

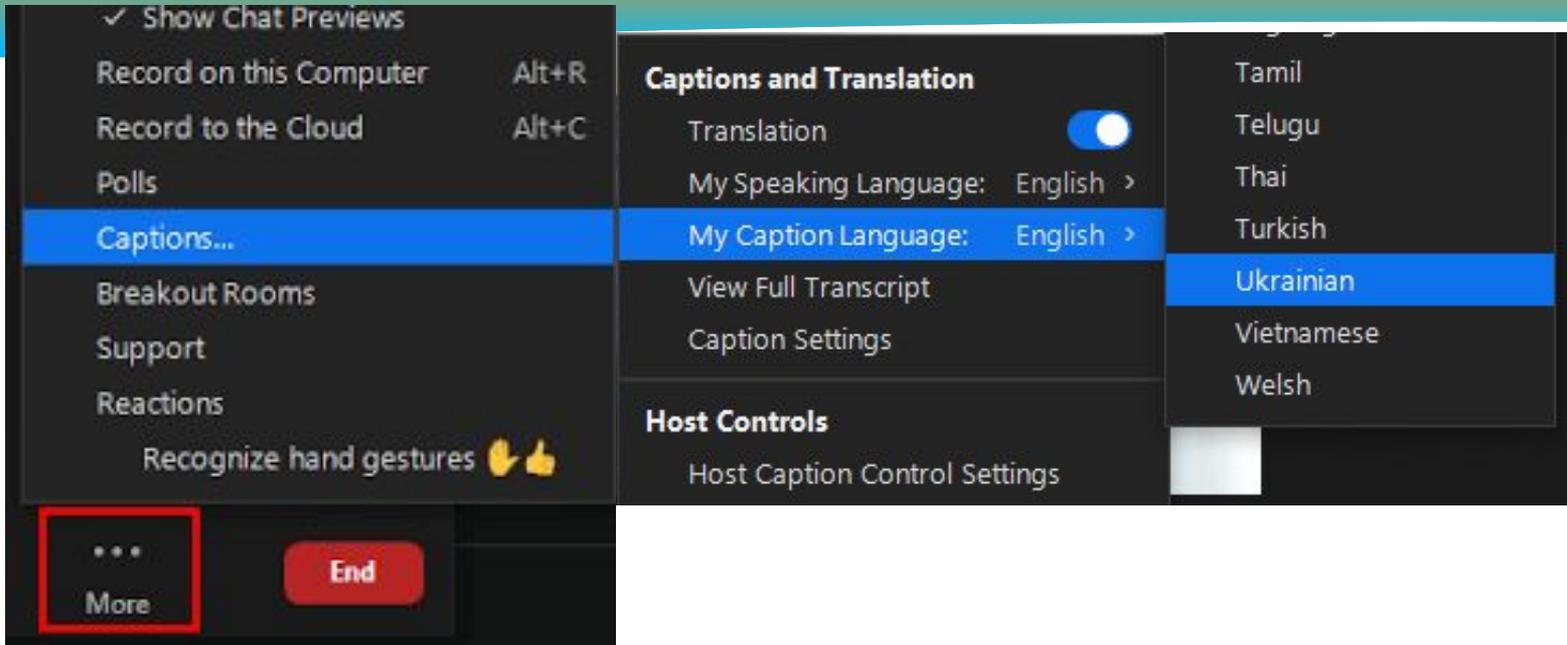
# Immigration Updates

February 24, 2026

Presented by  
Karla Partida Castro, Attorney

Northwest  
IMMIGRANT  
RIGHTS  
Project

# During English presentation: Access translated captions



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# Take a deep breath...

We want to pause and recognize that immigrant communities are undergoing challenging times. During this presentation, we will cover difficult content.

We want our communities to be prepared with information, and we also acknowledge how heavy and unjust this is.

Let's take a deep breath and get started.

