

Analyzing the Trump Administration's Attacks on Immigrants, Democracy, and America

The unanimous Declaration of the thirteen united States of America.



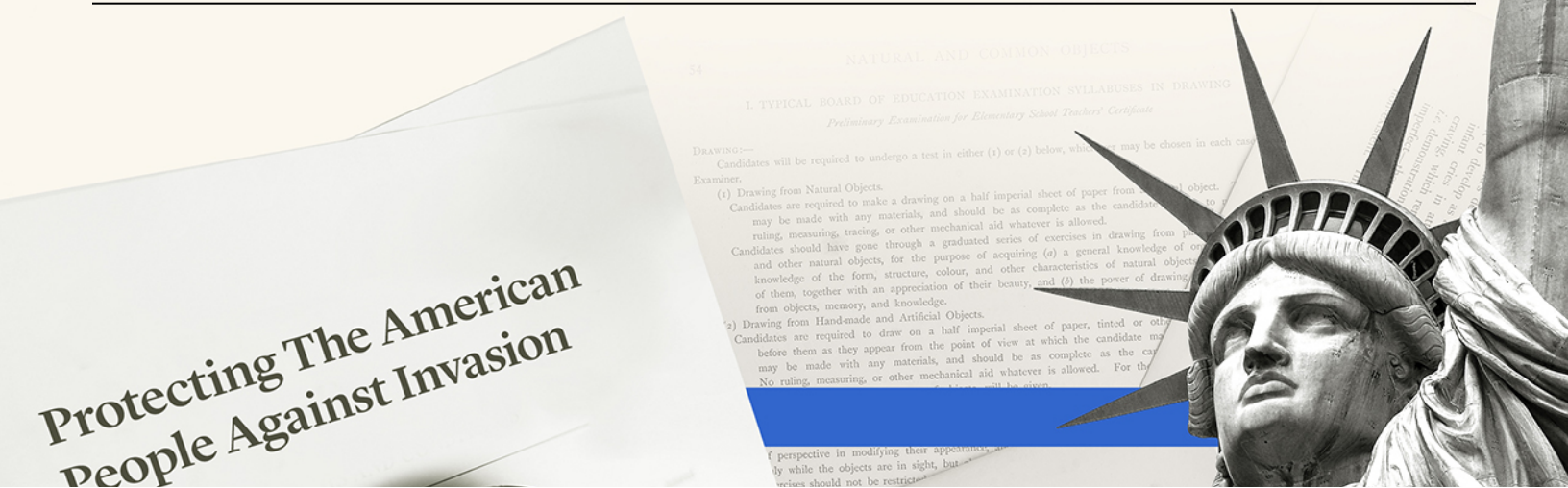
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INTRODUCTION:

Understanding this administration's immigration policy





The first six months of the second Donald J. Trump administration have arguably seen the most significant changes to U.S. immigration policy in the nation's history. Taken one by one, as they have been announced or revealed, the effect can be overwhelming; it seems impossible to even comprehend everything that has happened, much less to understand it in a systematic way or to anticipate what might come next.

The purpose of this report is not to recapitulate the last six months of chronology. Nor is it to contextualize the last six months within the history of immigration policy. The administration is simultaneously continuing some policy trends in place under the previous administration; taking latent powers within immigration law and using them as a matter of course; reanimating laws whose enactment predates the modern immigration system; and asserting wholly new powers that have never existed in law before.

Lists like these can make anyone feel as though they have no idea what is actually going on. We aim to do the opposite of that: to provide a framework for the American people to understand what has been done to noncitizens, the communities in which they live, and the entire U.S. immigration system since January 20, 2025. We hope this framework will remain useful as the Trump administration continues its effort to fundamentally transform the American government, character, and role in the world.

Our report is organized as a survey of the immigration policy landscape as of mid-2025, seeking to answer three key questions:

- **Who are we allowing into the United States, and who are we excluding?**
- **How are we treating the immigrants already here?**
- **Who are we forcing to leave, and how?**

We answer these questions both by recounting and analyzing some of the administration's actions that have shaped the current environment, and by introducing readers to Ilia, a Russian dissident detained in the United States after winning his asylum case; Axel, a Deferred Action for Childhood Arrivals (DACA) recipient trying to plan his career without knowing if he can keep working legally in the U.S.; Beatriz, a lawyer representing young immigrant children like she once was herself; and Kaelyn, whose partner was arrested in the middle of the night and now faces potential removal under the Alien Enemies Act. These profiles, and the stories of others referenced in the report, are a constant reminder that the decisions this administration has made and the way in which they have implemented them have enormous human costs.

On the ground, the answers to these questions are changing day by day — even minute by minute — as new policies are enacted, implementation is tweaked, or judicial injunctions and protracted litigation attempt to maintain the status quo. (One prominent example: this report does not address the Supreme Court's ruling to partially stay lower-court injunctions of the executive order limiting birthright citizenship, as the effects and implications of that ruling are still unfolding.) The report reflects our best understanding as of its publication, and specific policies described herein may no longer be in effect, or in place in the same way.

However, precisely because policy will continue to evolve for the rest of President Trump's second term, this report also seeks to identify cross-cutting themes that we believe are particularly important to understand what is being done, and whom it is being done to.

These themes are intended to help the public make sense of changes that can often seem too fast, too sweeping, or too complex to understand — both those that have happened in the administration's first six months, and those that may come during the rest of President Trump's time in office.

The immigration policy of this administration can be understood as...

An attack on our democracy

Under this administration, immigration enforcement has run roughshod over rights that most Americans understand to be universal. The First Amendment to the Constitution enshrines freedom of speech as a fundamental right, yet the Trump administration revoked Rümeyza Öztürk's student visa for writing an op-ed in her student paper criticizing her university's policy toward Israel. The Fourth Amendment protects against unreasonable search and seizure, but Immigration and Customs Enforcement (ICE) agents have engaged in unnecessary secrecy and even subterfuge to seize immigrants off the street. The Fifth Amendment says that no person can be "deprived of life, liberty or property without due process of law." Nevertheless, the Trump administration has sent hundreds of Venezuelan men to the Terrorism Confinement Center (CECOT), a prison in El Salvador known as a "black hole,"¹ based on secret, flimsy, and unchallengeable allegations that they are members of a gang trying to invade the United States.

Trump's immigration agenda has served as the tip of the spear not only for attacks on the rights of individuals, but on the structure of constitutional government. This constitutional order is what structures our democracy,

ensuring that elected leaders follow the law and respect separate divisions of authority. Power is intended to be spread between the state and federal governments and, at the federal level, across the legislative, executive and judicial branches.



The administration has tested the limits of federalism, deploying the California National Guard without consent of its governor and against U.S. citizens engaging in largely peaceful protests against this administration's immigration enforcement. It has refused to spend money appropriated by Congress to fund refugee resettlement, provide lawyers to vulnerable children, and help cities and states absorb new arrivals without straining limited local resources. It has prosecuted both appointed and elected officials, including local judges and members of Congress,² for allegedly interfering with ICE, and arrested advocates simply for observing ICE operations and immigration court proceedings. And when federal judges — including the Supreme Court itself — have attempted to rein in the administration, the response from the executive branch has been to attack the legitimacy of the judicial branch and the motives of individual judges.

An attempt to overhaul the federal government

At a time when nearly every other function of the federal bureaucracy is being subjected to devastating cuts and overbroad layoffs, the Trump administration is seeking to pour unprecedented money and staffing into immigration enforcement. Agents from at least five federal agencies outside of ICE have been reassigned to immigration enforcement duties;³ the Department of State has put concerted effort towards revoking visas, especially of foreign students and researchers; and U.S. attorneys around the country have been pressured to put immigration-related prosecutions — against both immigrants and those trying to help them — ahead of all other priorities. Government offices that were supposed to provide some oversight and transparency into the actions of agencies like Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) have been all but eliminated.⁴ And as the Trump administration seeks to use government databases to increase its surveillance and control, immigrants have been among the first victims — from a continued campaign to force the Internal Revenue Service to turn over information about immigrant taxpayers to ICE,⁵ to declaring thousands of living immigrants bureaucratically dead for the purposes of their social security records.⁶

Nothing as big as the federal government can be completely transformed in only six months, and it would have been impossible for the Trump administration to meet its stated goals of arresting 3,000 people per day⁷ — much less deporting 1 million per year⁸ — even without the litigation setbacks it has encountered and the errors it has had to correct. However, assistance from Congress, in the form of \$170.1 billion in new spending for immigration enforcement under the “One Big Beautiful Bill Act” signed into law by President Trump on July 4, 2025, will turbocharge the Trump administration’s effort to repurpose the federal government. This new infusion of money makes ICE the highest-funded federal law enforcement agency in history — funded at a level higher than some foreign militaries — and will bring the administration’s effort of repurposing the federal government to focus primarily on immigration enforcement close to reality.

An exercise in bending reality to match propaganda

Throughout Donald Trump’s political career, Trump and others have vastly overstated the number and nature of undocumented immigrants in the U.S., inventing millions of nonexistent migrants and accusing them of inherent criminality, while erasing the existence of millions of immigrants who have lived in the U.S. for over a decade and have no criminal record. Their insistence that anyone without papers in the U.S. is inherently a criminal is wrong; it contradicts federal law and undermines the contributions that immigrants make to American communities and the U.S. economy.

But while the federal government cannot turn immigrants into bad people just by saying they are, it does have the power to strip legal status from individuals — taking individuals who are legally present and rendering them deportable. The Trump administration has summarily stripped Temporary Protected Status (TPS) from nearly 1 million people and has revoked hundreds of thousands of grants of humanitarian parole. It has also acted aggressively to revoke the status of individual people living in the United States legally (such as students) — and instead of notifying them that they have lost their status, chosen to ambush them with arrest and detention.

Furthermore, the administration has weaponized federal criminal law to treat immigrants in violation of civil immigration law as criminals — and (through other outdated laws) even treat them as an invading army — thus justifying its own propaganda. For example, this administration is prosecuting immigrants for failing to carry proof of registration on their persons at all times, allowing the administration to turn immigrants into criminals and fulfill what they have long claimed.

In press conferences, administration officials have sometimes simply lied or made unproven assertions about an immigrant's criminal history.⁹ But the depiction of immigrants as criminals also shapes the experience of people detained under this administration — a lesson learned by the families of the men sent to CECOT in El Salvador, such as Mervin Yamarte, whose family discovered where he was after several days of worrying when they saw his head being shaved in a propaganda video.¹⁰

A maelstrom of fear and chaos in service of the administration's policy goals

Nothing that has happened over the last six months has changed the fundamental truth that arresting, detaining, and deporting every undocumented immigrant in the United States is nearly impossible. Notably, Trump's second term has distinguished itself from his first with an emphasis on encouraging immigrants to "self-deport" — using harsh policies and promises of money to push them to leave the United States on their own and give up on whatever legal status, or prospects for legal status, they may have.

Just as the U.S. government (under presidents of both parties) has chosen a strategy of treating some people harshly when they are apprehended at the U.S.-Mexico border in hopes that it will deter future migration, the Trump administration's aggressive tactics have caused immigrants of all legal statuses to constantly worry about their future safety in the United States. Policy changes such as the rescission of limiting ICE enforcement at locations such as churches and schools spread worry that no place is safe; stories of people being arbitrarily detained upon returning to the U.S. from trips abroad spread worry that no one is safe.

The chaos is compounded by the administration's own unforced errors, such as erroneously sending letters telling an unknown number of U.S. citizens and legal immigrants that "it is time for you to leave the United States."¹¹ It is further complicated when the administration's policies are stopped, delayed, or modified through litigation — with someone's future in the United States often hinging on how a class is defined in a class-action lawsuit or how broadly an injunction is applied.¹²

It will take longer than six months to fully understand the impact of this chaos on American communities. Stories around the country already suggest that chilling effects are not only making immigrants themselves afraid to participate in public life, but affecting the institutions with which they interact, such as universities. Some people have already chosen to leave the United States — but for many immigrants here, there is no real alternative to staying and waiting.



A radical revision of America's place in the world

One of the forces driving U.S. immigration policy has always been the image of itself that America wishes to project to the rest of the world — declaring who its allies and enemies are and making a claim to its own exceptionalism. This has been most obvious in the U.S. refugee program, which for decades resettled more refugees in new permanent homes than any other country in the world. How the U.S. attempted to balance enforcement of immigration law at its borders with its humanitarian commitments sent a signal to other countries about what was acceptable. Availability of visas for researchers, teachers, and doctors (for example) allowed the United States to retain a reputation as the biggest hub for global talent.

The Trump administration has openly rejected the longstanding consensus about America's place in the world, seeking to overhaul everything from defense alliances to international trade. One can get a robust understanding of the administration's view for American global leadership by looking at immigration.

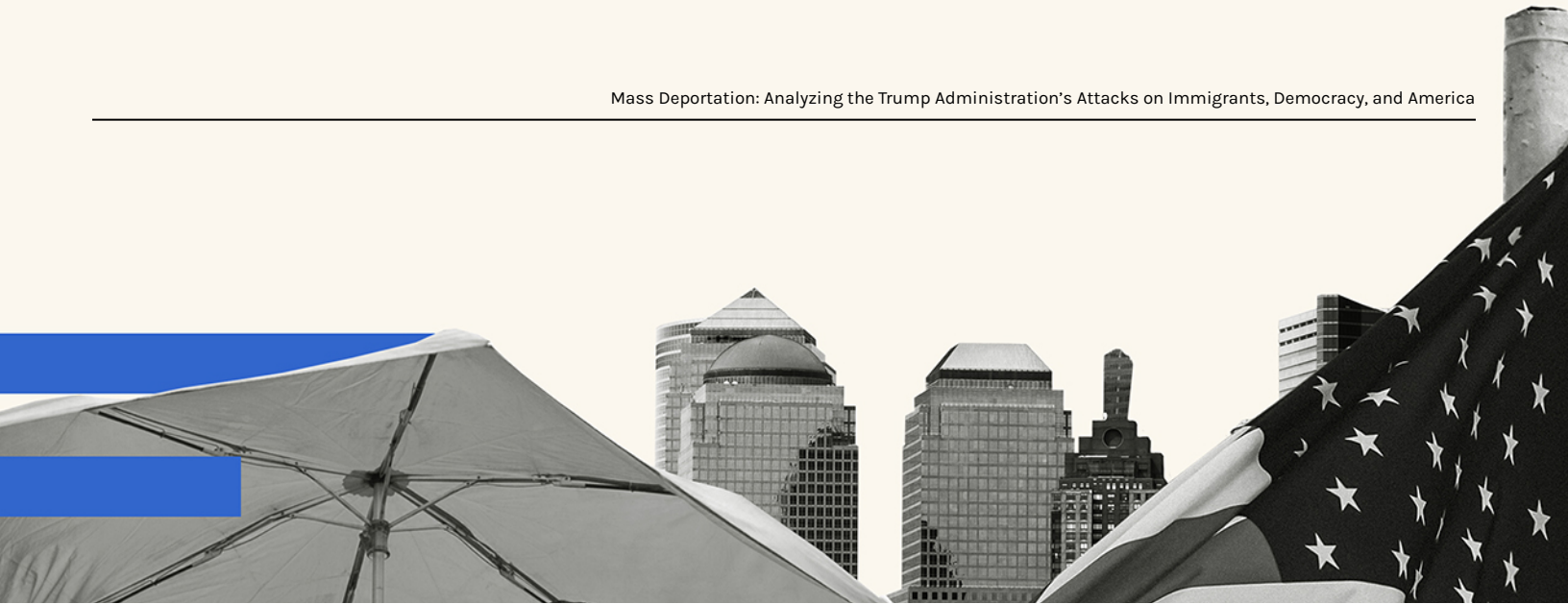
The United States Refugee Admissions Program (USRAP) has been summarily abandoned,¹³ destroying an ecosystem of organizations and communities — often led by refugees themselves — who worked to welcome newcomers to America. The administration plays hardball with some countries to force them to accept deportation flights, threatening visa sanctions on Colombia after it refused to allow a military plane to enter its airspace.¹⁴ It has embraced world leaders who assist with its efforts to get people out of the United States — such as President Nayib Bukele of El Salvador — who previous administrations held at arm's length due to their repressive domestic policies. The State Department's human rights alerts will reportedly no longer criticize countries for returning people to persecution, or for preventing their own residents from leaving.¹⁵

Meanwhile, the administration has dealt the final blow to the U.S.' own commitment to the Refugee Convention, by fully militarizing the U.S.-Mexico border¹⁶ and offering no opportunity whatsoever to seek protection from the United States by presenting oneself to border authorities. This has happened with little fanfare — partly because crossing levels remain low, and partly because pathways to asylum have been successively narrowed by administrations of both parties over the last several years. In the past, however, the United States at least professed to uphold the idea that no one should be returned to a country that will persecute or torture them — a principle that current officials are uninterested in paying even lip service to.

The message is that America under Trump is uninterested in global leadership driven by immigrant workers, researchers and entrepreneurs, and that it is no longer a safe place for people to live. Already, other countries are seeking to respond to the Trump administration — by working with it, or by taking a stand against it — in ways that will affect whether people choose to move to those countries instead of migrating to the United States in the future. How America's immigration policy shapes our global reputation is not something that can easily be teased out in six months, but the seeds of the next several years, or even decades, have been planted.

Who are we allowing into the United States, and who are we excluding?

The image features a black and white photograph of two young women, one of Asian descent and one of European descent, both smiling warmly. They are holding a large American flag, which is partially visible on the right side of the frame. The woman on the left is holding the flagpole, while the woman on the right is holding the fabric. In the background, a city skyline with several tall buildings is visible under a clear sky. The entire composition is set against a white background, with blue horizontal bars at the top and bottom, and a red bar at the very bottom.



