervision, [Mohamed] had to check in regularly with ICE for more than two decades to keep a valid work permit."

118 American Immigration Council, "What Are Third-Country Removals? Understanding Their Use In U.S. Immigration Policy," August 31, 2016, https://www.americanimmigrationcouncil.org/fact-sheet/third-country-removals/.

119 Human Rights Watch, "'Casting Us Aside to Die' Cuban and Other Third-Country Nationals Deported from the US to Mexico," May 27, 2026, https://www.hrw.org/report/2026/05/27/casting-us-aside-to-die/cuban-and-other-third-country-nationals-deported-from-the.

120 See, e.g., Program for Public Consultation, University of Maryland School of Public Policy, "Bipartisan Majorities in the Battlegrounds Agree on Proposals to Give Most Undocumented Immigrants Path to Legal Status, Deter Illegal Immigration," September 2, 2026, https://publicconsultation.org/immigration/bipartisan-majorities-in-the-battlegrounds-agree-on-proposals-to-give-most-undocumented-immigrants-path-to-legal-status-deter-illegal-immigration/.