**Please visit our website for more information  
on our services across WA: [www.nwirp.org](http://www.nwirp.org)**

**\*\*\*Today's information is intended for educational purposes only\*\*\***

- Individuals with immigration questions should seek the advice and counsel of a reputable and experienced immigration attorney
- The information provided today is only guaranteed to be updated through today (February 24, 2026)
- To stay on top of immigration law updates, please go to:
  - Immigration Policy Tracking Project:
    - [impolicytracking.org](http://impolicytracking.org)
  - Litigation Tracker:
    - [justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration](http://justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration)
- Please also join NWIRP's mailing list: [www.nwirp.org/join/mailling-list](http://www.nwirp.org/join/mailling-list)

# Today's Presentation: What We Will Cover

- Changes in Appeal Procedures for the Board of Immigration Appeals
- Asylum Fees
- Other Fee Increases
- Immigration Courts Fast-Tracking Hearings for Somali Immigrants
- Mandatory Detention Update
- DHS Policy Memo Re: Detention of Refugees Who Have Not Adjusted to LPR
- Temporary Protected Status
- DHS Proposed Rule on EADs for Asylum Seekers
- Commercial Drivers' Licenses Update
- HUD Proposed Rule on Housing Assistance for Mixed-Status Families
- Asylum Cooperative Agreements (ACAs)
- King County Executive Order Barring Immigration Authorities from County-Owned Properties
- Family Safety Plan - LCYC Appointments Across the State
- Preventing *Notario* and other Fraud
- Large Scale Enforcement Action Response Collaboration
- What Can You Do?

# Changes in Appeal Procedures for the Board of Immigration Appeals

- Interim Final Rule changes in effect **March 9, 2026:**
  - Deadlines for “respondents” (immigrants in removal proceedings) to file an appeal is shortened from **30 days to 10 days**
    - Exception: Asylum; maintains 30 day filing period and will be heard on the merits
      - Unless ineligible for asylum due to ACA, failed to apply for asylum within 1 year, or previously denied asylum
  - Dismissal will be ordered by default **15 days after appeal is filed**, unless a majority of the appellate court decides to hear the case
    - After dismissal, can petition for review with a federal Circuit Court
- **This curtails immigrant’s due process; people without representation will be more affected**
- Litigation may pause this rule from taking effect

# Asylum Fee Updates

- **USCIS and EOIR can now charge the annual asylum fee**
  - On February 2, the federal district court judge in the *ASAP v. USCIS* litigation granted the government's motion to lift the previous stay
    - Remember: the federal judge previously paused the fee in October 2025 in this same lawsuit
- If you receive an annual asylum fee notice from the immigration court or USCIS, you must pay online by the deadline; save a copy of your receipt!
- Even if you have not received a notice, you can pay the fee now, as long as your asylum application has been pending for more than 1 year
- Follow for more information: [asaptogether.org/en/annual-asylum-fees/](https://asaptogether.org/en/annual-asylum-fees/)  
(last updated Feb. 2, 2026)

# Other Fee Increases

- USCIS has updated its fees **effective February 1, 2026**
- Immigration courts and USCIS will reject applications for the incorrect fee, so be sure to check the fee schedule before filing anything:
  - [www.uscis.gov/g-1055](http://www.uscis.gov/g-1055)
- Form E-29, Notice of Appeal to Board of Immigration Appeals was increased to \$1,030

# Immigration Court Fast-Tracking Cases for Somali Community Members

- Confirmed reports that Seattle Immigration Court is fast-tracking cases for Somali immigrants *in removal proceedings*
  - Reported that some cases are being advanced to end of February
  - It is believed that the government will argue that these community members are subject to “Asylum Cooperative Agreements” (ACAs) and should be deported to third-countries the US has deemed “safe”
- What to do if you are Somali and in removal proceedings:
  - Check [EOIR](#) regularly and/or contact your attorney
  - Plan with your family regarding more urgent possibility of deportation (see family safety planning below)
  - Connect with CAIR-WA for updated information
    - [cairwa.org/newsletter/](https://cairwa.org/newsletter/) ; [instagram.com/cairwashington](https://instagram.com/cairwashington)

# Update on Mandatory Detention

- The 5th Circuit Court of Appeals decided in [Buenrostro-Mendez](#) that immigrants who entered without inspection are subject to *mandatory detention* under 8 USC § 1225(b), and thus ineligible for bond under 1226(a)
- This decision is contrary to district court decisions across the country — [learn more](#)
- This decision affects immigrants who are detained in Texas, Louisiana, and Mississippi
  - Immigrants detained in Washington are frequently transferred to these states
- [Some district courts](#) are continuing to grant habeas petitions based on procedural due process arguments, but this decision will make habeas petitions more challenging and limited
  - [Habeas in the Fifth Circuit After Buenrostro](#)