On the first day of the second Trump administration, a barrage of executive orders gave the impression that the United States was making a radical U-turn in its immigration policy: from a supposed open-borders policy that had allowed an unspecified “invasion” of migrants into the United States to an attitude that the border was now “closed.”

The reality is somewhat less dramatic and more complicated.

Policy at “the border” — which is to say, enforcement of immigration laws against people trying to enter without authorization — has become entangled over the last decade with policy regarding asylum. The western hemisphere has seen significant shifts and increases in migration, driven by ongoing humanitarian challenges, while the U.S. has failed to update its laws to address new realities. Presidents of both parties have sought to restrict access to asylum; on the eve of Trump’s inauguration, it was already nearly impossible for someone to qualify or even file an application for asylum after entering the U.S. between ports of entry. Trump, declaring unequivocally that no humanitarian protection would be available to anyone entering at the U.S. southern border, delivered the death blow to a commitment to asylum that had been weakened by his previous administration as well as President Biden’s.

The Trump administration paired its asylum ban with an effort to prevent the United States from screening and resettling refugees or other humanitarian immigrants. The refugee ban, accompanied by an effort to destroy an entire ecosystem of nonprofit organizations that seek to welcome

and integrate newcomers, has left 100,000 or more people around the world in limbo. The administration made a concerted effort to find and fast-track white South Africans for refugee resettlement over a matter of weeks, while ignoring over 20,000 refugees who had made it through a years-long process and were ready to travel to the United States when the ban came down — including one Congolese refugee woman who, ironically, is stuck in South Africa waiting to be reunited with her mother after decades of separation.^{17 18}

The refugee ban has left 100,000 or more people around the world in limbo.

This sends a clear message to the world about the United States’ priorities, and its abandonment of its commitment to the U.S. asylum system, the refugee conventions, and the Refugee Act of 1980. In the six months prior to Trump’s inauguration, the U.S. admitted over 59,000 refugees;¹⁹ the Trump administration has spent most of its first six months fighting court orders to admit a few hundred.

The Trump administration has also created new barriers to legal immigration — such as imposing a new system of country-wide “travel bans” barring entry for anyone from 12 countries,²⁰ and severely curtailing entry for people from 7 additional countries. However, other barriers to legal immigration under this administration are likely to be procedural, individualized, and arbitrary — making them harder to identify.

Overall levels of new visa issuances did not significantly fall during the administration's first few months, with both immigrant and nonimmigrant visa issuances comparable to their 2024 levels through April 2025. (Notably, this data precedes the implementation of country-level travel bans.) However, the Trump administration's desire to reduce the federal workforce responsible for processing legal immigrants — while those same employees also take on immigration enforcement duties — suggests that we may begin to see effects of the changes made over the first six months on levels of visa issuances and processing times over the coming years.

From few asylum-seekers to none at all

The slow death of asylum

Since the 1950s, it has been a principle of both U.S. and international law that the government cannot return someone to a country in which they will be persecuted or tortured. Asylum and lesser forms of protection (such as withholding of removal and protection under the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment) are processes that Congress created to make sure the U.S. government was following its own laws. Fixes have had to be made to asylum policy over time, to ensure that a proper balance was being struck between the government's authority over immigration and its fealty to its principles.

Since the second term of the Obama administration, however, U.S. asylum policy has become hopelessly entangled with border management. As part of global displacement challenges, many more people than ever before started coming to the United States to request asylum; at the same time, those people came from places beyond Mexico and had more complex needs than the working-age adults who had made up most migration in the past.

Faced with a political narrative demonizing asylum seekers and bottlenecks in the system for processing and adjudicating asylum claims, elected officials decided it would be harder to improve the speed and efficiency of the system than it would be to stop people from coming to begin with — a “deterrence” goal that has guided presidents of both parties for the last decade, to no lasting success,

and with massive opportunity cost. (For more on the asylum system and border management, see the American Immigration Council report *Beyond A Border Solution*.²¹)

The Biden administration ran headlong into the limitations of prioritizing deterrence over processing. For the first half of President Biden's term, he kept in place the Title 42 policy which allowed the government to expel asylum-seekers with no effort to hear their claims whatsoever — even though it was quite clear that no one believed the official public health justification for the policy remaining in place. Evidence showed that Title 42 had little overall deterrent effect, and, in fact, border apprehensions were much higher in the weeks before Title 42 was lifted than the weeks immediately after.²² Even while Title 42 was in place, many people were not subjected to it; by the last months of the policy, tens of thousands of people per month were allowed to stay in the United States and pursue asylum cases, as enforcement measures became overwhelmed. That number swelled to over 100,000 per month in fall 2024, when migration levels rose months after the rescission of the Title 42 policy.

These individuals were often left with no support or guidance, and no ability to legally support themselves during their first months in the U.S.; major cities like New York City, Chicago, and Denver found themselves challenged to accommodate newcomers with little help from the federal government. To many policymakers, this became evidence that the U.S. was letting in too many people and underscored the need for restrictions on access to asylum.



After erecting significant procedural barriers to asylum eligibility in 2023, the Biden administration issued a declaration of emergency in summer 2024 that explicitly barred asylum to anyone who crossed between ports of entry until overall border crossing levels were substantially

SLOW DEATH OF ASYLUM



reduced. The vast majority of those who were unable to make an appointment at a port of entry via the CBP One app, or who couldn't wait, were deported without question unless they proactively told a border official they were afraid of returning to their home country (though many officers ignored such statements); even then, they were eligible only for partial protection from deportation and given no access to permanent legal status.

President Trump squeezed that narrow opening shut. In an executive order signed the first day of his second term, he declared that anyone who was part of the “invasion” of the United States (which appeared to include anyone crossing from Mexico without permission) was barred from receiving any benefit under the Immigration and Nationality Act, including asylum. (During Trump's first term, an effort to restrict asylum along similar lines had been struck down in court, in part because immigration law clearly states that asylum is available to those entering the U.S. “whether or not at a designated port of arrival.”)²³

Litigation is pending regarding Trump's executive order and its restrictions on asylum at the border, while the Biden administration's regulation first creating the “emergency” regime of asylum restriction was enjoined in a separate lawsuit in May 2025.²⁴

No asylum between ports of entry — but none at ports of entry, either

Biden's restrictions on asylum for people who crossed the border without permission were paired with encouragement to use “alternate legal pathways” — avenues that allowed the government to control how many people were coming in and check their identities at the beginning of the process, while allowing them to seek asylum or other protections once they got to the U.S. The Biden administration encouraged people to use the CBP One app to schedule appointments at ports of entry to be screened and potentially begin their asylum cases. This restored predictable, though limited, access at

ports of entry after years of efforts to choke off access and prevent asylum-seekers from setting foot on U.S. soil. It also encouraged the use of humanitarian parole programs — such as the Cuban, Haitian, Nicaraguan and Venezuelan (CHNV) parole program and family reunification parole (both of which are explored in more detail in the second section of this report on page 23).

The number of CBP One appointments that were available each day along the U.S.-Mexico border gradually expanded over the course of the Biden administration, ultimately reaching 1,450 a day,²⁵ but never came anywhere near meeting demand. Wait times under the app often stretched as high as eight to nine months in some regions.²⁶ While waiting in Mexico, asylum-seekers were extremely vulnerable, often running out of money to feed their families and getting harassed by local police. In many cases, asylum-seekers were subjected to rape and assault, or kidnapping at the hands of criminals or police.²⁷ Yet hundreds of thousands of people were willing to wait for a chance to come to the U.S. without breaking any laws.

To some policymakers, however, the additional screening and orderliness made no difference; they criticized the CBP One app as a “concierge service” for “illegal” migration.²⁸ The “Securing Our Borders” executive order shut down the app's asylum appointment function²⁹ — cancelling 30,000 appointments that asylum-seekers had been waiting for,³⁰ and stranding a total of 270,000 people waiting in Mexico for a chance for asylum that may never come.³¹ Margelis Tinoco, an asylum-seeker from Colombia who had an appointment for late on the day of January 20, instead had to tell her 13-year-old son “They blocked it. There's nothing we can do.”³²

After ending the CBP One app process, the Trump administration did not replace it with anything else. Migrants who go to a port of entry are turned away and not permitted to start the asylum process. As of the writing of this report, there is effectively no legal means to seek asylum at the U.S. southern border.

People who do manage to make it onto U.S. soil (by entering between ports of entry) are invariably detained, with no assessment of whether they pose a flight or public safety risk. The Trump administration has reduced the availability of bond for immigration detainees and made it essentially impossible for current detainees — even those who entered before January 20 and are found by an immigration judge to be eligible for relief — to secure their release from detention even after they have won their cases.³³

The threat of additional border measures — with hardly anyone to enforce them against

The “Guaranteeing the States Protection Against Invasion” executive order already shuts down asylum access at the U.S.-Mexico border and allows the Trump administration to summarily deport anyone apprehended while crossing.³⁴ Nevertheless, the administration has layered on additional policies to further punish irregular migration and prohibit asylum.

The administration has promised to resume the “Remain in Mexico” policy, which sent asylum-seekers to wait in dangerous conditions in Mexico while their immigration cases were pending. It remains unclear how this would interact with the executive order summarily barring those same people from being able to seek relief in immigration court,³⁵ and it does not appear that large numbers of people (if any) are being returned to Mexico under this policy (although some non-Mexicans continue to be deported to Mexico). Additionally, the administration has threatened to revive the Title 42 policy, though the public health grounds on which it would ostensibly be invoked have not been made entirely clear.

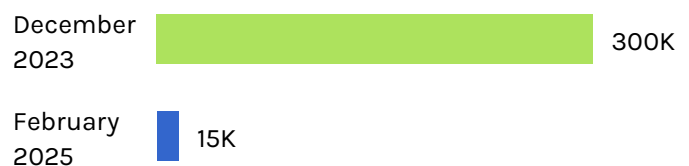
One threat the administration has followed through on is the full militarization of parts of the U.S.-Mexico border. The executive order “Clarifying the Military’s Role in Protecting the Territorial Integrity of the United States” directed U.S. Northern Command (NORTHCOM), the regional military command tasked with operations in North America, to “seal the borders.”³⁶ In late April 2025, in an unprecedented move, the Trump administration ordered over 10,000 members of the armed services to redirect their work to the border, with 7,500 actually deployed there (three times the number who had been deployed to the border on January 20, 2025).³⁷

Federal law prohibits use of the military for domestic law enforcement — including immigration enforcement — but the administration has attempted to find a way around this rule. It declared two zones, one along 170 miles of the border in Arizona and New Mexico and one along 60 miles of the border in West Texas, to be “extensions” of nearby military bases — thus allowing military officers to arrest anyone who sets foot in those zones for trespassing on the “base.” (According to military officials, anyone apprehended under these policies is taken into custody by U.S. Border Patrol, not by servicemembers themselves.)³⁸

The administration has not generally succeeded in using this gambit to successfully prosecute migrants as criminal trespassers — one judge threw out 98 cases, saying the government had failed to establish that the border-crossers knew they were “on” a military base.³⁹ However, the tactic allows the administration to say it is using the military to secure the border — and to push up against the limits of permissible use of the military on U.S. soil.

Trump’s use of multiple and simultaneous restrictive border policies (and Biden’s similar but far less severe strategy) obscure an important fact: unauthorized border crossings have steadily decreased since the beginning of 2024. DHS statistics show that southwest border “encounters” have remained under 15,000 a month since February 2025 — down from a December 2023 peak of over 300,000.⁴⁰ Part of this is likely due to the Mexican government’s efforts to interdict migrants before they reach the United States, but much is likely a result of a typical “wait and see” period in which migrants and asylum seekers temporarily wait to travel to the U.S. until the effects of a new policy or political change have become clear. The Trump administration has piled border deterrent policies on top of each other despite the fact that there are apparently few people to deter.

BORDER ENCOUNTERS DROP DRAMATICALLY





Ilia, young Russian dissident facing never-ending detention

Ilia is a 24-year-old pro-democracy activist who recently fled a threatening environment in his native Russia. But after escaping, he was taken into custody and put into jail-like detention by the very country he believed would protect him: the United States.

“I fled Russia because of increasingly harsh laws, because of a government that started persecuting me for my political views and my sexual orientation,” says Ilia. *“I believed the United States would help me.”*

Like many critics of the Putin regime, Ilia was outraged when Russian authorities arrested pro-democracy opposition leader Alexei Navalny in January 2021.⁴¹ In response, he joined nation-wide protests and began putting up “Free Navalny” fliers around Krosnodor, the city in southern Russia where he was a university student. The government

response was brutal, with thousands of people detained and many beaten or tasered by police.⁴² In February 2024, Navalny died under suspicious circumstances in a Russian prison camp.⁴³

By then, Ilia had already fled the country, after receiving threats from Russian intelligence officials. Being nonbinary, he faced additional risk under Putin’s increasingly repressive laws; his mere existence could mean persecution or imprisonment.

Ilia made his way to Mexico, where he followed the asylum process to the letter. He spent eight months near the border, waiting for a CBP One appointment. In May 2024, he arrived for his appointment, ready to make his case. Instead, he was taken into custody on the spot and put into detention, ending up at a Louisiana facility known for abuse and neglect.⁴⁴

“I applied for asylum because I believed the U.S. would help me,” Ilia says. “But once I was sent to Winn Correctional Center in Louisiana, I faced horrible treatment. The way officers treat detainees is awful. They yell at them, sometimes go as far as to discriminate, make racist remarks, and even subject detainees to sexual abuse.” Ilia has filed multiple complaints over the year he’s spent at Winn, but they go unanswered.

Though detained before President Trump came into office, Ilia has experienced the Trump administration’s hardline immigration stance firsthand. In March 2025, Ilia won his asylum case after an immigration judge considered 900 pages of evidence, including threats from Russian intelligence and letters of support from people who’d witnessed his activism. At this point, Ilia should have been released from detention and allowed to start building his life here. Instead, the Trump administration is refusing to let him out.

Ilia has no criminal history and does not pose a threat to his community. In fact, he won his asylum case, because he was targeted for upholding the very democratic ideals of free speech — upon which this country was founded. The result is prolonged, needless suffering, even for those the system has already deemed worthy of protection.

“The situation [in the detention centers] has gotten worse,” Ilia says, explaining that the facility where he is being kept has been at maximum capacity since Trump took office. *“People have started to realize there’s no way out, that they’re just waiting here to be deported, and they’re losing their minds.”*

Hardly any refugees — with one significant exception

As of January 20, there were approximately 100,000 refugees in the U.S. Refugee Admissions Program (USRAP) pipeline — most of them referred by the office of the UN High Commissioner on Refugees. 12,000 of these individuals had made travel arrangements and were counting down the days to start their new lives in the United States via this program. Many had sold all their possessions in preparation to move to their new home and lives.

Established in 1980, the U.S. Refugee Admissions Program is a complex enterprise requiring several government departments and nonprofit contractors across the globe to coordinate a complex vetting process with multiple moving parts. (For example, would-be refugees need both medical and security clearances, and need to get both at the same time before either expires.) To manage this system, Congress appropriated \$4 billion in funds for the refugee program for the current fiscal year.⁴⁵

With Trump's second inauguration, all of this was abruptly shut down.

The refugee program has traditionally enjoyed bipartisan support in Congress and among community leaders. It has often been a way for Americans to demonstrate their commitment to welcoming newcomers, as well as a way for the United States to retain humanitarian credibility on the world stage. Before 2016, it was typical for the U.S. to admit 70,000 refugees or more per year, with admissions hitting 100,000 in the last year of the Obama administration.

The refugee program was a target of the first Trump administration, which paused admissions in 2017 and significantly reduced the program's capacity over four years in office. Former Trump chief of staff John Kelly said that the ideal number of refugees he would admit would be "between zero and one";⁴⁶ the administration came close to that in 2020, when it set a target of 18,000 refugee admissions⁴⁷ and then admitted only 11,000 (in part due to the outbreak of the COVID pandemic).⁴⁸ Accordingly, the administration reduced its support for organizations in the United States that are responsible for placing and integrating

refugees, providing them with English lessons, housing, and job training for their first months in the U.S. Without federal contracts, those organizations were forced to lay off massive amounts of staff, sacrificing institutional knowledge.

President Biden arrived in office with promises to expand refugee admissions to surpass even Obama-era levels — promises which, in the context of the nearly-demolished system Trump had left, seemed unrealistic. However, in fiscal year 2024, the United States indeed resettled more than 100,000 refugees — in large part due to an increase in refugee processing in Latin America, a historically neglected region where refugee processing was belatedly pursued as another alternative to irregular migration to the U.S.⁴⁹

This second time, Donald Trump may choose to demolish refugee admissions forever. The current "pause" on refugee admissions, enacted via an executive order titled "Realigning the United States Refugee Admissions Program,"⁵⁰ is indefinite, lasting until the program is redesigned to admit only "those refugees who can fully and appropriately assimilate into the United States."⁵¹ The president himself will make the final decision on whether resuming the refugee admissions program "would be in the interests of the United States."⁵² This runs contrary to the U.S. Refugee Act of 1980 passed by Congress, which establishes the existence of the refugee admissions program and requires the president to notify Congress on an annual basis about how many refugees the administration will try to admit in the coming year.⁵³

The attack on refugees abroad also hurts American communities. Within hours of the signing of the executive order, organizations around the United States were told that their federal funds were being frozen, and not to incur any further expenses. This prevented them from being able to provide services for refugees already living in the United States — imperiling their successful integration. One gay Iraqi refugee moved to Dallas in January 2025 with \$120 in his pocket, having been promised that he would be given cash assistance for his first few months in the U.S. to build a new life in safety. But when his benefits were suspended in February, he struggled to imagine how he could survive in the United States, and had to consider going back to Iraq where he knew his life would be in danger.⁵⁴

After a federal judge ruled that the administration must unfreeze the funds for resettlement organizations, the executive branch instead terminated their contracts.⁵⁵ Organizations have had to furlough or lay off hundreds of employees, leaving many clients like the Iraqi refugee without adequate support.⁵⁶ The legality of this funding freeze remains contested in court.

While a federal court initially ordered the government to admit everyone who had been granted conditional entry under USRAP and had arranged travel to the United States prior to the ban, the courts are currently haggling over how many people the administration is actually obligated to admit.⁵⁷ Meanwhile, some refugees who were scheduled to arrive in the United States during the first travel ban, in 2017, are still awaiting admission.

The South African exception reveals the administration's true agenda

On February 7, 2025, President Trump signed an executive order directing the government to resettle white South Africans who claimed they were victims of racial persecution from the country's Black majority. Barely three months later, 49 such people deplaned for new lives in the United States.

The one exception to the refugee ban — granted by the Trump administration as it argued in court over its obligations to admit even 160 of the refugees who were supposed to arrive in the U.S. in the days after Trump's inauguration — shows how flimsy the administration's pretext for gutting the refugee program really is. While two years of vetting is apparently insufficient for most refugees, a group of white farmers claiming persecution at the hands of a majority-Black country is presumed by this administration to “be assimilated easily”⁵⁸ into the U.S. after scarcely any vetting at all.

While two years of vetting is apparently insufficient for most refugees, a group of white farmers claiming persecution at the hands of a majority-Black country is presumed by this administration to ‘be assimilated easily’ into the U.S. after scarcely any vetting at all.

Some Afrikaner refugees received preliminary approval even before two U.S. officials flew to Pretoria to conduct interviews, according to a report from Reuters.⁵⁹ Officials told Reuters that “there is administrative pressure to approve” applicants. Some refugees' claims of racial persecution were reportedly based on loss of property, even though economic harm is not generally considered sufficient to demonstrate persecution.⁶⁰

Trump and his officials have intentionally drawn a contrast between the thousands of stranded refugees from around the world and those eagerly recruited from South Africa's white Afrikaner community. These South African refugees arrived in the U.S. on a chartered plane, for a public event where they were welcomed by U.S. officials who said they were “very welcome” in the United States and had been chosen in part for their ability to “be assimilated easily” within American culture.⁶¹ Trump and other officials have accused the South African government of engaging in “genocide.” It is a fight they appear eager to pick on the global stage.

To some of the most ardent supporters of the United States' refugee program, the Afrikaner exception was an unbearable insult added to the injury the Trump administration has inflicted on the longstanding commitment to refugees around the world. Episcopal Migration Ministries canceled its government contract rather than allow it to be used to resettle white South Africans; the presiding bishop said it was “painful to watch” the preferential treatment given to Afrikaners while thousands of people remain languishing “in refugee camps or dangerous conditions for years.”⁶²

Travel bans alongside more subtle barriers

The second Trump administration has reinstated its first-term policy of national-level “travel bans” that essentially prevent anyone from a certain country from obtaining a visa to enter the United States or entering it legally. During the first term, restrictions on seven countries — five of them majority-Muslim — prevented thousands of U.S. citizens from reuniting with their families.⁶³

The June 4, 2025, proclamation⁶⁴ bans issuance of all visas to nationals of 12 countries:



Seven other countries — Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela — are subjected to lesser visa restrictions. Nationals of those countries cannot be issued immigrant visas (visas issued for people who will be allowed to permanently settle in the United States) or some categories of non-immigrant visa such as student and tourist visas, but can be issued certain other visas (such as H-1B work visas or “fiancé visas”) as long as they are only valid for the shortest possible time.

The new travel bans are ostensibly intended to prevent the entry of people who cannot be sufficiently vetted thanks to their home countries’ policies, or who are particularly likely

to overstay their visas. However, even though the bans were enacted shortly after an Egyptian asylum applicant (who had overstayed his initial tourist visa) committed an attack on a Jewish event in Colorado, Egypt was not included on the list of banned countries — with Trump saying the Egyptian government “has things under control.” Additionally, the Republic of Congo was included under the ban, while the Democratic Republic of Congo — with higher rates of visa overstays — was not.⁶⁵

In 2023, the U.S. issued approximately 34,000 immigrant visas and over 125,000 non-immigrant visas that would now be prohibited under the current ban. 4.3 million people from those countries living in the United States — including 2.4 million citizens — will no longer be able to sponsor their relatives to come live with them, or even host them for visits, while the travel ban is in effect.⁶⁶

Beyond preemptive and categorical bans on whole national populations, the Trump administration has made clear that all individual applications will be subjected to higher levels of scrutiny. Both the U.S. State Department (responsible for issuing visas to enter the United States) and U.S. Citizenship and Immigration Services (which adjudicates applications for immigration benefits)⁶⁷ have rolled out policies for aggressive ideological screening of applicants. Applicants for student and other visas are now required to have their social-media profiles set to “public” so that administration officials can scrutinize their posts.⁶⁸

Policies such as these increase the possibility of arbitrary and unexplained denials. Furthermore, they create more delays in adjudicating every type of application. From the outside, those delays can become so bad that it is impossible to know for sure whether an application is actually being processed at all. Under the first Trump administration, refugees and others — including applicants for Special Immigrant Visas (SIVs) who assisted U.S. troops in Iraq and Afghanistan — were often subjected to unaccountable and indefinite delays due to a mysterious interagency review process that required additional advisory opinions in certain cases.⁶⁹ Because the application could not move forward without affirmative approval, unclear or vague results of these checks could keep applicants in limbo forever without knowing the justification for the delay.

The first Trump administration made it easier for adjudicators to reject applications out of hand. For example, leaving any space blank on an application led to an automatic denial, even if it was not a field the applicant needed to fill out. It also substantially increased requests for additional evidence and notices of intent to deny applications. Both of these tactics prolonged the process and increased the overall rate of denials.

In theory, such restrictions should lead to decreases in the number of visas being issued by the U.S. State Department, and immigration applications being approved by United States Citizenship and Immigration Services (USCIS). What little information we have so far suggests that there has not been a dramatic change in visa issuance, at least, in the first few months of the Trump administration (before the travel bans were issued). In February, March and April 2025, like the same months in 2024, U.S. embassies and consulates issued around 50,000 immigrant visas each month, and around 1 million nonimmigrant visas. While April 2025 did see a slight (16 percent) downturn in immigrant visa issuance compared to the previous year, it is impossible to know without more data whether this signals the beginning of a trend.

It is very difficult to know how internal processing of immigration applications and petitions has changed in the first six months of the second Trump administration for two main reasons. The first is that six months is a very short period of time in the legal immigration system, and limited data is available to identify any new trends. Several U.S. embassies have wait times of over a year for appointments for interviews for tourist visas.⁷⁰ Processing times at USCIS routinely tick above six months — and published processing times always exclude the cases that are taking the longest to resolve.⁷¹ And, of course, the wait for immigrant visas for certain family members from certain countries can be measured in decades. The eligibility dates for family-based visas in the monthly Visa Bulletin published by the U.S. State Department have moved forward in most categories over the months of the Trump administration — but while this could indicate processing it could also simply indicate a lack of demand.

The second reason is that the system is in danger of losing what little transparency it has. USCIS has not updated its “Historical Processing Times” document since March. This tool has been one of very few ways that Americans and immigrants can track the activities of the government and learn how long it is taking to process applications — in short, where the government is allocating its resources.

There are certainly indications that the Trump administration does not intend to allocate significant manpower toward operating our system of legal immigration. Not only have USCIS employees been asked to volunteer for 60-day details at ICE, but the agency has been forced to cut jobs — despite being almost entirely funded by user fees rather than appropriations from Congress. The cuts surprised officials within the agency, who pointed out, “We make money.”⁷² In April 2025, an unknown number of USCIS employees were sent an email telling them they could either resign or be fired at a future point.⁷³ And while the Bureau of Consular Affairs at the U.S. State Department has not yet been targeted for widespread firings, plans have been circulated calling for the closure of embassies and consulates around the globe — which would increase wait times at nearby embassies and the consulates that remain open.

At the end of the day, however, processing times will not significantly increase — even if the resources available for them are cut — if demand also drops. In other words, if no one wants to come to the United States, no one will be delayed in coming. And in that regard, the experiences of current immigrants may send powerful signals to would-be immigrants of the future.

WHAT THE TRAVEL BANS ARE COSTING US



34,000 immigrant visas (2023) now banned

125,000 non-immigrant visas (2023)
now banned

How are we treating the immigrants already here?





EVERYONE IS
WELCOME

For decades, until President Trump's first term in office, the consensus among both parties and all presidential administrations was that there was a bright line between "legal" and "illegal" immigration: illegal immigration was bad, but legal immigration was good. These lines weren't quite as bright in policy as they were in rhetoric. The executive branch often used its discretion to grant some form of legal protection to undocumented immigrants; much more infrequently, it exercised its authority to revoke individuals' permission to remain in the U.S. But the distinction between having papers and lacking them was generally respected and upheld.

In President Trump's first term, his administration argued that some legal immigrants were also undesirable, and pushed policies to restrict incoming legal immigration. It also attempted to strip discretionary protections from large groups of immigrants — including the Deferred Action for Childhood Arrivals (DACA) program and several nationalities' grants of Temporary Protected Status (TPS) — but was generally stymied in court.

With its return to office, the administration has picked up where it left off — and then some. It has resumed the large-scale revocation of protections such as TPS and humanitarian parole. Furthermore, it has attempted to delete the compliance records of several thousand international students studying here, confusing them and their schools about their legal status, while seeking to prevent some universities from enrolling international students at all.

The message of these operations, and of widely-reported efforts to use government data (such as tax returns and Social Security records) for immigration enforcement, sends a message that all immigrants are receiving regardless of legal status: any information that has ever been given to the government can be used against them, and any interaction with the government could turn into an arrest.

Meanwhile, the immigrants who have no federal records, because they have never had legal status and never been apprehended, are now at risk of being prosecuted as federal criminals for the crime of failing to register their existence with the government — in other words, failing to turn over information that could be used to deport them.

The ripple effects of the effort to make immigrants' lives as precarious as possible — to strip them of the ability to work legally, to participate in the life of their communities without fear, to travel internationally or even take a domestic flight — cannot be fully understood within six months. The administration is stripping (or attempting to strip) work permits from people who are essential to the U.S. workforce, while making it harder for employers to recruit talent from abroad. What is happening to universities around the country, where harassment of students and researchers is leading to concerns about continued international student enrollment, should serve as an early warning to employers in other sectors of the American economy.

Stripping them of legal status and protections

Not all immigrants who have the ability to work legally in the United States, or who are not presumed deportable, are equally protected — or, for that matter, equally "legal." The gradations are so fine that, for example, whether someone is eligible for a driver's license in several states depends on whether they have "lawful status" in the United States, or merely "lawful presence" here.

U.S. law gives the federal government the authority, in certain circumstances, to revoke the status of anyone who wasn't granted citizenship at birth — up to and including naturalized citizens. But the law requires the government to follow certain steps to do it — and affords immigrants more opportunity to contest the revocation — depending on what

form of legal status or protection they have. Naturalized citizens, for example, must be “denaturalized” in a lengthy and resource-intensive federal court proceeding, then brought to immigration court to revoke their green cards as well. The grounds for denaturalization are also very limited, meaning most naturalized citizens cannot have their status revoked (which is why the Trump administration’s much-touted denaturalization campaign during its first term achieved limited results).

Both the reasons for revoking protections and the process that must be followed vary. However, in general, there are two axes on which the second Trump administration has worked to make immigrants’ status more precarious:

- Wholesale revocation for entire groups and categories of people — something that can only be done for certain lesser forms of legal protection which have been granted by the executive branch to begin with, and which even then must follow legally-specified procedures; and
- Revocation of individual visas and statuses based on (theoretically) individualized grounds.

The first of these is a continuation of a policy pursued under Trump’s first term — but which now has the potential to affect many more people, thanks to the Biden administration’s aggressive use of temporary protections. The second is a much more aggressive posture than the first Trump administration took.

Targeting the newly-expanded population of “twilight” immigrants for mass revocation of legal protection

Since the Obama administration, the executive branch’s power to grant temporary protections from deportation (and work permits) to groups of immigrants without full legal status — or to revoke those protections — has become a hotly debated tool of immigration policy. There are several legal authorities that presidents have used to extend these protections, including deferred action (which the Obama administration used successfully to create the DACA program, but was stopped by the Supreme Court when it attempted to extend protections to parents of U.S. citizens) and humanitarian parole, used aggressively by the Biden administration. It also includes Temporary Protected

Status (TPS) — which had been used by presidents of both parties since its creation in 1990, but which the first Trump administration attempted to curb. (The first Trump administration’s attempts to sunset TPS for particular countries were stopped by federal courts or delayed until they were formally undone by the Biden administration.)

Often, discretionary protections can offer some form of stability to people who are already in the United States but lack any way of “getting in line” for full legal status. However, parole, in particular, can also be used to allow people to enter the United States who would not otherwise be able to do so legally. The Biden administration was very active in doing both. It used parole to create “alternative legal pathways” for nearly 1.7 million people to enter the United States legally,⁷⁴ while also using TPS to cover hundreds of thousands of people who were here (including some of those who had been paroled in by the administration to begin with). As a result, many more people were in the United States on “twilight statuses” when Trump reentered office than when he left.⁷⁵

To the Biden administration, these protections served as an alternative to undocumented migration — by allowing people to come safely and stay on the books with the government while living in the United States. However, to the Trump administration, they were seen as a backdoor way to expand illegitimate migration. On the campaign trail, Trump and Vice President J.D. Vance attacked Haitian immigrants in Springfield, Ohio, as “illegal,” despite the fact that most of them were protected by parole and/or Temporary Protected Status. When the fact that they were in fact legal was pointed out to Vance, he insisted that “If Kamala Harris waves the wand illegally and says these people are now here legally, I’m still going to call them an illegal alien.”⁷⁶

And so the Trump administration has shaped reality to fit its worldview, taking over a million people who had done everything the “right way” — from finding sponsors in the U.S. under the Cuban, Haitian, Nicaraguan and Venezuelan (CHNV) parole program to waiting in Mexico for months with a CBP One appointment, to applying for and sometimes renewing TPS — and making them “illegal.” As a result of these actions — which have affected far more people than the Trump administration has been able to deport — the number of people in the U.S. without any legal status has almost certainly increased since January 2025.

MAJOR EXPANSIONS OF “TWILIGHT STATUS” UNDER THE BIDEN ADMINISTRATION

Uniting for Ukraine

Description: A program using humanitarian parole to bring Ukrainians fleeing Russia's 2022 invasion to the United States while the war is ongoing.

Number of beneficiaries (estimated): At least 187,000⁷⁷

Current status: Ukrainians retain their temporary protections under this program, despite intermittent reports that the Trump administration wants to rescind them.

Humanitarian parole for Afghans

Description: A program granting two-year parole grants to Afghans after the U.S. withdrawal from Afghanistan in 2021, including those brought to the U.S. under Operation Allies Welcome.

Number of beneficiaries (estimated): 76,000⁷⁸

Current status: Afghans retain their temporary protections under this program, despite intermittent reports that the Trump administration wants to rescind them.

The Cuban, Haitian, Nicaraguan and Venezuelan (CHNV) parole program

Description: The CHNV program granted two years of protections and work eligibility to up to 30,000 people from Cuba, Haiti, Nicaragua and Venezuela each month, starting in early 2023 (expanding an earlier parole program for Venezuelans which started in fall 2022.)

Number of beneficiaries (estimated): 532,110 total,⁷⁹ many of whom later became eligible for Temporary Protected Status or other adjustment⁸⁰

Current status: The Trump administration stopped granting parole for new beneficiaries at the beginning of its second term in office. In April 2025, the Department of Homeland Security announced that current parolees would be prematurely stripped of their parole. While that decision was temporarily delayed by a federal judge, it has since been allowed to go into effect. On June 12, DHS announced it was sending notifications of parole revocation to CHNV beneficiaries.⁸¹

MAJOR EXPANSIONS OF “TWILIGHT STATUS” UNDER THE BIDEN ADMINISTRATION

CBP One parole

Description: Parole for asylum-seekers who came to the U.S. by making appointments on the CBP One app to present themselves at ports of entry, which allowed them to work legally in the U.S. while waiting for their hearings in immigration court.

Number of beneficiaries: 936,500, many of whom were subsequently granted asylum or other forms of legal status, or had their parole revoked after losing their cases.

Current status: In April 2025, the Trump administration sent mass notifications to CBP One parolees that they would lose their parole within seven days; this mass revocation of parole under CBP One has been challenged in court.

Temporary Protected Status designations⁸²

Description: Venezuela, March 2021 and October 2023.

Number of beneficiaries: 505,400 as of September 2024⁸³

Current status: The Trump administration advanced the expiration date for Venezuelans designated for TPS in 2021 to September 2025. On February 6, 2025, the administration announced its intent to revoke the extension of TPS for those who arrived later and were designated for it in 2023. This revocation was temporarily enjoined by court order, but the U.S. Supreme Court allowed it to go into effect for all Venezuelans who had not already been approved for TPS on February 5.⁸⁴

Description: Haiti, August 2024.

Number of beneficiaries (estimated): 523,000, including 319,000 newly-eligible recent arrivals⁸⁵

Current status: The Trump administration shortened the validity of Haitian TPS so that it would expire in August 2025 rather than February 2026,⁸⁶ then, in late June, announced that TPS for Haiti would be terminated entirely in late August.⁸⁷

Description: Ukraine, August 2023.