# Update on Mandatory Detention Continued - Good news!

- Summer of 2025: NWIRP and partner orgs. filed a nationwide class action lawsuit, *Maldonado Bautista* challenging DHS/EOIR policy of mandatory detention for all those who entered without inspection
- November 2025: District Court declared the policy unlawful, but immigration judges (IJs) continue to deny bond hearings, arguing they were bound by a Board of Imm. Appeals (BIA) case, *Yajure Hurtado*
- **February 18, 2026:** District Court “vacated” *Yajure Hurtado*: DHS/EOIR can no longer deny bond hearings based on *Yajure Hurtado*
  - It is unclear how the government will respond, or if they will follow the court order
  - NWIRP will continue filing habeas petitions in WA (under *Rodriguez*) for eligible people in detention
  - For people transferred out of WA, can request bond hearings under new court order (but remember difficulties if in TX, LA, MS)

# DHS Memo on Detention of Refugees Who Have Not Adjusted to LPR

- **February 18, 2026:** DHS released a memo explaining when, and under what circumstances, immigration officers may detain refugees who have failed to adjust their status to lawful permanent resident (LPR)
  - After one year of admission as a refugee, if the refugee has not adjusted status, the refugee must return to DHS custody for inspection
  - If refugee does not voluntarily return, DHS will arrest & detain them
  - Refugee may remain in detention for duration of inspection
  - Those who are found ineligible for admission as LPRs may be subject to removal
- Prior policy: Failure to obtain LPR status was not by itself treated as a basis for removal; if a refugee who did not adjust was arrested, DHS was required, within 48 hours, to release the individual or initiate removal proceedings and allowed to pursue adjustment of status

# Temporary Protected Status (TPS)

- Yemen
  - 2/13/2026: Notice of TPS termination
  - TPS no longer in effect 60 days after termination notice published in Federal Register (not yet published)
- Honduras, Nepal, Nicaragua
  - The 9th Circuit Court of Appeals stayed the district court's decision pausing the termination of TPS for individuals from these countries
  - TPS holders from Honduras, Nepal, and Nicaragua no longer maintain TPS benefits and are at risk of deportation
- El Salvador
  - EADs are automatically eligible for 540-day extension until 9/9/26
  - Alianza America bilingual tool to clarify EAD eligibility:
    - English: [bit.ly/4qTTMRL](https://bit.ly/4qTTMRL)      Spanish: [bit.ly/4kKli2x](https://bit.ly/4kKli2x)

# TPS, Continued

- Haiti
  - A federal judge extended the stay terminating TPS for Haiti
  - DHS announced intent to appeal to the Supreme Court
  - Congressional efforts to extend TPS through 2029, but TBD
- South Sudan
  - Termination date set for 1/6/2026 but stayed by a federal district court
- Ethiopia
  - A federal judge stayed termination at least until next hearing 3/19/2026

***Reminder: TPS holders maintain work authorization and protection from deportation while stays are in effect***

# DHS Proposed Rule Limiting Asylum Seeker's Ability to Apply for Work Permits

## Proposed Rule - [Comment period ends on 4/24/2026](#), could go into effect as early as May 2026

- Pauses processing initial work permits based on asylum: USCIS will stop accepting initial work permit applications until the agency processes all affirmative asylum applications within an average of 6 months. This could be an indefinite pause given the backlogs.
- Increases in wait times: Applicants would need to wait 1 year (instead of 5 months) after applying for asylum before applying for a work permit. USCIS would then have at least 180 days (instead of the current 30-day max) to adjudicate the work permit application.
- Creates bars to EAD eligibility:
  - At USCIS' discretion for any reason
  - Where there is "reason to believe" applicants committed certain crimes
  - If the applicant missed the asylum 1-year filing deadline, or missed a biometrics appointment, asylum interview, or immigration court hearing, with limited exceptions.
  - Applicants who entered without inspection UNLESS:
    - Within 48 hours after entry, the applicant expressed intent to file asylum or a fear of persecution/torture to an immigration officer; can establish "good cause" for Entry Without Inspection; or are an Unaccompanied Child

# Commercial Drivers' Licenses Update

- Washington State is still not processing non-domiciled CDLs for asylum seekers and other non-LPR immigrant-visa holders
- The federal government is moving forward with a rule that will change eligibility for non-domiciled CDLs to drivers with an H-2A, H-2B, or E-2 visa
  - **Rule will be in effect on March 13, 2026**
    - **BUT an injunction remains in place on the rule, meaning it will not take effect until the court lifts the injunction**
- The public can make a comment on the government's proposed rule to end the eligibility of asylum seekers and other immigrant-visa holders to obtain CDLs
  - Comments are due March 2, 2026
  - Submit your comment [here](#)