Number of beneficiaries (estimated): 63,425 as of September 2024⁸⁸

Current status: Valid until October 2026.

While the federal government has the power to revoke these protections, it is still obligated to follow the appropriate process. The Trump administration's aggression and haste, however, have arguably pushed it to violate that process. The Department of Homeland Security attempted to claw back decisions already issued by the Biden administration to extend TPS for Venezuela and Haiti for 18 months — resulting in a lawsuit that remains in federal court. It announced via a press release that it would terminate TPS for Afghanistan and Cameroon — then did not issue a Federal Register notice confirming the decision, as required by law, for another six weeks. Only on May 13 — a week before Afghans' existing TPS grants were said to expire — did the administration announce in the Federal Register that the country would lose its designation in 60 days.⁸⁹

Stripping these protections — and the work permits associated with them — has a tremendous impact on the U.S. workforce. According to estimates from FWD.us, the Trump administration's terminations (or attempted terminations) of TPS would affect over 200,000 workers⁹⁰ — and over 150,000 more are in danger of losing their work permits faster than expected, thanks to the administration's reversal of the Biden administration's extension for Venezuela (under the 2021 designation). Indeed, the Trump administration's attitude toward TPS raises the possibility that all current TPS holders will lose their protections over the next two years — cutting a total of 570,000 workers out of the legal workforce.⁹¹ People who entered the U.S. on humanitarian parole under the Biden administration, meanwhile, account for 740,000 U.S. workers — including approximately 120,000 in the construction industry, and 120,000 in leisure and hospitality.⁹²

People who have lost temporary protections under Trump face a choice to remain in the U.S. without papers and risk deportation, or to leave proactively. Unsurprisingly, some are taking the latter option even while they still have deportation protections, out of fear. “Everybody is afraid,” Venezuelan activist Adelys Ferro told Politico about TPS holders.⁹³ Virginia music teacher Jesus Rodriguez left his elementary-school students in April, departing the U.S. for Spain while his humanitarian parole was still valid. He told the Washington Post that he was afraid of being detained or deported, despite his protections; “I don’t want to show my daughter something terrible like that.”⁹⁴



Terminating student visas based on free speech and traffic tickets — and panicking students by deleting thousands of records

In keeping with its broader attacks on American colleges and universities, the Trump administration has shown particular interest in foreign students, including graduate students, many of whom are also scientific researchers.

Students who have been active in campus protests opposing Israel's war in Gaza have been individually targeted for visa revocation and status termination, arrest and detention — often without any notice. Tufts graduate student Rümeyşa Öztürk was arrested on the street by masked men in plainclothes in March 2025. She later learned her status had been revoked days earlier, on the grounds that her continued presence in the United States “might undermine U.S. foreign policy” by making Jewish students on her campus feel unsafe and “indicating support for a designated terrorist organization”; the only evidence that the Trump administration has offered to support this claim is an op-ed she co-authored in the Tufts student paper in 2024, urging the university to support student senate resolutions to recognize the war in Gaza as a genocide and divest from the government of Israel.⁹⁵ Öztürk was detained for several weeks, suffering several asthma attacks, before being ordered released by a federal judge while her deportation case proceeds.

While cases like Öztürk's — which have also resulted in the federal government attempting to revoke the permanent residency of at least two green-card holders, using the same “foreign policy” grounds — have been highly visible, many more students have been made vulnerable through a different Trump administration effort: deleting thousands of students' records in the Student Exchange and Visitor Information System (SEVIS), which universities and the government use to ensure that students remain legally enrolled. In April, the Trump administration canceled about 4,700 students' SEVIS records, triggering notices to their schools. The cancellations were based on a database check with the National Crime Information Center, which tracks interactions with law enforcement — including traffic tickets and dismissed charges. (Akshar Patel's record was canceled weeks before his graduation, based on a charge for reckless driving that had been tossed out of court.)⁹⁶

Some students had their immigration status stripped based on the criminal check, but DHS also deleted untold numbers of SEVIS records for students who retained their legal status in the U.S. All the cancellations, however, showed up for school officials as “identified in criminal records check and/or has had their visa revoked” — leading many schools to tell students that they had lost permission to continue their studies.⁹⁷

4,700

International students had their SEVIS records canceled, often leading schools to inform them they had lost permission to continue their studies.

This miscommunication was not only chaotic, but actively harmful. Any student who left school, missed classes, or quit on-campus jobs violated the terms of their immigration status by doing so. Thus, by trying to comply with university notifications based on the SEVIS cancellation, students who had not lost valid status put themselves at risk of losing it.⁹⁸

Facing more than 100 lawsuits from students, the Trump administration agreed to restore the individual SEVIS records. However, ICE has made it clear that it is now a matter of policy to cancel the SEVIS record of any student once the State Department orders a visa revoked — rather than allowing them to complete their studies before leaving the U.S.⁹⁹ This policy further encourages the State Department to engage in immigration enforcement, rather than simply adjudicating petitions to enter the U.S.

Instead of communicating these changes with students and universities in a proactive and orderly fashion, the administration has ambushed students on campus or told them their visas were no longer valid when they attempted to enter the United States. The memo revoking Rümeysa Öztürk's visa specifically instructed that “due to ongoing ICE operational security [...] the Department of State will not notify the subject of the revocation.”¹⁰⁰ These tactics make it harder for students who lose their status to comply with the law, while increasing the chances that they will be ordered removed and barred from legally reentering the United States. Even when students are notified of their change in status before being detained by ICE, the prospect of detention may lead them to voluntarily leave the U.S., like Columbia graduate student Ranjani Srivanasan,¹⁰¹ rather than fight their cases.



Axel, a DACA recipient trying to protect his community

Since President Trump's election, Axel Herrera has seen a growing number of local police traffic checkpoints popping up across his North Carolina community. As a DACA recipient, Axel has legal protection from deportation, but some of his friends and family members have already been detained or deported following random traffic stops, and many undocumented members of his community now live in constant fear. *"It's creating a hostile environment,"* Axel says. *"It's pretty clear what the government is trying to do."*

Axel is 27. He has lived here since age seven, after his family left Honduras in search of a better life. When Axel received DACA, he felt he'd finally achieved his family's dream. He won a scholarship to Duke University, became the first in his family to attend college and graduated with multiple awards and

aprestigious Congressional internship.

He went on to become North Carolina's civic engagement director for Mi Familia en Acción, a nonprofit group supporting Hispanic communities. He's spent the past few years registering citizens to vote, creating youth programs, and mentoring immigrants as they seek educational and professional opportunities. *"All I ever wanted was to belong, and to give something back,"* he says.

But the new political reality has been a blow. Ongoing challenges to DACA's legality could jeopardize Axel's protection from deportation. Axel has to renew his DACA protections and employment authorization every two years — and while he rushed to process his paperwork just before Trump took office, he has no way of knowing if that will still be possible when his current protections expire in 2026. He knows that some Dreamers are now struggling to get their papers processed, and the Trump administration has already deported at least one DACA holder after claiming they had an outstanding deportation order. *"Right now, everything is up in the air,"* Axel says. *"I'm very concerned about the future."*

One possibility is that courts could leave DACA in place, but revoke DACA recipients' right to work. Because of that uncertainty, Axel is walking away from his hard-won job and returning to school. This fall, he'll leave North Carolina for Yale, where he's won a scholarship to study business and public policy. *"It's a great opportunity, but also a hedge against losing my status,"* he explains. *"If I lose my work authorization, then being a student might buy me some time and let me find a different path forward."*

He feels torn about leaving his community behind. Everyone he knows is constantly on WhatsApp, assessing police conditions anytime they leave the house. He knows many young Venezuelans whose humanitarian parole was recently revoked, leaving them unable to work or study. Over the past 6 months he's also seen families torn apart by raids and deportations, or who are simply too afraid of ICE to go to school. *"I speak all the time with young people whose whole future is on the chopping block,"* Axel says.

But despite Axel's current protections, "there's this looming sense that things could get worse fast," he says. Under Trump, anti-immigrant sentiment and policy has become more entrenched. He's especially worried about the long-term impact of a new state law requiring sheriffs to cooperate with ICE. And he fears for his and his family's future. *"After 20 years, we're barely scratching the surface of dealing with our status issues,"* he says. *"It never ends — and the Trump administration is rolling back so much of the progress we've made."*

Erecting procedural barriers and blockades for people trying to obtain more permanent legal status, or to maintain their work permits

Noncitizens in the United States don't just apply for status once. They have to constantly remain "in status," renewing green cards, visas, work permits, and grants of deferred action, TPS or parole. They have to resubmit biometrics for fingerprints that haven't changed and retinal scans the government already has on file. And of course, each time, they have to pay a fee.

Obtaining more permanent status — a green card, for those who are eligible to adjust to one, or citizenship for those who already have green cards — is more rigorous still. But the reward for submitting to these interviews and security checks is greater stability, since these are less subject to government discretion than visas or discretionary protections are.

The Trump administration has simply pushed people off this path to citizenship. It has stopped processing applications, including green card applications, for groups of immigrants it deems unworthy, including refugees, asylees, and beneficiaries of parole programs. It seeks to reduce the amount of time that a work permit is valid for, increasing the risk that work permits will lapse while stuck in backlogs, and to impose inordinately expensive fees for each renewal and application.

In the long run, this will further erode the authorized immigrant population while pushing more people into the shadows. It may also have unwelcome economic impacts, especially among employers who have found recent success by tapping into the immigrant labor market.

Blockading green cards and other applications for refugees, asylees, and parolees

In the past, the government has encouraged those who are eligible for permanent status and (especially) U.S. citizenship to obtain it. The Trump administration, however, has compounded its efforts to erode protections for refugees, asylum-seekers, and parolees by making it impossible for them to obtain more permanent status.

In February 2025, Acting United States Citizenship and Immigration Services (USCIS) Deputy Director Andrew Davidson sent a memorandum to USCIS adjudicators ordering them to pause processing on all applications for immigration benefits filed by people who had come to the U.S. as beneficiaries of the CHNV and Uniting for Ukraine programs, preventing them from converting their temporary protections into something more permanent.¹⁰²

Furthermore, the memo required USCIS to stop processing applications for anyone who had benefited from Family Reunification Parole (FRP) programs. Under FRP, people who already had pending applications for legal status with USCIS, but who had not been able to come to the United States due to visa backlogs, would be allowed to reunite with their U.S.-resident relatives while waiting for their turn in line. By freezing the processing of these applications, the memo essentially put these families in a worse position than they had been to begin with — sacrificing their ability to obtain green cards and citizenship because they had chosen previously to wait inside the United States.¹⁰³

Because this freeze also applies to work permit renewals, the memo also further erodes the ability of people living in the United States to work legally here, and pushes them out of the workforce. One Ukrainian woman interviewed by National Public Radio (NPR) had been working three jobs in the restaurant sector before losing her work permit. "My hands are shaking because I have no work," she told NPR.¹⁰⁴

While the application freeze was supposed to be temporary in order to review vetting practices, it remains in effect and the Trump administration has given no indications as to when it will resume. A lawsuit has been filed and is still pending.¹⁰⁵

In March 2025, the administration publicly confirmed that it had also stopped processing green card applications for people who had come to the U.S. as refugees or had been granted asylum. Both refugees and asylees have traditionally been allowed to apply for green cards after one year in the United States — a relatively short period of time that is a reflection both of the United States' traditional commitment to humanitarian migration and a reflection of the rigorous vetting that has already happened before refugees, in particular, are resettled in the U.S. The Trump administration, however, claimed that in order to ensure vetting for refugees and asylees was sufficiently restrictive, it needed to stop processing green cards for people who had already been through this vetting process. Ironically, by refusing to look at the green-card application of someone granted refugee status or asylum, the government is losing opportunities to catch potential security risks among people who are living in the U.S.

The administration has said barely anything to the public about the reasons for the refugee green card freeze. The American Immigration Council has filed a Freedom of Information Act lawsuit in an effort to find out more.¹⁰⁶

Proposing to charge people hundreds or thousands of dollars for each form they file — and making them file more often

On July 4, 2025, President Trump signed the reconciliation legislative funding package — known as the “One Big Beautiful Bill Act” into law. The package makes seismic changes to the U.S. immigration system.¹⁰⁷ Reconciliation is intended to be a legislative vehicle to make changes solely related to the budget, debt, or funding. But this administration and its allies in Congress have used the bill to impose new, prohibitive immigration fees that serve as another way to punish immigrants for wanting to live in the United States. Under the new law,¹⁰⁸ several immigration applications which previously had no fee — such as an application for asylum, which has traditionally lacked a fee — will now cost money. Furthermore, asylum-seekers will be charged for each year their application remains pending — making them pay for the government's failure to process their applications in a timely fashion. The DHS Office of Inspector General found that in Fiscal Year 2023 nearly 50 percent of asylum applications were pending for longer than

two years, with a majority of those pending longer than six years.¹⁰⁹ Additionally, nothing would stop an administration from processing barely any applications at all and then collecting more and more money as the backlog accumulates.

Fee increases — which can be layered on top of existing fees and must be adjusted for inflation yearly — will also hit people trying to fight for their legal status in immigration court. The newly signed bill increases the fee to appeal an immigration judge's decision by \$900 — a fee that immigrants would have only 30 days to scrape together in order to file an appeal on time. Undocumented immigrants seeking cancellation of removal — a form of protection that, in very limited cases, allows people residing in the U.S. at least 10 years with U.S.-citizen families to remain in the country and obtain legal status — will have to spend as much as \$2,950 (up from \$1,440) just to apply.

Work permits will also become more expensive. Asylum seekers, TPS holders, and parolees will be forced to pay an additional \$550 each time they needed a work permit approved or renewed (asylum seekers previously didn't have to pay anything for their first work permit), but TPS holders and parolees will have to pay that fee every year, instead of every one and a half to two years or more. Not only will this require that immigrants keep paying \$550 more frequently until they receive more permanent status, but it significantly increases the likelihood that one work permit will expire before its replacement is issued. The average processing time for renewal work permits rose to 14.5 months in fiscal year 2023,¹¹⁰ which resulted in the Biden administration issuing a regulation allowing work permits to be automatically extended for 18 months rather than 6 months.¹¹¹



MAJOR FEE INCREASES IN 2025 RECONCILIATION BILL

Application Type	Existing Fee (fee waiver available)	Additional Fee (mandatory)	Total
Asylum application	\$0	\$100	\$100
Pending asylum application fee	\$0	\$100/year	\$100/year
Initial work permit (asylum seekers)	\$0	\$550	\$550
Initial work permit (TPS holders and parolees)	\$520	\$550	\$1,070
Immigration court appeal	\$110	\$900	\$1,010
Cancellation of removal application for non-legal permanent residents	\$100	\$1,500	\$1,600

Employers have expressed significant concerns about a workforce that can flicker in and out of legality due to processing delays. In the past, employers have called on USCIS to prioritize the processing of work permit applications to reduce backlogs and reduce their own uncertainty.¹¹² Now that the reconciliation package is law, however, USCIS will likely face compounding backlogs as workers scramble to put together a higher application fee each year before their next work permit application is due, while waiting for approval on the last one.

Forcing some to choose between criminal prosecution and giving their addresses to ICE

In March 2025, the Department of Homeland Security announced that it was preparing to enforce a 1940s law that had remained dormant for several decades: the Alien Registration Act. The law, which requires everyone in the U.S. for more than thirty days to register with the government, had previously been unenforceable because it was impossible for many immigrants to comply. Many immigration forms and statuses count as “registration” under the law, but immigrants who had entered without inspection and remained in the U.S. without incident — most of whom have lived here for years, if not decades — had no way of “getting legal” and no form they could fill out.

By creating a registration form for these immigrants, the Trump administration was pointedly not offering them any

form of protection from deportation. While the Department of Homeland Security has in the past offered assurances that information submitted in immigration forms would not be used for immigration enforcement, the Trump administration has made no such assurances — raising the possibility that the 57,000 immigrants who had signed up for the registry as of late May 2025¹¹³ have essentially turned their location and other contact information over to ICE to arrest and deport them. Indeed, Homeland Security Secretary Kristi Noem said in announcing the policy that once immigrants register, “we will help them relocate right back to their home country.”¹¹⁴

Immigrants who do not register, meanwhile, run the risk of criminal arrest and prosecution under a parallel criminal law that makes failure to register a crime.

It remains unclear how often the federal government is actually prosecuting people under the Alien Registration Act — especially because many cases are likely being handled on the Central Violations Bureau docket, which is separate from standard court dockets and does not guarantee the appointment of a public defender.¹¹⁵ Publicly available court records identify at least 22 cases in which prosecutors attempted to charge defendants for failing to register or failing to carry proof of registration with them, with prosecutors in Louisiana, Alabama, and Montana appearing particularly keen. In several of these cases, however, charges have been dismissed — with some judges appearing skeptical of the use of the registration law for this purpose.¹¹⁶

It is worth noting that defendants in registration cases remain subject to deportation even if the charges are dismissed. In several of the cases where judges dismissed criminal charges, the defendants were still remanded to ICE custody — meaning that they would remain in deportation proceedings despite their criminal cases being dropped.¹¹⁷

Bringing the threat of immigration enforcement, and harassment, into any interaction with the government

Public officials have long warned that people who are afraid of immigration enforcement will avoid any contact with government officials — even schoolteachers — if they worry it could lead to their deportation. This is one of the most important reasons that states and localities seek to pursue so-called “sanctuary” policies. At the federal level, there have long been privacy guardrails that prevent the government from allowing other agencies to turn its information and operations over to ICE, thus allowing noncitizens to do things such as pay taxes without fear. That period is over.

Operatives from the team known as the Department of Government Efficiency (DOGE) have been demanding access to databases across the federal government — including those that contain sensitive personal information. Whistleblowers have told members of Congress that DOGE is engaged in creating a “master database,” which Rep. Gerry Connolly (D-VA), the former ranking member of the House Oversight Committee, pointed out would almost certainly violate the Privacy Act in several different ways.¹¹⁸ Consistent with the Trump administration’s broader efforts to use immigration to reshape the entire federal government, some whistleblowers have claimed that the “master database” is an immigration enforcement tool intended to “track and surveil” immigrants.¹¹⁹

The administration has expressed a particularly keen interest in using Internal Revenue Service (IRS) tax data for immigration enforcement. In February, the Washington Post reported that DHS was asking the IRS to provide information on approximately 700,000 immigrant taxpayers. The acting IRS commissioner rejected the initial request for violating privacy laws.¹²⁰ Two days later, however, he announced his retirement and DHS renewed its campaign, which would

ultimately expand into a request for up to 7 million taxpayer records.¹²¹ A data-sharing agreement was signed by the Treasury and Homeland Security Secretaries on April 7 — prompting the new acting head of the IRS to resign, because she had not been told about the deal.¹²²

All of this happened in the days leading up to the tax filing deadline, causing immense fear and concern among noncitizen taxpayers — and raising the possibility that many noncitizens declined to file tax returns this year (despite the potential harm to their immigration cases in doing so) out of fear that ICE would get the information.

Fear could cost the federal government billions of dollars. According to the Institute on Taxation and Economic Policy, 50 to 75 percent of undocumented households pay taxes, using Individual Taxpayer Identification Numbers or ITINs.¹²³ (ITINs are also used to file taxes in some other cases; they are not used solely by immigrants without legal status.) As of 2023, undocumented immigrants paid an estimated \$55.8 billion in federal taxes, in addition to \$33.9 billion in state and local taxes.¹²⁴ This is especially noteworthy because undocumented immigrants, in addition to supporting programs such as Social Security which they are not eligible to benefit from, are not eligible for most tax credits.

Immigrants who have Social Security numbers, meanwhile, face a different kind of risk from DOGE. Under a program started during Trump’s first term, some immigrants processed by the federal government — including humanitarian parolees — are automatically issued Social Security cards and numbers. This does not make them eligible for Social Security benefits, but it does allow them to use their SSNs for employment, banking and credit. However, under pressure from DOGE, at least 6,000 immigrants whose legal protections were revoked under this Trump administration have also been added to a list called the “Death Master File” in an effort to prevent them from using their SSNs. The file has since been relabeled the “ineligible file” because it is being used against people who are alive, but the acting Social Security Administration commissioner wrote to staff that the effect would be to “terminate” recipients’ “financial lives.”¹²⁵ The Trump administration admitted it was doing this in the hopes that making immigrants unable to work, bank or pay credit card bills would encourage them to “self-deport.”¹²⁶

Depriving them of support from civil society

Because the Trump administration, in propaganda and policy, characterizes immigrants as criminals, it treats anyone who takes a welcoming attitude toward immigrants as accessories — or co-conspirators — in crime. “Border czar” Tom Homan has threatened to criminally charge members of Congress, such as Rep. Alexandria Ocasio-Cortez (D-NY), for telling immigrants they have the right not to open the door to ICE agents without a judicial warrant. When public officials showed up in support of an immigrant detained in New Jersey, ICE agents arrested Newark Mayor Ras Baraka for trespassing; video of the incident showed that one ICE employee had told him he was allowed to enter the property, where other ICE agents arrested him for being there. After Baraka was released, Rep. LaMonica McIver (D-NJ) was charged with assault over the incident.¹²⁷ In June, New York City Comptroller Brad Lander was arrested in the hallway outside an immigration courtroom while escorting an immigrant from his hearing; when ICE officers attempted to detain the immigrant, Lander asked them whether they had a judicial warrant.¹²⁸

The administration treats anyone who takes a welcoming attitude toward immigrants as accessories — or co-conspirators — in crime.

As usual for this administration, not all of the propaganda has teeth — Baraka and Lander were released shortly after their arrests, for example — but the administration’s willingness to follow through on even a few of its most extreme threats lends credibility to the rest of them.

Beyond attacks on individuals, however, are threats to the civil-society infrastructure that supports immigrants — not only local and state governments that attempt to protect them and provide them with public benefits, but nonprofit organizations providing education and support, and lawyers representing immigrants against the government.

This can be seen as an attack on Americans’ rights to free speech and free association, by opening them up to suspicion for publicly expressing their values and trying to live up to them. It also has the effect of undermining any comfort that immigrants might take from the fact that, despite what the federal government may say, there are many Americans who see them as vital members of their community.

Attacks on “sanctuary cities”

Many states and cities across the country have staked out a position of support for immigrants — which often takes the form of refusing to cooperate with federal agents to enforce immigration law, citing the costs that enforcing immigration laws impose on local agencies and the way it erodes relations between local police and federal law enforcement agencies. Boston Mayor Michelle Wu told Congress that in her city, thanks to the threat of immigration enforcement, “Neighbors are afraid to report crimes in their communities, and social workers can no longer convince victims of domestic violence to call the police and seek help. A city that is scared is not a city that is safe.”¹²⁹

Support at the state and local level can also take the form of expanding eligibility for benefits to noncitizens, including undocumented immigrants.

To the Trump administration, both of these policies are illegal and immoral “sanctuary policies.” The president and his officials have repeatedly and explicitly threatened state and local officials over such policies — and some threats have been carried out. The Department of Justice has filed lawsuits against the states of Illinois and New York over “sanctuary” policies that limit information-sharing with federal law enforcement, as well as cities including Chicago and Syracuse, NY.¹³⁰ The administration took immediate steps to strip federal resources from localities unwilling to work with ICE, such as relocating six offices¹³¹ of the Small Business Administration, which offers federal support to small and local businesses, away from so-called “sanctuary cities.” On the other hand, when New York City Mayor Eric Adams pledged to cooperate with ICE in violation of city laws limiting such cooperation, federal prosecutors dropped corruption charges against him.¹³²

In May, pursuant to a previous executive order instructing the Department of Homeland Security to publish a list of state and local jurisdictions “obstructing federal immigration enforcement” in order to threaten the withholding of federal funding, the administration posted a list of dozens of localities — including cities and counties — it deemed “sanctuary” jurisdictions.¹³³ The list offered no definition of “sanctuary,” and included a note that it was not to be used for any official purposes, despite being posted by the federal government. After local leaders and law enforcement (including the National Sheriffs Association) raised concerns about the arbitrary nature of the list, the posting was removed.¹³⁴

Simultaneously, the Trump administration and congressional Republicans took initial steps to advance a bill in Congress that would strip federal dollars from core state programs¹³⁵ like Medicaid and student lunches in states that are less cooperative with federal immigration authorities — despite the fact that these programs support U.S. citizens, and despite the legal authority states have to make choices on whether to work with ICE in enforcing immigration laws.

Despite Trump’s threats, courts have held that using federal funding streams to coerce localities into federal immigration enforcement is unlawful, and the anti-commandeering principle enshrined in the Tenth Amendment to the Constitution allows states and localities to make their own decisions about local policing. These laws set legal limits on Trump’s efforts to scare localities into advancing his mass deportation agenda.

Freezing and revoking funding for immigrant support

Organizations serving immigrants have been particularly hard hit by the Trump administration’s widespread cancellation of existing federal contracts, and refusal to disburse congressionally-appropriated funds.

Unlike criminal court, there is no right to a publicly-funded lawyer for immigrants facing deportation. However, Congress has provided some support for immigrants

to understand the process facing them — including legal orientation programs, and a program to provide representation to some immigrant children facing court alone. These programs were summarily halted, and litigation over efforts to restart them is ongoing.

The near-elimination of refugee resettlement has also harmed immigrant-serving organizations, who provide services like English classes to other groups of immigrants as well as newly-resettled refugees. The elimination of other contracts that the federal government previously awarded to support particular populations has similarly impacted immigrant-serving organizations. Indeed, among the contracts that have been clawed back are millions in dollars that were awarded — again, pursuant to appropriations from Congress — to promote U.S. citizenship and help immigrants naturalize.

Suddenly freezing these funds has already reduced organizations’ ability to serve vulnerable people and earn community trust. The director of one such organization in Milwaukee wrote in a federal lawsuit declaration that if her organization were forced to stop providing affordable legal services, the community would have to rely on “predatory firms that have filed a number of USCIS applications incorrectly.” Already, the organization had lost some of its hard-won trust from the community due to the sudden reduction in services. “If we close, there will be few other options left for them. The pipeline to citizenship will become narrower,” the director wrote.¹³⁶

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Another nonprofit organization, based in Maryland, wrote that it had to reduce its services to help women become economically independent. “A few weeks ago, we had to turn away a woman whose husband abused her, prevented her from leaving the home, and then later left her,” the director wrote. “She couldn’t speak or read English. We didn’t have funds to help.”¹³⁷

In both of these cases, the loss of funds didn’t just mean that immigrants lost the opportunity to improve their contributions to the U.S. economy and political community. Immigrants and communities received the message that no one would be willing and able to reliably help them. They lost an opportunity to be welcomed and received a message of rejection instead.

Immigrants and communities received the message that no one would be willing and able to reliably help them.

These threats to organizations may go beyond the mere loss of funds.

In a March 2025 executive order, President Trump accused immigration lawyers — particularly asylum lawyers — of engaging in widespread fraud and encouraging clients to lie. The executive order directed the Department of Justice to engage in “disciplinary action” (such as state bar complaints, or cancellation of federal contracts) against any lawyer who “appears to violate professional conduct rules” when facing off against the federal government in court, or their employer.¹³⁸ Between this order and the Trump administration’s persecution of major law firms, some large firms are now less willing to take on the federal government in cases seeking to protect due process for immigrants — even those firms who have not been targeted yet by the administration.

Rhetoric used by the Trump administration goes even further, suggesting that organizations that serve immigrants may be “harboring” them in violation of federal law. These attacks echo a state-level campaign against immigrant-serving organizations in Texas, under which Attorney General Ken Paxton has attempted to shut down organizations such as Annunciation House in El Paso by alleging they violate immigration law.¹³⁹

DOGE has also made an effort to surveil these organizations. The Vera Institute of Justice, a national nonprofit organization, reported in March 2025 that a delegation of DOGE staffers had showed up at their offices and demanded entry and access to information — the same playbook DOGE has used to take over federal agencies. According to Vera executive director Nicholas Turner, DOGE employees claimed they had jurisdiction to take over any organization receiving federal funds. Only when Vera explained that all their federal contracts had just been terminated by the Trump administration did the DOGE team back down.¹⁴⁰





Beatriz, an immigrant lawyer fighting for noncitizen kids

In February 2025, a Venezuelan-American lawyer named Beatriz received an order from the Interior Department to the nonprofit where she worked: *stop all work*.

Beatriz represents unaccompanied minors: children who are going through immigration proceedings without their parents. These youngsters can be quite vulnerable. They may be living with family members, placed in foster care, or held at detention centers. Some are as young, or younger, than Beatriz herself was when she came here undocumented at the age of eight after her family fled increasing violence and political persecution in Venezuela.

After seeing her parents sit through countless meetings with immigration lawyers, Beatriz headed to law school in the hope of using her own experiences to help others. *“I know how terrifying it is to be a child, alone and unable to speak English, trying to deal with authority figures,”* says Beatriz, who is now a citizen. *“That’s why I became a lawyer, to bring some empathy to that process.”*

The stop-work order disrupted that effort. *“It came completely out of the blue — suddenly, everything changed,”* Beatriz says. Federal contracts were canceled, and across the country organizations like Beatriz’s were forced to reduce headcount. *“For those of us left, it was all hands on deck,”* Beatriz says.

While the stop-work order was later rescinded, legal fights over canceled contracts are ongoing. In the meantime, the damage has been done. *“In practical terms, it left children without anybody to advocate for them,”* Beatriz explains. While barred from helping the children, Beatriz and her colleagues attended many hearings simply to observe and take notes; in one heart-breaking case, Beatriz saw a confused six-year-old appear in court with no representation whatsoever. *“These young children are being brought to immigration hearings — speaking no English, and without a lawyer — to try to explain why they shouldn’t be deported.”*

Immigration courts also increasingly use “rocket dockets” to cram a dozen or more hearings into a single day. *“They started fast-tracking kids through the system at a time when we weren’t able to accompany them,”* Beatriz says. *“It’s just been an onslaught of attacks, specifically targeting unaccompanied children.”*

Beatriz also saw children’s lives thrown into chaos because their caregivers have been detained by ICE. Some of her young clients were put in detention or the foster system. In some cases, the government has refused to tell Beatriz’s team where the children’s caregivers are being held. *“It’s something none of my superiors — including people who worked during Trump’s first term — have ever experienced before,”* she says.

As a result, Beatriz now routinely sees children who are scared to go to school or even leave the house. *“So much of my job is now simply dealing with anxious kids,”* Beatriz says. *“Pretty much every one of these children has a deep sense that the U.S. is no longer a safe place for them.”*

It’s not just the children who feel this way. It’s Beatriz’s whole community. Even before the Trump administration cancelled Temporary Protected Status for some 350,000 Venezuelans, her WhatsApp groups were full of people whose loved ones had disappeared from their American neighborhoods. *“I have friends who are scared to step onto the street,”* she says. *“The demonization of my culture and my community is really hurtful, and really harmful.”*

With officials talking about denaturalizing or deporting U.S. citizens to foreign prisons, or eliminating due process for migrants, Beatriz worries that even her own parents and siblings — all now American citizens — might no longer be safe. *“We worked hard to get citizenship, but there’s a real fear that even that won’t protect us,”* she says. *“For Venezuelans, the feelings of insecurity are always present. It really weighs heavily on us.”*

Who are we forcing to leave, and how?





Although President Trump campaigned and won the election on a promise to deport “criminal” immigrants, it immediately became clear that Trump’s immigration enforcement agenda would focus on all noncitizens in the United States. Trump’s day-one executive order “Protecting the People” offered a blueprint for radically expanded legal authorities to enforce immigration laws against people already in the United States while significantly expanding the infrastructure necessary to accomplish the president’s mass deportation agenda.¹⁴¹ While the executive order merely announced a vision for the path forward, within days of its issuance the Department of Homeland Security took steps to expand deportations of immigrants in the interior of the United States, including many with legal status and those with deep roots and years of contributions to our country.

Rather than focus primarily on the border, recent entrants, or even those with criminal records, the Trump administration’s scattershot approach to enforcement is simultaneously targeting longtime residents, those with no criminal records, undocumented families, migrant children, undocumented workers, and random people — including some U.S. citizens with the misfortune to be caught standing near an ICE operation.¹⁴² These indiscriminate and unfocused efforts to ramp up arrests indicate that the administration aims to carry out as many arrests and deportations as possible, with little care for the impact on the rest of the country.

In the first two weeks of the administration, the president set a goal of 1,200 immigration arrests per day and initiated large-scale, “raid-like,” immigration enforcement operations in immigrant communities in at least seven large cities that the administration decried as “sanctuary” cities, including

Chicago and Denver.¹⁴³ The administration intentionally targeted “sanctuary” cities as a politicized challenge to these jurisdictions’ resistance to working closely with federal immigration authorities. In these early weeks, they arrested approximately 1,100 to 1,300¹⁴⁴ people per day, nearing their stated goal and referring to these immigration raids and arrests as “all hands on deck”¹⁴⁵ operations. Later, as immigration enforcement agencies struggled to maintain their early pace due to administrative and resource limitations, the White House increased pressure on enforcement agencies by ratcheting up the daily goal to 3,000 arrests per day. The ambitious target incentivizes immigration enforcement agents to engage in even more aggressive and invasive tactics, like courthouse arrests, and large-scale and high-profile raids, in cities like Nashville and Los Angeles.¹⁴⁶

The Trump administration’s indiscriminate and expansive approach to civil immigration enforcement in the interior has become its hallmark. It has taken the unprecedented step of potentially enforcing civil immigration laws — with no set of clearly defined priorities — against millions of people.

Anyone can be targeted

Approximately 11 to 13 million undocumented noncitizens live in the United States with no lawful status, with the vast majority living here for ten years or longer. Immigration agencies of the modern era have always prioritized enforcement actions against specific groups of the noncitizen population to use their limited resources more effectively while honoring our humanitarian principles and the vital economic contributions noncitizens make to the country.¹⁴⁷ In other words, in a country as large as the United

States, with millions of people living without legal status and an outdated immigration system that offers few pathways to citizenship, previous administrations have always focused enforcement actions — such as detention or deportation — on a narrow subset of noncitizens.