# HUD Proposed Rule on Housing Assistance for Mixed-Status Families

- The US Dept. of Housing and Urban Development (HUD) published a proposed change to federal regulations on 2/20/26
  - [Comments are due 4/21/2026](#)
- The rule denies federally subsidized housing to entire families that include a person who is undocumented
  - All individuals in the Public Housing, Housing Choice Voucher, and certain other community development programs, including all family members, will have to submit proof of status within 90 days of the effective date of the rule
- For more information, join NWIRP, NJP, and WSCADV's webinar: **Housing Justice and Immigrant Communities: Overview & Updates** on Tuesday, March 10, 5:30 - 7:00 PM - [nwirp.org/events](https://nwirp.org/events)

# Asylum Cooperative Agreements (ACAs)

- ACA bars a person from applying for asylum if they entered on or after Nov. 19, 2019 through the Southern border
  - USCIS sends a notice that it intends to dismiss an application, or DHS notifies the court that it intends to remove the person to an ACA country
    - Must be provided with an opportunity to argue they will be subject to persecution based on a protected ground in the ACA country
    - Must be provided with an opportunity to argue why ACA does not apply to them
- Current Formal ACAs:
  - Belize (no known transfers)
  - Ecuador ( no known transfers)
  - Guatemala (confirmed transfers)
  - Honduras (confirmed transfers)
  - Paraguay (no known transfers)
  - Uganda (no known transfers)
- Reported but not enough information/in negotiations:
  - Antigua and Barbuda (no known transfers)
  - Dominica (no known transfers)
  - Palau (no known transfers)
  - St. Kitts and Nevis (for people from Caribbean, no known transfers)

# King County Executive Order Bars Imm. Enforcement from KC-Owned Properties

- Order signed Thursday, Feb. 12
  - Immigration required to present a valid judicial warrant to enter non-public areas of county property
  - \$2 million in emergency funding for rental, food, and legal aid assistance for immigrant and refugee communities
  - King County International Airport mandated to upgrade and install additional security cameras to provide greater transparency in deportation flights
- Centralized website highlighting all the immigration related City updates: [www.seattle.gov/mayor/vision-and-values/federal-immigration-enforcement](http://www.seattle.gov/mayor/vision-and-values/federal-immigration-enforcement)
- Signage for private property owners regarding entrance by immigration: [www.seattle.gov/documents/Departments/MayorWilson/StandTogetherSeattlePoster\\_11x17.pdf](http://www.seattle.gov/documents/Departments/MayorWilson/StandTogetherSeattlePoster_11x17.pdf)

# LCYC Family Safety Plan - Virtual Appointments

- **Legal Counsel for Youth and Children (LCYC)**
  - Starting March 1st, 2026, LCYC will be launching virtual Immigrant Safety Plan appointments (ISP) across Washington state. (Previously they were only able to offer virtual appointments for folks who work, live, or go to school in Seattle). <https://lcywa.org/isp>



# Immigrant Safety Plan Virtual Appointments

One-on-one virtual Zoom appointments to fill out the Immigrant Safety Plan, a community resource to help parents plan for the care of their minor child(ren) in the event that a parent is unable to care for their child, particularly if the parent is detained or deported.

Services are available in Spanish and English.

Participants should come to the meeting with the following information:

1. the full name of the third party
2. the date of birth of the third party
3. the address of the third party
4. the phone number and email address of the third party.

LCYC

Legal Counsel for  
Youth and Children



# Preventing *Notario* and other Fraud

- Only licensed attorneys or fully Dept. of Justice (DOJ) Accredited Representatives can represent you in immigration court, can provide legal services, and can give legal advice
  - Check credentials: Practicing attorneys have a State-issued bar license; DOJ Accredited Reps. can be searched here: [DOJ Accredited Representatives Roster](#)
- Do not sign documents that are blank, that you do not understand, or that have false information
- Do not pay money without understanding the process and obtaining a receipt and a copy of your retainer
- Do get copies of all applications or other documents prepared for you or filed on your behalf
- If the advice seems too good to be true, get a second opinion

# Preventing *Notario* and other Fraud - continued

- Be alert to digital scams
  - Be skeptical of social media posts promising new or rapid immigration relief
  - There is no communication from the government via WhatsApp or social media
  - Generally, there is no communication by phone—with limited exceptions
  - Avoid sharing unverified information on social media
- Report *notario* fraud or other scams to the Attorney General's Office
  - Victims may file a complaint online at [www.atg.wa.gov](http://www.atg.wa.gov) or call 1-800-551-4636 between 10 a.m. and 3 p.m. weekdays. Written complaints can be filed in Spanish at [www.atg.wa.gov/en-espanol](http://www.atg.wa.gov/en-espanol)