When no one is a priority, everyone is a priority

Since the late 2000s, when immigration enforcement agencies became the federal government's largest law enforcement workforce,¹⁴⁸ DHS has adopted different approaches for prioritizing immigration actions against different groups of noncitizens — though it has always articulated a clear set of priorities. In 2011, under former President Obama, the agency prioritized removal of a relatively broad set of noncitizens,¹⁴⁹ including those who posed a national security threat; most who had committed crimes; recently arrived noncitizens; and those with outstanding removal orders. In 2014,¹⁵⁰ during Obama's second term, the agency limited removals of noncitizens with criminal offenses to those with more serious offenses such as terrorist activity, participation in criminal organizations, or felony offenses. These changes were in response to pushback from experts, who underscored that removing people for offenses committed decades prior — or for low-level, non-violent offenses — wasted limited immigration enforcement resources and irresponsibly deported people with many years of life in the United States and who posed no public safety threat. The Obama administration also exercised its enforcement discretion to grant entire groups of noncitizens reprieve from enforcement action through programs like Deferred Action for Childhood Arrivals¹⁵¹ (DACA), signaling that wasting constrained enforcement resources on young people making invaluable contributions to the United States was ineffective immigration policy.¹⁵²

Even the first Trump administration continued this trend of defined enforcement priorities, albeit by expanding those priorities¹⁵³ to encompass a much broader group of noncitizens as compared to the Obama administration. The Biden administration then recalibrated these broad Trump enforcement priorities¹⁵⁴ to focus on those who posed a perceived threat to public safety, border security, or national security, stating clear priorities while retaining discretion for

offices to make decisions about deportations on a case-by-case basis. The Biden administration's enforcement priorities (finalized in September 2021) prompted questions on the scope of executive discretion in enforcing immigration laws and led to several lawsuits filed by Republican attorneys general against the Biden administration's priorities — even though prioritization had been routine across administrations. These lawsuits previewed the perspectives of hardliners who would come to lead the second Trump administration's immigration agenda.¹⁵⁵

Setting priorities did not prevent the Biden administration from removing thousands of people. Significant increases in global migration created humanitarian and political challenges; by removing many newly arriving migrants, including asylum seekers, the Biden administration reached a high number of removals compared to prior administrations. However, these removals focused largely on newly arriving migrants and less so on noncitizens living in the interior with established ties to the United States. In fiscal year 2024, 47,700 people who had been arrested in the interior of the United States were deported — half as many as in fiscal year 2019 under the Trump administration.¹⁵⁶

Given this history of prioritization, the first six months of the Trump administration's enforcement agenda is unprecedented because it effectively makes any noncitizen in the interior of the United States a possible target for detention and deportation for the first time in recent history. Under this Trump administration, no one is a priority — so everyone is a priority.

90,000

Arrests per month is what Trump is now calling for

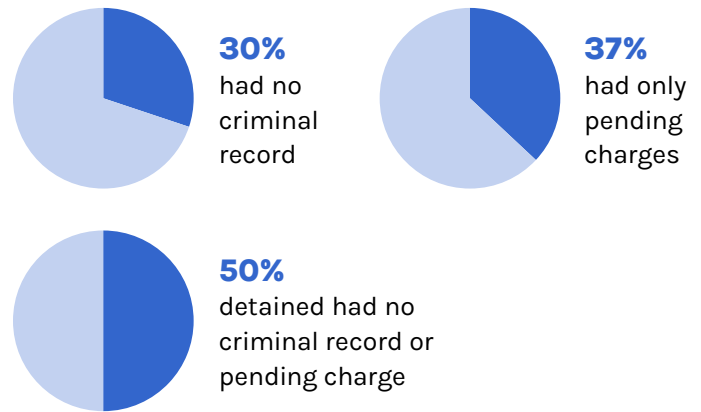
Arrests of people with no criminal record or safety threat and those with lawful status

The termination of all enforcement priorities was immediately felt on the ground and in communities. Although Trump's campaign rhetoric focused on "criminal" immigrants, using cherry-picked examples of recently arrived migrants who committed violent crimes, the administration's no-priority attitude had immediate impacts on many noncitizens who posed no public safety threat whatsoever — and even swept in U.S. citizens.

Reports immediately surfaced of long-term resident immigrants who had current or former lawful status — or people in violation of civil immigration law who posed no public safety threat — being swept up in operations. This included Venezuelan people with no criminal record¹⁵⁷ shipped off to Guantanamo Bay, indefinite detention for asylum seekers with pending applications in immigration courts, and a Miami middle-school teacher with DACA¹⁵⁸ who faced arrest and possible deportation.

Evidence, anecdotes, and reports from legal service providers underscore that the Trump administration's increased enforcement operations target thousands with no criminal records¹⁵⁹ and who pose no public safety threat. Unsurprisingly, the initial data released by the administration showed that nearly half of the people arrested by ICE¹⁶⁰ had no criminal record, and data leaked from the administration as it scaled up immigration raids and actions in Los Angeles and cities around the country showed an over 800 percent increase in arrests of people without criminal records. As of June 2025, 30 percent of people arrested by ICE had no criminal record (no pending charge or conviction) and another 37 percent had only a pending criminal charge; nearly 50 percent of all people held in immigration detention had no criminal conviction or pending charge at all.¹⁶¹ But in June alone, ICE arrests of people without criminal convictions rose sharply, with data showing that people without criminal charges or convictions made up an average of 47% of daily ICE arrests for that month.¹⁶² Since less than one in 10 undocumented people has a criminal record — and the vast majority of those with records have committed low-level, non-violent offenses — it was inevitable that meeting high daily arrest quotas without any set of priorities would necessitate immigration arrests of people with no criminal convictions and who pose no threat.

ICE ARRESTS IN JUNE 2025



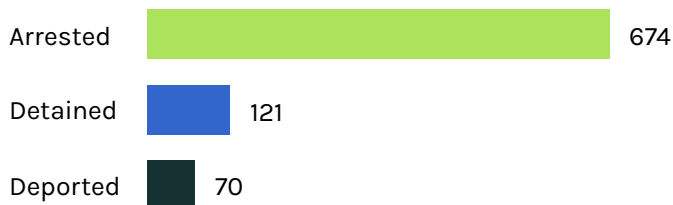
When pressed on this, administration officials have instead insisted that all undocumented immigrants are criminals. Asked during her first press briefing how many of the immigrants arrested in early operations had criminal records, press secretary Karoline Leavitt said that all of them did, because all of them had broken immigration law.¹⁶³ This is not an accurate reflection of immigration law (which does not criminalize being in the United States without documentation) or of the term "criminal record," but it is a reflection of the way the Trump administration wishes to depict the law — and how it insists on portraying immigrants — in the hope that the American public will go along with the demonizing rhetoric.

U.S. citizens swept up in immigration enforcement

In the past, when ICE's priorities focused on people who had contact with the criminal justice system, the agency engaged in targeted arrests near or in collaboration with local jails and prisons. The Trump administration has instead cast a broad net, engaging in community raids in neighborhoods and areas believed to have a higher number of undocumented people. Almost immediately, legal service providers and community organizations reported cases of racial and ethnic profiling resulting in wrongful immigration arrests of people with U.S. passports,¹⁶⁴ including a veteran in New Jersey,¹⁶⁵ Native Americans¹⁶⁶ in the Navajo nation, and others from Puerto Rico¹⁶⁷ in just the first two weeks of the administration.

Although a 2015 internal agency policy¹⁶⁸ prevents ICE from arresting or detaining U.S. citizens, the agency has a track record of making such wrongful arrests. A 2022 GAO report¹⁶⁹ found that in a five-year period from 2015 to 2020, ICE had arrested 674 U.S. citizens, detained 121 U.S. citizens, and deported 70 U.S. citizens. Even under relatively traditional enforcement priorities the agency has failed to prevent such mistakes.

U.S. CITIZENS WRONGFULLY TARGETED (2015–2020, GAO REPORT)



In the early months of Trump, reports suggest that the expanded use of racial profiling, at-large enforcement actions, and lack of prioritization has increased and intensified these U.S. citizen enforcement “errors” and point to an attitude within the immigration agencies of blatant disregard for U.S. citizens harmed by these actions. In April, for example, CBP kept Jose Hermosillo,¹⁷⁰ a 19-year-old young man with intellectual disabilities, detained in Arizona for ten days even after his family showed proof of his citizenship. The agency failed to conduct any subsequent investigation into his detention.

Later that same month, the administration faced political and public blowback for deporting three U.S. citizen children,¹⁷¹ including one with cancer, to Honduras without access to a lawyer and without access to necessary medical treatment, in blatant disregard of the wishes of the children’s undocumented mothers.

People can be targeted anywhere



Arrests in “sensitive locations” and “protected areas”

Nearly immediately after taking office, the administration announced its decision to rescind a 2021 DHS policy¹⁷² that prohibited immigration enforcement action in or near protected areas, including secondary schools, hospitals, places of worship, and shelters (with some exceptions). For decades, DHS has maintained standing guidance that requires ICE to refrain from conducting immigration actions in areas commonly known as “sensitive locations.” The 2021 “protected areas” memo¹⁷³ issued by the Biden administration expanded these restrictions to include additional locations. The Trump administration’s rescission of this policy was accompanied by a new DHS memorandum directing law enforcement to use their discretion “with a healthy dose of common sense” and stating that “bright line rules” regarding where immigration law enforcement can take place are unnecessary. A subsequent memo ten days later¹⁷⁴ further clarified that the Trump administration intends to make “case-by-case” decisions on whether to conduct enforcement actions in places like churches, schools and shelters. Almost immediately, people around the country reported ICE agents appearing at schools and in a handful of churches. Some school districts, like one in Texas, sent letters to their students and parents,¹⁷⁵ warning them that ICE may show up on the morning school bus. Soon after, U.S. Border Patrol Chief Michael Banks released a public video on X¹⁷⁶ clarifying that border patrol agents wouldn’t target schools or churches. No such statement was offered by ICE.



Arrests at U.S. immigration courts

Days after rescinding the “protected areas” 2021 policy, in late January, DHS issued additional guidance making explicit that immigration agencies were also free going forward to arrest noncitizens appearing for their immigration proceedings as required in immigration courts.¹⁷⁷ Then, in May, as the Trump administration placed increasing pressure on ICE agents and other federal agencies to increase daily arrests of noncitizens, legal service providers started reporting widespread instances of ICE Enforcement and Removal Operations (ERO) agents appearing at immigration courts to detain individuals immediately following the dismissal of their case.

Noncitizens showed up to court as required by the U.S. government only to find themselves arrested, detained, and in most instances placed into expedited removal proceedings where they could be fast-tracked for deportation without an opportunity to appear before an immigration judge. Reports indicated immigration judges, in many cases, acted on prepopulated lists received from ICE of noncitizens targeted for enforcement. In other words, immigration judges — who should serve as neutral adjudicators — intentionally dismissed certain cases so that ICE could arrest those people in that same courthouse upon dismissal of the case.¹⁷⁸ This collaboration between ICE and immigration judges reinforces the fact that the immigration courts are not independent adjudicatory bodies (immigration courts are not independent Article III federal courts, but administrative ones within the U.S. Department of Justice), adding to the mounting due process violations under the Trump administration.

In a single week in May, courthouse arrests took place in at least 16 cities and immigration courts around the country including Phoenix, San Francisco, Los Angeles, San Diego, Miami, Orlando, Chicago, Kansas City, Baltimore, Las Vegas, and Dallas.¹⁷⁹ Observers reported ICE officers and agents of other federal agencies surrounding immigration court houses in marked and unmarked vehicles before entering the courts to make these unexpected arrests.¹⁸⁰ Those detained included people of all ages, with reports of the detention of families with children as young as two or three years old, with footage showing parents being arrested and separated from their children.¹⁸¹

In one instance, a transgender woman from Mexico seeking asylum after being abducted and raped multiples times by a cartel in Mexico appeared at her immigration court proceedings for her case in Portland, as required by DHS.¹⁸² At the time, the woman was under a DHS order allowing her to await her court proceedings while living freely in the United States, given that she posed no public safety threat and was exercising her lawful right to seek asylum. Despite her compliance with the government's instructions and the strength and viability of her asylum claim, DHS moved unexpectedly to dismiss her case. The immigration judge immediately granted the dismissal, and ICE agents awaited

to arrest her in the lobby of the federal court facility, all with little regard for her previously pending claims and her lack of any criminal history. As of the writing of this report, ICE arrests in immigration courts continue unabated, eviscerating any remaining semblance of independence between the immigration administrative judicial bench and ICE.



Arrests at worksites and places of employment

As it imposes higher and more aggressive daily noncitizen arrest goals, the Trump administration has increased arrests at worksites and places of employment amid an explicit targeting of immigrant workers. In June, federal immigration officers conducted widespread immigrant raids in Los Angeles, intentionally targeting garment industry workers they suspected of being undocumented immigrants.¹⁸³ Citizens and residents of Los Angeles pushed back on this effort with public protests that escalated into a publicized stand-off with federal authorities. Despite the public protest, these raids continue unabated, expanding to Los Angeles parks, southern California farms, and Home Depot parking lots.¹⁸⁴

Even prior to the escalations in Los Angeles, the administration had been conducting worksite raids. Despite the higher cost and resource-intensiveness of coordinating such raids, targeting sectors of the workforce with a larger proportion of undocumented labor allowed the administration to target many likely undocumented people at once. The Trump administration conducted worksite raids at construction sites in Texas¹⁸⁵ and Louisiana¹⁸⁶ as well as in cities (like Los Angeles) that are less supportive of these efforts, including San Diego and Martha's Vineyard.¹⁸⁷ Undocumented people contribute greatly to the U.S. workforce and fill jobs in key American industries; at least one in eight workers in the construction and agricultural industries, and one in 14 workers in the hospitality industry, is undocumented. More than 30 percent of workers in major construction trades, nearly 28 percent of graders and sorters in agriculture products, and a fourth of all housekeeping cleaners are also undocumented immigrants.¹⁸⁸ Given these percentages, the Trump administration indicated during

the campaign that its crackdown would necessarily include worksite raids as a key enforcement tactic. This rhetoric — which on its own has a chilling effect with reports of workers around the country not showing up¹⁸⁹ — signals a disregard from the Trump administration for the critical economic contributions undocumented immigrants regularly make to the U.S. and local economies, and how such enforcement efforts could hurt housing and food prices.



Arrests at airports and USCIS offices

Returning to the United States has long been an occasion of some risk and vulnerability for immigrants, because the federal government retains broad discretion to refuse entry even to people with visas. It has not been unusual for travelers to report bullying and interrogation in “secondary screening” from CBP agents. In this respect, as in many others, the Trump administration has taken a realm in which the government already has a lot of power and pushed that power to — and potentially beyond — its absolute limit.



In several cases, people who had legal immigration status have returned to the United States to be refused reentry by immigration agents and detained as immigration violators instead. Fabian Schmidt, a New Hampshire man who had been a U.S. permanent resident since 2008, was detained after arriving in Boston from a visit to see his father in Germany. Schmidt alleged Customs and Border Protection agents interrogated him for several hours and pressured him to give up his green card, refused to allow him to sleep

or take medication, and gave him nothing to eat or drink — until he collapsed and was sent to the hospital to be treated for the flu.¹⁹⁰ The government alleged he was removable from the United States based on a prior drug conviction, but at a hearing two months later, an immigration judge found that those grounds “no longer existed,” and terminated his case. He was released in May and proposed to his girlfriend on his first night of freedom.¹⁹¹

Kseniia Petrova, a cancer researcher at Harvard, was not so lucky. When she failed to declare to customs officials that she was carrying frog embryos in her luggage to use in her lab — an offense that her lawyer maintains would normally carry a fine — she was instead detained, put in removal proceedings, and even criminally charged with smuggling.¹⁹²

A particularly unique example of the indiscriminate nature of Trump enforcement is the arrest and detention of people taking domestic flights within the U.S. One investigation identified several women, partners of U.S. citizens or green-card holders who were in the process of receiving legal immigration status themselves, who government agencies arrested at airports after they returned from Puerto Rico or the U.S. Virgin Islands. Camila Muñoz, who was detained on return from her honeymoon, believed that she would be safe because she had applied for a green card — but in the eyes of the Trump administration, she is an undocumented immigrant who overstayed her visa and can be deported. One of the other women identified in the investigation, however, had a current green card upon her arrest.¹⁹³

U.S. Citizenship and Immigration Services (USCIS) offices themselves — the places where immigrants go for things like asylum and naturalization interviews — have become sites of immigration enforcement. USCIS claimed in a press release that in the first 100 days of the Trump administration, it had facilitated the arrest of 369 people at USCIS field offices.¹⁹⁴ USCIS’ Instagram account posted photos of arrests and “perp walks” after one Miami operation led to ten arrests in a week.¹⁹⁵ Columbia student Mohsen Mahdawi went into a USCIS office for his citizenship interview on April 14, and had even taken the citizenship oath, when ICE agents came to arrest and detain him while the government sought to strip him of his green card.¹⁹⁶ After two weeks in detention, Mahdawi was ordered released by a federal judge while his case proceeds.¹⁹⁷

Diverting massive amounts of government resources to immigration enforcement above all else

Unlike prior presidencies, this administration is transforming federal immigration enforcement into a cross-agency operation that draws on manpower across several federal law enforcement agencies and the military. Although the administration has no priorities for how it enforces civil immigration laws, it is clear in prioritizing immigration enforcement above all other law enforcement priorities. The result is a radical reorganization of the federal government and the relationship between federal, state, and local law enforcement.

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The government that Trump inherited was wholly insufficient to carry out immigration operations at the scale that would be needed to keep the administration's promises. The American Immigration Council's report *Mass Deportation: Devastating Costs to America, Its Budget And Economy*¹⁹⁸ estimated that it costs an average of \$6,653 to arrest someone "at large" in the community. Per the estimates, just transporting a person from the site of an arrest to the nearest ICE office costs an additional \$3,745.

These costs represent just the beginning of the resources needed to carry out a large-scale deportation effort (removing one million people per year would cost \$88 billion annually).¹⁹⁹ And engaging in mass deportation over a short period of time would require somewhere between 220,000 and 409,000 new government employees and law enforcement officers.

The recently-signed "One Big Beautiful Bill Act" includes funding to hire 10,000 additional ICE officers, on top of the 6,200 authorized under previous budgets.²⁰⁰

However, instead of waiting for Congress to pass the bill, the administration had already appropriated manpower (and the funding to pay for them) from other federal agencies who are tasked by Congress with enforcing other areas of federal law — thus putting immigration enforcement ahead of pursuing criminal actions.

Other federal law enforcement agencies are forced to divert large numbers of agents away from their normal law enforcement tasks to carry out immigration raids. At least 25 percent of the Drug Enforcement Agency's (DEA) 10,000-person workforce as of late March was diverted to immigration enforcement.²⁰¹ DEA agents have been directed to identify old cases involving undocumented immigrants — even where prosecutors declined to bring charges due to a lack of evidence — and to target those people for arrest.

As of late March, Reuters reported that up to 80 percent of Bureau of Alcohol, Tobacco, and Firearms (ATF) agents — as many as 2,200 — had been reassigned to immigration enforcement.²⁰² The administration also directed the Internal Revenue Service²⁰³ to divert an unknown number of criminal investigation agents, whose expertise lies in investigating tax evaders and perpetrators of financial crimes, to immigration enforcement. Even the FBI's Joint Terrorism Task Force confirmed that their agents²⁰⁴ were taken off their normal duties related to disrupting terrorist threats to instead identify and arrest noncitizens.²⁰⁵

These agencies are being used for fairly routine enforcement — and even for publicity stunts. FBI agents conducted the arrest of Milwaukee judge Hannah Dugan after she allowed an immigrant to leave her courtroom rather than allowing ICE agents to enter without a warrant to arrest him.²⁰⁶ A Michigan man was charged with working in the U.S. using a fake Social Security number after an FBI agent checked the payroll records of his employer.²⁰⁷

Arguably, these diversions make Americans significantly less safe — or at the very least put the U.S. government in the position of abandoning traditional and core public safety challenges to prioritize immigration arrests, mostly of people who pose no threat and make invaluable contributions to the country. For example, ICE's Homeland Security Investigations (HSI),²⁰⁸ the criminal investigative arm of ICE charged with investigating serious drug trafficking schemes and child and human trafficking, is instead enforcing low-

level immigration offenses. Former HSI agents warned in February that these shifts would force agents to abandon cases involving “child exploitation crimes, cyberattacks and Dark Web financial schemes, Iranian and Chinese nuclear traffickers, Russian organized crime, trade fraud and sanctions investigations.”²⁰⁹ In March, reporting from Reuters confirmed that “scores of agents who specialize in child sexual exploitation have been reassigned to immigration enforcement,” including menial duties such as “surveillance outside of immigrant workers’ homes, taking down license plates and distributing photos of ‘target’ immigrants to detain.”

Arguably, these diversions make Americans significantly less safe.

Rapidly expanding federal collaboration with local law enforcement agencies and expanding the scope of local police involvement in immigration enforcement actions

At the local level, the Trump administration has quietly lined up dozens of local police departments to help provide added manpower to bolster immigration arrests and deportations. Over the past ten years, 70 to 75 percent of all ICE enforcement²¹⁰ in the interior of the country has been based on hand-offs from state and local police. With a limited set of law enforcement officers of its own, ICE has always relied on state and local cooperation to be its engine of enforcement. That cooperation takes different forms of agreements and programs with varying involvement by state and local police departments, and the extent of collaboration depends on the agreement or program a police department enters into with the federal government.²¹¹

But on day one, via executive orders, the second Trump administration signaled its intention to aggressively expand collaboration between the federal government and state and local police agencies — particularly through the “287(g) program” which has been used to varying degrees across the last three presidential administrations. 287(g) of the Immigration Nationality Act (INA) authorizes DHS to enter into formal agreements with state and local law enforcement

agencies, giving those local agencies the power to conduct a range of federal immigration actions. In other words, local police can perform duties similar to ICE agents in their own communities. These agreements have traditionally been voluntary; state and local jurisdictions choose whether to enter into a 287(g) agreement and then negotiate the agreement’s specifics with the federal government. The agreements have typically included some limited training for the local police officers deputized to enforce immigration laws, given that they typically know little to nothing about immigration law or procedure.

At the end of the Biden administration, DHS had 287(g) agreements with 135 state or local law enforcement agencies across 21 states,²¹² despite ongoing calls from advocates to terminate those agreements. A series of investigations conducted by the Department of Justice and civil society organizations over the years have underscored that 287(g) agreements increase racial profiling in participating jurisdictions and erode trust between local police and immigrant communities, making it less likely for community members to report crime — therefore decreasing public safety.²¹³ In May 2025, for example, a Tennessee police chief expressed fear²¹⁴ that a child may have died because their noncitizen caretaker was scared to call 911, given the recent raids in the state at the hands of local law enforcement. Many sheriffs have opposed entering into 287(g) agreements with the Trump administration given this reality and the significant costs such agreements impose on localities,²¹⁵ who are forced to shift resources away from local public safety issues to federal immigration enforcement.

Despite this negative track record, in just the first five months the Trump administration has expanded the 287(g) program to include over 700²¹⁶ county, city, or state law enforcement agencies — nearing a total of nearly five times as many 287(g) agreements as existed at the end of the Biden administration. In particular, the Trump administration has resurrected the “task force model” of the 287(g) program, which DHS had terminated in 2012 due to its unique harmful impacts.²¹⁷ The task force model of the 287(g) program²¹⁸ is the most aggressive form of cooperation between police and ICE. Unlike other models of 287(g) which authorize local police to make immigration enforcement actions in local jails and prisons, the task force model permits local police to target noncitizens during routine police interactions and in

their own communities — even when a person has no prior contact with the criminal justice system. Under the task force model, local police officers can stop, interrogate, arrest, detain, and process noncitizens for removal proceedings and for violations of civil immigration law. During routine traffic stops, community patrols, or other law enforcement encounters, police officers can do the work of federal immigration officers. This expands the enforcement dragnet across American communities and increases the likelihood of immigrants with lawful status and U.S. citizens being racially profiled by police that assume or mistakenly identify someone to be a noncitizen. As of the end of June 2025, the Trump administration signed 360 task force model agreements²¹⁹ with local law enforcement agencies across 29 states including Oklahoma, Texas, Kansas, and Idaho — with the largest number being in Florida.

Beyond the 287(g) program, the Trump administration has also made unprecedented use of new forms of agreements and legal mechanisms to deputize state police officers and state national guards. In February, CBP signed an agreement delegating immigration enforcement authority to the Texas National Guard pursuant to a never-before-used provision in the INA. Under this “mass influx” provision, the president declares a “mass influx” of immigrants and through that declaration is granted authority to ask state and local law enforcement agencies to take on civil immigration authority, if they are willing. Though somewhat like 287(g) agreements, this provision allows the Texas National Guard to make direct immigration arrests near the border with even less training and oversight. In May, the administration deputized 100 Florida state highway patrol officers²²⁰ as U.S. federal marshals, thereby giving them the authority to make arrests for federal immigration violations.

As the Trump administration has expanded its use of state and local police, some state governors have signed new laws that require localities to enter into such agreements with the federal government or that create new grounds for state police to enforce federal immigration laws. That’s how 20-year-old U.S. citizen Juan Carlos Lopez-Gomez,²²¹ who was traveling from Georgia to Florida to complete a construction job, found himself arrested for a violation of a new state law that criminalizes the entry of an undocumented person into the state. Florida’s highway patrol pulled Lopez-Gomez over for speeding, then, based on his background and inability to speak fluent English,

THE IMPACT OF 287(G) PROGRAM

- **Increases** racial profiling
- **Erodes** trust between local police and immigrant communities
- **Drains** local public safety budgets
- **Risks** wrongful arrests of U.S. citizens

assumed him to be a noncitizen. They arrested him on the false allegation of entering the U.S. unlawfully — an allegation he could not easily refute in the moment, given that his primary languages are Spanish and an indigenous Central American language. It was only after several days of detention and interrogations, as well as a court hearing, that the agency accepted his U.S. passport as proof of his citizenship. Like Lopez-Gomez, construction workers in Texas have faced interrogations and arrests as a part of this effort by the Trump administration to use state and local law enforcement as a force multiplier for ICE and to expand its enforcement²²² dragnet.

Calling up state national guards without authorization from state governments

In June, the administration took the unprecedented step of calling on 2,000 California National Guard troops to take to the streets of Los Angeles in response to widespread protests against the aggressive immigration crackdown in the city — without the approval of California Governor Gavin Newsom.²²³ The president invoked his authority under 10 U.S.C. 12406, a law that allows the president to call upon the national guard in times of foreign invasions, risks of rebellion, or where other federal forces would otherwise not suffice.²²⁴ This was the first time since the 1960s that a president has called upon a state national guard without support from a state governor.²²⁵ Typically, the decision to deploy a state’s national guard — which has ties to both state and federal government — comes from the ground up. If local officials are overwhelmed by challenges such as natural disasters or in need of law enforcement support for public safety challenges, they alert the governor, who can use the national guard as added manpower.

In this instance, Governor Newsom insisted repeatedly that military support was unnecessary to protect residents of Los Angeles, and local officials agreed. Nevertheless, the president sent 4,800 California National Guard troops to the city,²²⁶ provoking public outrage from many Californians as well as military service members objecting to the use of military against American communities.²²⁷ The state of California sued to challenge this action, arguing that the largely peaceful protests did not rise to the level of rebellion or unrest necessary to invoke the law that the Trump administration was claiming.²²⁸ Despite a temporary injunction from a lower court, the Ninth Circuit Court of Appeals has allowed the Trump administration to continue to deploy the California National Guard while the lawsuit is litigated.²²⁹ In the interim, reports and video footage show members of the California National Guard standing by as “cover” and “protection” for masked ICE agents conducting immigration raids in parking lots, residential neighborhoods, and farms in southern California. A few weeks after the nationalization of the California National Guard, Texas Governor Abbott announced that he would be using the Texas National Guard to enhance immigration operations in his own state — however, in this instance, the governor and the president were aligned in using military resources for immigration enforcement.²³⁰

Prosecuting immigrants as criminals instead of prosecuting crimes

On President Trump’s first full day in office of his second term, the DOJ issued a memo²³¹ declaring that all U.S. Attorneys’ Offices “shall pursue charges relating to criminal immigration-related violations” whenever presented, no matter how minor. The memo additionally directed various law enforcement agencies to abandon their current duties and shift to focusing on immigration-related offenses instead, including the Organized Crime Drug Enforcement Task Force (tasked with dismantling drug trafficking and related offenses) and Project Safe Neighborhoods (established to bring federal, state, and local law enforcement together to address violent crime).

This DOJ reprioritization is not new under President Trump. In his first term, Attorney General Jeff Sessions’ 2018 “Zero Tolerance” policy mandated that prosecutors

charge every migrant crossing the southern border under 8 U.S.C. § 1325 for misdemeanor “improper entry.” This not only led to cruel family separations that most Americans opposed, but also led to a plummeting of prosecutions for drug trafficking.²³² Prosecutors have limited resources, and if they are mandated to use those resources on immigration charges, they will necessarily be forced to stop bringing charges against other federal crimes.²³³ Federal prosecutors in Arizona and Texas have already started prosecuting people for low-level immigration offenses with priority over other criminal prosecutions.²³⁴

The start of a massive expansion in federal detention of noncitizens

In April 2025, Trump announced a goal of deporting 1 million people annually²³⁵ to make good on his campaign promise of conducting the largest deportation operation in history. But the U.S. government’s insufficient detention capacity poses a significant constraint to these plans. Under such a proposal, the U.S. would have to hold hundreds of thousands of noncitizens while they await removal proceedings and processing for deportation.

At the time of Trump’s election, ICE’s budget was approximately \$9.6 billion — sufficient funding to hold about 41,000 people. By June 20, 2025, ICE reported holding nearly 59,000 people in detention.²³⁶ As detention ballooned and facilities became increasingly overcrowded, reports of the abuses already endemic to the system worsened. Detainees in the Krome detention center in Florida reported a “hellish” environment, with 60 to 80 adults jammed in a single room and people forced to sleep next to toilets being used by other detainees.²³⁷ ICE was reduced to using holding cells in field offices — designed to hold people for a few hours at a time — for days on end, leaving detainees for days without giving them food.²³⁸ In one instance, a young woman reached out to a national news agency in desperation: her brother had been stuck in a facility with a two-week-long severe eye infection. The woman passed along images sent by her brother of his eyes, nearly swollen shut. The facility refused to give him medication despite multiple requests and his worsening condition.²³⁹ Given dozens of reports like this, and ten publicly reported deaths of people in ICE custody in just six months,²⁴⁰ a member of Congress made a surprise

59,000

People were held in immigration detention as of June 20, 2025

unannounced visit to the Krome facility in May, after two men inside died, and shared that the facility already held nearly 300 more people than it is designed to hold.²⁴¹ Facilities around the country report similar overcrowding and extremely abusive conditions including lack of adequate gynecological care for pregnant women, insufficient insulin provision for diabetes patients, starvation, and other severe medical abuse.²⁴²

60 to 80 adults jammed in a single room and people forced to sleep next to toilets being used by other detainees.

ICE has long used private prison companies to manage and run a large portion of the U.S. immigration detention system. At the start of the second Trump administration, over 90 percent of people in the system were in facilities run by companies like CoreCivic or GeoGroup. However, in April, new contracts initiated by DHS with private companies revealed immediate plans to add up to 60,000 detention beds²⁴³ in facilities across the country, with a funding request for billions of dollars to fund even more detention capacity pending before Congress.

CoreCivic President/CEO Damon Hininger has boasted several times²⁴⁴ about the potential the Trump administration brings for his company as it sees its shares and value increase. In a February earnings call²⁴⁵ he stated that the first bill signed by Trump, the Laken Riley Act,²⁴⁶ could alone generate a need for 60,000 to 110,000 new detention beds. Named for a Georgia student killed by a man

living without immigration status in the U.S., the bill requires ICE to detain immigrants if they have been accused or arrested of certain theft-related offenses — even where there is no conviction.

The ongoing expansion of the immigration detention system will be supercharged under the reconciliation spending bill signed into law by President Trump on July 4, 2025, which allocates an additional and unprecedented \$45 billion for building new immigration detention centers, including family detention facilities.²⁴⁷ This amount is a 308 percent increase on an annual basis over ICE's Fiscal Year 2024 detention budget, which will primarily benefit private companies contracted to build and run detention facilities.²⁴⁸ With this funding, ICE can likely increase detention to 125,000 beds or higher, only slightly below the current population of the entire federal prison system.²⁴⁹

Federal resources for detention expansion but not for oversight of human rights

Trump's plans for rapid detention expansion coincide with simultaneous efforts in the first six months of this administration to strip the immigration detention system of its already limited oversight and accountability. In March, DHS terminated²⁵⁰ the ombudsman offices for multiple immigration agencies and dissolved three oversight bodies created by Congress within DHS: the Office of the Immigration Detention Ombudsman, the U.S. Citizenship and Immigration Services Ombudsman, and the DHS Office for Civil Rights and Civil Liberties — the last of which received hundreds of complaints each year filed by people in immigration detention facilities facing abuse, medical neglect, and inhumane conditions. While these oversight bodies have a history of being ineffective in meaningfully remedying detention conditions, they often served as the only form of monitoring for facilities run by private companies.

Alongside this decreased oversight, ICE has made simultaneous changes to policies regarding the releases of people in detention who pose no public safety risk and decreased access to bond hearings where noncitizens can make a case for release while awaiting their immigration proceedings. Going into the Trump administration, approximately 60% of people in immigration detention

were subject to mandatory detention — which meant they had no legal right to make a case before an immigration judge for release.²⁵¹ This stands in stark contrast to the criminal legal system, where anyone accused of a crime has a statutory right to a bail hearing at which the burden is on the government to prove that the person must remain incarcerated through their criminal proceedings due to being a flight risk or posing a safety threat.

Despite this already limited due process, the Trump administration has further decreased access to bond hearings even for those who would have traditionally qualified, and decreased use of its discretion to release noncitizens. Advocates report DHS is unwilling to release asylum seekers in detention even when they win their cases, as long as government appeals remain pending.²⁵² Administrative decisions from DHS have also reduced the number of detained people even eligible for bond;²⁵³ and the administration's move to detain children and entire families has encouraged some in detention to acquiesce to deportation rather than fight their cases, given the conditions in these facilities and the risk of family separation.²⁵⁴ These policy changes exacerbate overcrowding and deleterious conditions in detention facilities.



Deporting immigrants to the worst places on earth

Sending immigrants not to live somewhere else, but to be kept in jail somewhere else

Obstacles to mass deportation extend further than just resources, detention capacity, and manpower. Diplomatic barriers made it clear that the Trump administration would be unable to rapidly deport thousands of people as they had promised since many countries do not traditionally repatriate people deported from the U.S. or have limits on the nationals they will accept post-deportation. This proved problematic as the Trump administration targeted recently arrived Venezuelan people for deportation considering that the Maduro regime would not accept returns in large numbers.

In the early weeks, the administration attempted to detain noncitizens at the Migrant Operating Center (MOC) in Guantanamo Bay, the military base in Cuba.²⁵⁵ Although this was not the first time the U.S. government used the notorious base to hold noncitizens, prior administrations used it only for migrants interdicted by the U.S. government at sea. The Trump administration attempted to send noncitizens already in the U.S. to the military base²⁵⁶ as a possible means for expanding detention capacity. While the administration threatened to build a large facility there, it soon disposed of those plans as it faced rapid litigation and the significantly higher costs of building a large-scale detention facility offshore in a location with no access to immigration courts.

Instead, the administration has increasingly turned to “third countries”—countries that are neither the place they have immigrated to nor their home country. The U.S. government has always had the authority to remove a person with a final removal order to a third country when removing them to their country of origin is “impracticable, inadvisable, or impossible,”²⁵⁷ but these removals have been rare and are intended as a way to allow the deported person to start life

somewhere else that is safe for them. Under the Trump administration, however, third-country removals — and the expulsion of of asylum-seekers who have not had the chance to plead their cases in the U.S. to third countries — are becoming a one-way ticket to indefinite detention or high-risk circumstances on foreign soil, and the administration has unilaterally chosen where people are sent without any formal process as required by law.