# Large-Scale Enforcement Action Response Collaboration

- **WAISN Hotline at 1-844-724-3737 and other local hotlines receive reports of potential ICE raids**
  - Plan: Hotline staff receive reports of a potential large scale raid and immediately communicate with NWIRP staff, including via **\*\*[largescaleraid@nwirp.org](mailto:largescaleraid@nwirp.org)\*\*** to determine potential raid location (before large-scale is confirmed)  
**\*\*organizational partners can communicate directly with NWIRP\*\***
- **Rapid Response Teams**
  - Trained rapid responders gather initial information, usually connected via local hotlines to verify that a large-scale raid (immigration enforcement action) is actively happening
- **NWIRP Legal Response Team (Staff and Volunteer Attorneys)**
  - NWIRP staff and volunteers are mobilized once large-scale raid is confirmed
  - Once on-site, provide legal assistance and information
  - NWIRP attorneys work with detained community; **free** immigration legal services

# What can I do? - For Impacted Community

- Print a “know your rights” flyer to have at your home and/or workplace (<https://nwirp.org/resources/kyr/>)
- Create a safety plan with your family ([leycwa.org](http://leycwa.org))
- Create a sample defense plan, in addition to a family safety plan
  - See this resource specific to Colorado as an example:
    - [https://coloradoimmigrant.org/wp-content/uploads/2025/01/Family-Preparedness-Packet-2025-ENG\\_SPA.pdf](https://coloradoimmigrant.org/wp-content/uploads/2025/01/Family-Preparedness-Packet-2025-ENG_SPA.pdf)
- Join community based groups to support each other (e.g. [Mijente](#), [Undocublack Network](#), [My Undocumented Life](#), [United We Dream](#), [NAKASEC](#) and others)

# What can you do? - For Allies and Advocates

- Stay calm and informed & listen to and respect community needs
- Know your legal rights
- Offer to help immigrant community members that you know - be humble, ask what they need, let them lead the conversation.
  - Example: help them fill out a family safety plan ([lcyewa.org](http://lcyewa.org))
- During an active enforcement action, document carefully
- Discuss with your workplace how to keep safe from ICE (search [nilc.org](http://nilc.org) for guides)
- Share resources and stay connected
  - Order/print Red Cards to have at your workplace, to share at businesses you frequent so they can make available to their customers ([ilrc.org/red-cards-tarjetas-rojas](http://ilrc.org/red-cards-tarjetas-rojas))
  - Learn about and join efforts of existing community members for accompaniment ([waisn.org](http://waisn.org), [JCIJ NW](#), [The Church Council of Greater Seattle](#)), or other ways to directly help ([AIDNW.org](http://AIDNW.org), [fairfightbondfund.org](http://fairfightbondfund.org), [NDLON Adopt a Day Labor Corner](#))
- Review the Belonging Handbook: [The Belonging Handbook](#)

# What can you do? - For Everyone

- Contact US senators and representatives
  - U.S. Capitol Switchboard 202-224-3121
  - Sample Script:
    - “Hi, my name is (NAME), and I’m a constituent from (CITY). ICE has taken the lives of our neighbors in Minneapolis and is instilling fear in communities across the country. As our elected representatives, you are here to protect us, not fund this violence. Please block future ICE and CBP funding now. Thank you.”
- Contact state legislators
  - In Washington state:
    - From the [Legislators page](#), select a member to view their contact information and use our member email form to send them a message.
- Legislative advocacy - important to follow bills that would support and oppose bills that would harm our communities

# Upcoming NWIRP Webinars

- **Housing Justice and Immigrant Communities: Overview & Updates**
  - Tuesday, March 10, 5:30 - 7:00 PM
  - Join NWIRP, NJP, and WSCADV for a webinar on housing rights and policy updates impacting immigrant communities and survivors of violence.
  - Register here: [nwirp.org/events](https://nwirp.org/events)
- **March 2026 Community Immigration Updates Webinar**
  - Thursday, March 26, 5:00 – 6:30 PM
- **Watch recorded webinars here:**
  - [nwirp.org/webinars/](https://nwirp.org/webinars/)

**Thank you!**