Third-country removals ... are becoming a one-way ticket to indefinite detention or high-risk circumstances on foreign soil.

In February, the Trump administration sent hundreds of asylum-seekers to Panama, including those from as far away as Afghanistan.²⁵⁸ Once there, the Panamanian government held them in a hotel for weeks, with no explanation and no prospects for applying for legal status in Panama. Detainees attracted public attention by holding up signs to the window asking for help.²⁵⁹ Asylum-seekers were then sent to a remote camp in Colombia where they could not use phones or access lawyers.²⁶⁰

The Panamanian government initially denied that it was holding the asylum-seekers in custody, claiming they were under the jurisdiction of a UN body.²⁶¹ After several weeks, the government released the asylum-seekers, telling them they had 30 days to leave the country, and not giving them alternative options from there.²⁶²

A federal judge in March blocked DHS from carrying out “third-country removals” of people with final removal orders without offering noncitizens written notice or a chance to demonstrate they have a credible fear of persecution or torture in that other country. However, the Trump administration repeatedly violated this court order. The administration took steps to send a group of noncitizens to a migrant detention center in Libya without the requisite due

process until the federal judge issued an additional order making clear that doing so would violate the standing order in the case.²⁶³ The State Department has called conditions in Libyan detention facilities “harsh and life-threatening.”²⁶⁴

In May, the Trump administration deported at least two men from Myanmar and Vietnam to South Sudan — a country engaged in an ongoing violent civil war, where the State Department has warned Americans not to travel — without offering them an opportunity to show their risk of torture or death upon arrival.²⁶⁵ The judge in the ongoing litigation ruled that these actions are “unquestionably in violation of this court’s order” given that the entire group of men were flown out of the U.S. just hours after getting notice, with no chance to contact lawyers or object.²⁶⁶ The Trump administration moved these men to a shipping center in Djibouti, to await their fate in deleterious conditions with no access to counsel and little access to the outside world.²⁶⁷

On June 23, the Supreme Court issued a decision overturning the injunction and the ruling from the district court that required that the government offer basic due process — including written notice and a chance for a person to demonstrate a credible fear of persecution or torture — prior to removing someone to a country they do not know.²⁶⁸ Although the issue will continue through litigation, at this time the Trump administration can revert to use of third-country removals as a way to overcome the barriers it faces in returning people to Venezuela, China, and other countries. The administration is reportedly attempting to bully African and other countries into accepting third-country deportees, under the threat of being included in a future travel ban if they refuse.

The ongoing battle between the Trump administration and legal advocacy organizations regarding third-country removals underscores this administration’s continued disregard for federal court decisions that are inconvenient to its mass deportation agenda, and its willingness to erode the rule of law and the separation of powers enshrined in the U.S. Constitution.

Using pretextual gang allegations to send Venezuelan and Salvadoran men to a “humanitarian black hole”

Due process requirements embodied in the Immigration Nationality Act (INA) impose added barriers on Trump’s mass deportation agenda. For most, the INA requires that a person receive an immigration court hearing and a final order of removal prior to deportation. In a system with nearly 3.7 million cases in its backlog,²⁶⁹ processing hundreds of thousands more people for deportation in the current system is untenable. While the Trump administration has expanded the use of expedited removal — which essentially allows for rapid deportations with nearly no court hearing — and has moved people from the immigration-court backlog into expedited removal instead, even that process requires resources and coordination to expand.

Amidst this context, the Trump administration undertook an unprecedented operation that culminated on March 15 when DHS officials rushed nearly 300 people onto three planes bound for El Salvador, including 238 Venezuelans accused of being members of the Venezuelan gang “Tren de Aragua” (TdA), largely on the basis of their tattoos, and 23 Salvadorans accused of being members of MS-13.²⁷⁰ Over 130 of the Venezuelans had pending immigration court hearings and had never been ordered removed under immigration law as required under the INA prior to deportation. They were disappeared to El Salvador without the usual due process provided in immigration proceedings as part of President Trump’s invocation of a 1798 wartime law known as the Alien Enemies Act,²⁷¹ and under a deal worked out between Secretary of State Marco Rubio and El Salvador’s president Nayib Bukele.²⁷²

None of the people on board knew what was coming, nor were they given any opportunity to raise objections in a court of law. Nearly all these men were held incommunicado in El Salvador’s notorious “CECOT,” or Terrorism Confinement Center — known for torture and abuse. A photojournalist for Time magazine described²⁷³ the dehumanizing treatment upon their arrival as El Salvador prison guards shaved the men’s heads, stripped them naked, and struck them. One man, whose name and story would dominate headlines and a 60 Minutes feature, pled with guards, “I’m not a gang member. I’m gay. I’m a barber.” While in CECOT, they

were unable to speak to the public, their loved ones, or their lawyers.

Administration officials²⁷⁴ declared²⁷⁵ with certainty that these men were gang members, boasting on social media alongside dehumanizing propaganda²⁷⁶ from President Bukele. But the details that emerged in court filings and media reporting made clear that the operation was plagued with errors and oversights that sent innocent people to one of the world’s worst prisons. Evidence filed in court²⁷⁷ after the operation suggests that much of ICE’s “verification” process was based on a highly subjective interpretation²⁷⁸ of tattoos and social media posts — a troubling process given that experts on Tren de Aragua,²⁷⁹ and even some federal law enforcement sources²⁸⁰ themselves, argue that the gang does not even use tattoos or hand signs as identifying marks.

The operation was plagued with errors and oversights that sent innocent people to one of the world’s worst prisons.

Dozens of stories of innocent men with benign tattoos filled media outlets,²⁸¹ and unlikely champions — from union leaders to podcasters from a wide range of political backgrounds — spoke out against the injustice. In the case of a Maryland father of two, Kilmar Abrego Garcia, the government itself admitted on the record its administrative error in sending him to the mega prison in El Salvador given an explicit immigration court order preventing his removal to his home country.²⁸² Abrego Garcia, like many others, had no criminal record and had spent the last five years living a quiet life in a Maryland suburb with his U.S. citizen wife and their children after winning an order preventing his removal to El Salvador during the first Trump administration. His case dominated headlines and landed at the Supreme Court which unanimously held that the Trump administration was required to “facilitate” his return — an order the administration boldly ignored for weeks before finally returning Abrego Garcia to the U.S. in order to face dubious criminal charges in June.

The firestorm of federal litigation against the entire CECOT operation and invocation of the Alien Enemies Act led to President Trump threatening a U.S. district court judge.²⁸³ In April, the Supreme Court ruled that the Trump administration must provide basic due process to anyone it plans to remove under the Alien Enemies Act with notice to those it intends to remove under the Act, and an opportunity for those noncitizens to refute the allegations against them.²⁸⁴

The Trump administration attempted to take advantage of the Court's vagueness on what constituted adequate notice and an appropriate amount of time for response. The administration attempted to prepare another group of men for removal to CECOT, with minimal notice to them and almost no opportunity to object. However, before the administration could disappear these men, the Supreme Court stepped in and reiterated in a late Friday night decision that noncitizens must have meaningful due process and that this did not count.²⁸⁵ The legal battles on these removals continued as the men in CECOT languished, and hundreds of others continue to file petitions in federal court to challenge their possible removal from the U.S. As a result of this litigation, several federal courts have also weighed in on the invocation of the Alien Enemies Act during peacetime, holding it inappropriate to invoke.

The El Salvador operation and this invocation of an outdated wartime authority signal a dangerous and new extreme in enforcement of immigration law where the administration is using its own rules and outdated statutes in an attempt to sidestep the already low level of due process in the U.S. immigration system — thus rapidly deporting thousands of people from the United States. Its actions demonstrate a disregard for due process afforded to noncitizens under the Constitution and Congress's intentions as embodied in the Immigration Nationality Act. In just six months, the administration has used immigration law and policy as a testing ground for openly defying the rule of law and the federal judiciary.

The administration is using its own rules and outdated statutes in an attempt to sidestep the already low level of due process in the U.S. immigration system.

While extreme and unprecedented, the Trump administration's attack on due process for noncitizens is arguably a final step in a longer history of devolving due process in the U.S. immigration system. Despite being a system that relies regularly upon deportation and detention as punishment, U.S. immigration law does not provide noncitizens a right to an appointed lawyer in immigration proceedings, nor a Sixth Amendment right to confront an accusing witness, or even basic rules of evidence like those offered in the criminal legal system.

Even this is too much protection for the Trump administration to want to afford noncitizens. White House officials like Stephen Miller have claimed that due process simply does not apply to noncitizens facing deportation.²⁸⁶ President Trump and Vice President J.D. Vance have openly mocked the idea of having trials for undocumented immigrants before deporting them — even though this is precisely what existing law requires. The administration keeps pushing the frontier outward, attempting to reduce whatever legal guarantee or feeling of security immigrants possess.



Kaelyn, going into debt to keep her partner from deportation to El Salvador

Last summer, Kaelyn was at a Latin club in Wilmington, North Carolina when a handsome stranger asked her to dance. She wasn't in the mood, but the man was just so charming. *"If anyone else had asked, I would've said no, but Yapa is so genuine,"* she says, using his pseudonym to ensure his privacy. At the end of the night, they exchanged numbers; over the following months, they dated and developed a deep friendship. They had no idea that what began with a dance would end in a desperate fight for Yapa's freedom.

Yapa is an asylum seeker who fled violence in Venezuela in 2022. He attended regular court hearings and had a legal work permit. He drove for a delivery service and hoped to get his commercial trucking license. He was building a life here — one that Kaelyn had become part of.

They spent Thanksgiving together. Yapa played pool with Kaelyn's dad. Yapa's sisters started calling Kaelyn "reina" — queen — what Yapa had called her the night they met. In their spare time, they watched the Fast and Furious movies and coached each other through the language barrier, relying on translation apps and Kaelyn's college Spanish. Every morning, without fail, Yapa would text to ask about her day.

Before she met Yapa, Kaelyn rarely thought about immigration policy. She is originally from Connecticut, and had moved to Wilmington to work in film location scouting. But after President Trump was elected and began to crack down on asylum seekers, she began to worry.

"People would tell me, Oh, you're overreacting," she says. *"This isn't 1930s Germany. And I'd say, Yeah, but it's starting to feel that way. Looking back now, while people were telling me I was being dramatic, I was actually underreacting."*

On February 22, 2025, ICE showed up without warning in the early morning hours while Yapa was headed to work. ICE officers offered no explanation as they handcuffed him. One agent reached into his

pocket and took his ID and work permit, documents that have not been seen since. They didn't tell him where he was going, only that he was being deported — and soon.

Kaelyn was gobsmacked when his sister called to tell her ICE had “abducted” Yapa. He'd been staying with Kaelyn until the previous evening, when he'd moved in with friends. Kaelyn hadn't wanted him to leave; as a U.S. citizen, she felt better positioned to push back against ICE and help ensure his rights were protected. *“I couldn't explain it, but I was so emotional,”* Kaelyn says of their final night together. *“And he told me, ‘There's no reason for them to take me.’”* Now, her worst fear had happened. They didn't know where he was, but they knew they had to act fast to save him.

By then, ICE had already transported Yapa out of state to Georgia's Stewart Detention Center. It wasn't until two months later, at his hearing, that ICE first alleged Yapa was part of the Venezuelan gang, Tren de Aragua (TdA). *“Shocking is not even the word,”* Kaelyn says. *“I was shaking.”*

In a recent court filing, ICE admitted it has no evidence linking Yapa to any gang. But a ruling from the Trump administration makes it more challenging for immigrants like Yapa who recently entered the country to make a case for release from detention. Now, Yapa faces up to a year behind bars while his fight for asylum continues, with little control over where he'll be deported to if he loses.

That's why Kaelyn's reaction to the TdA allegations was so physical — she knew the accusations could land Yapa in CECOT, the brutal El Salvador prison where the Trump administration has sent many Venezuelan asylum seekers accused of gang affiliations. *“I thought, I'm going to have to live the rest of my life knowing he's in there, and there's nothing that we can do to get him out of there,”* she says. The reality that he — and so many other innocent men — could be locked away in what many have called a modern day concentration camp is an “atrocity,” she says.

All of this has taken a terrible toll on Kaelyn. She's hired multiple attorneys for Yapa and has gone into debt over legal fees. Meanwhile, Yapa is being held nine hours away from Wilmington and has limited phone access. In April, attorneys with the American Immigration Council and the ACLU took up part of Yapa's case pro bono; in May, they secured a decision from a judge that says the Trump administration cannot remove Yapa to CECOT or anywhere on the basis of the Alien Enemies Act without a fair chance for him to contest the allegations of TdA membership against him. It's a relief, but Kaelyn barely recognizes her life these days.

Every time she talks to her sister, they mostly discuss updates on Yapa's case and the latest immigration news. *“We can't be happy when there's literally a member of our family who's been taken from us,”* she says. *“I'll never let this go. The administration thinks they're sowing fear — but they're creating activists. You can't destroy someone's life and expect us to stay quiet.”*

CONCLUSION:

There is a *better* way





As much as the Trump administration has done in its first six months, it has hardly set its full agenda in motion. New funding from Congress will allow the administration to vastly expand immigrant detention. Hundreds of thousands more people holding grants of Temporary Protected Status will expire in the coming years unless the administration chooses to extend them.

The costs tallied in this report — to American families and communities; to the rule of law and democratic values; to the country's global reputation — are likely only the beginning of what the next four years will bring.

Many Americans witnessing the Trump immigration agenda up close are taken aback — including some who supported the president but did not expect him to arrest and deport their fiancées and neighbors.

If the choice is between doing something on immigration and doing nothing, Americans will consistently choose the former. But the pain currently being caused is completely unnecessary. This isn't a bitter pill America has to swallow to successfully manage migration. To the contrary, the cruelty and aggression on display under this administration routinely undermine the system's ability to function.

An effective and humane immigration policy — one that maximizes compliance with the rule of law and allows the U.S. to monitor who enters and decide who stays without cruelty — is built on efficiency and predictability. It doesn't serve "law and order" for someone who is working legally in the U.S. to have their work permit stripped in the middle of the day thanks to a Supreme Court decision. It doesn't serve public safety for local police to be forced to choose between the support of the federal government and the trust of their communities. But that doesn't make these goals impossible to strive for, or to achieve.

Ironically, building a functioning immigration system does not require a master plan commandeering the entire federal government, unlike the current administration's approach. Making it clear to Americans that there is a better way forward can be as simple as pointing out that the harms being done right now could be avoided, not by federal inaction, but by more constructive and reasonable action.

Axel's family has been here for twenty years but has "barely scratched the surface of dealing with their status issues" — because there is no process for them to follow to become legal residents of the United States, and never has been. They are among millions of undocumented immigrants who have been in the United States for over a decade and have had no opportunity to fix their status. Axel himself (with DACA) and Beatriz' neighbors with Temporary Protected Status are among millions more who the government granted some provisional protections, but who are now forced to plan their lives only a few months at a time out of fear that they will lose their safety from deportation and their ability to work legally.

The growth in the protected population — and even the number of people who have signed up for the Trump administration's immigrant registry, which does not confer any protection from deportation and could even be used to facilitate it — shows how deep the desire is among immigrants living here for a way to fix their status. The problem is not with them, but with a government that has created a convoluted and limited system of legal immigration that, for all its ins and outs, doesn't have a single door open to millions of the people who have been in the U.S. for years, contributing to American communities.

The U.S. could allow these people, or at least some of these people, to apply for legal status or to adjust their temporary protections to something more permanent that would allow them to seek U.S. citizenship, similar to permanent residents. This is something current U.S. law does not provide for, despite several proposals in Congress that have considered pathways to citizenship, often including rigorous screening or fines for being in violation of civil immigration law.

Asylum-seekers like Ilia could be permitted to seek asylum at ports of entry, in full accordance with existing law, and screened in an orderly and efficient fashion so that the government knows who has entered the country. They could resolve their asylum cases in a matter of months, not a matter of years — and if they won, the government could allow them to stay, rather than continuing to hold them in detention. A system that offers meaningful due process protections and a decision on a faster time frame would also reduce the harm for people who wait years for an outcome only to receive a negative decision. An efficient and fair adjudication system for those seeking legal and humanitarian protections could allow Axel's local police to spend their time protecting people like his family as their mission requires, rather than staffing checkpoints to catch them or enforcing immigration laws they aren't trained to understand.

Those who are arrested, like Yapa, could be treated like people who have violated civil federal laws, not abducted in the night like terrorists or kidnapping victims, and could be subjected to penalties proportionate to their violation rather than a system in which the only options are detention in deplorable conditions or deportation from the United States to one's own native country — or somewhere worse.

The more humane option is often also the more efficient one. To hold people at Guantanamo Bay for a month, the Trump administration spent the equivalent of \$15,300 per person per day; community-based alternatives to detention cost \$4.20 per person per day. Keeping people like Ilia in detention is far more expensive than hiring more immigration judges and asylum officers to process cases quickly, so that people don't have to spend years living in the United States

before having a final decision on their cases. Offering appointed counsel for people in immigration proceedings would also ensure efficiency given the 3.7 million case backlog in the current system and serve as the best tool for ensuring people show up to court for their cases. Shows of force are more costly and less durable than investing in the infrastructure to better manage migration and legal processing.

It will take time, even under a different president, to rebuild the parts of the immigration system that have been destroyed and to move forward to a better, sustainable system in the future that balances fairness, humanity, and order. Starting that process will require understanding everything that has been done so far to tilt the system in favor of cruelty over predictability. Policymakers and the public — including, especially, immigrants themselves — will need to keep an eye on what this administration continues to do over its time in office, so that we know what has been broken and can, ultimately, fix it.

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