



THE LEGAL LANDSCAPE

A **USCRI** HUMANITARIAN LEGAL SERVICES REPORT



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The Legal Landscape

Starting in February 2025, the U.S. Committee for Refugees and Immigrants (USCRI) has sent weekly updates on immigration-related litigation to our network and staff. What started as a list of nine cases has expanded into a list of nearly 50 cases and appeals. As we continue to track litigation for our partners, USCRI will also provide a deeper dive into legal topics so that you can understand the law as it changes. Against a shifting legal landscape, USCRI hopes these updates will be helpful to newcomers and communities who want reliable and timely information.

Temporary Protected Status

Bottom line: Many of the legal challenges against Temporary Protected Status terminations remain live. Lower courts could still find there is a basis for granting preliminary relief for Temporary Protected Status holders, allowing them to stay protected while litigation is pending. At least one lower court has stripped away court-ordered protections since the Supreme Court ruling (Yemen). While the impacts are trickling down, Temporary Protected Status holders and communities should stay tuned for litigation developments to get reliable information.

On June 25, 2026, in a 6-3 [opinion](#) and judgment, the Supreme Court reversed district court orders protecting Temporary Protected Status holders from Haiti and Syria in *Mullin v. Doe*, 609 U.S. ____ (2026). This ruling did not immediately strip Temporary Protected Status holders of their [protection status or work authorization](#). Rather, the ruling meant that litigation would return to the lower courts.

The Supreme Court majority opinion stated that the Secretary of Homeland Security's decision to terminate Temporary Protected Status is not judicially reviewable under the statute. However, **Temporary Protected Status holders and challengers can still bring constitutional claims to court.** Many of these lawsuits contend that Temporary Protected Status terminations were unconstitutional under the Fifth Amendment's Due Process Clause, but most district courts did not weigh in on this argument because of judicial restraint. When deciding motions for temporary relief, judges will choose not to address a legal issue, especially a constitutional one, if they can decide the motion by addressing just one legal issue.

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OTHER NEWS

- Effective July 28, 2026, the Department of Homeland Security will start [referring more affirmative asylum applicants to immigration court without an interview](#).

Until this change, most asylum applicants who filed directly with the U.S. Citizenship and Immigration Services had a right to an interview.

The Department predicts that 31 percent of affirmative asylum applicants will be immediately referred to immigration court without an interview.

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The U.S. Committee for Refugees and Immigrants (USCRI), established in 1911, is a nongovernmental, not-for-profit international organization dedicated to addressing the needs and rights of refugees and immigrants. USCRI is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code. The full amount of your donation may be tax-deductible to the extent allowed by law. [DONATE](#)

Haiti

On July 27, the Supreme Court [judgment](#) was filed in the D.C. Circuit Court of Appeals, ordering reversal of the district court order postponing the termination of Haiti’s Temporary Protected Status designation. On July 29, the Government [asked](#) the D.C. Circuit to remand the case to the district court. The district court is expected to enter a conforming order for the Supreme Court judgment to take effect.

On July 28, the Haitian Legal Defense and Education Fund submitted a [letter](#) expressing concern for the “systematic violence” in Haiti that it believes “demonstrates a pattern of crimes against humanity and genocide against Haitians as a protected national group.” The organization asks for an order blocking the termination of Haiti’s Temporary Protected Status designation or a “strict 90-day pause on all deportations to Haiti.”

Syria

After the Supreme Court judgment was entered, the Government asked the Second Circuit to terminate the appeal.

At the district court, the lawyers representing Temporary Protected Status holders from Syria filed an amended complaint on July 24 ([corrected version](#) filed on July 27). Plaintiffs plan to file a motion for partial summary judgment, and the Government plans to file a cross-motion to dismiss the case or for summary judgment. The parties propose to complete these briefings in October 2026.

Other Lawsuits

DESIGNATION	ARE TEMPORARY PROTECTED STATUS HOLDERS PROTECTED?
Venezuela (2023 Designation)	Yes, due to a district court judgment on September 5, 2025, affirmed by the Ninth Circuit on January 28, 2026 (mandate issued March 14, 2026).
Burma (Myanmar)	Yes. On July 19, the district court granted Plaintiffs’ motion for an administrative stay, putting back in place protections while the court considers a motion for preliminary relief.
South Sudan	Yes. On July 23, the district court issued an administrative stay, extending protections until further order.
Ethiopia	Yes. On July 24, the district court issued an administrative stay, extending protections until further order.
Somalia	Yes, the March 13 district court order still protects Temporary Protected Status for Somalia holders.
Yemen	No. On July 20, the district court stayed its own May 1 order postponing the termination date.
Nepal Honduras Nicaragua	No. On February 9, the Ninth Circuit stayed district court protections.

Temporary Protected Status-Based Work Authorization

Temporary Protected Status holders from El Salvador, Sudan, and Ukraine faced losing their work authorization as soon as July 22, 2026, due to retroactive application of One Big Beautiful Bill Act provisions. After the Act passed on July 4, 2025, the U.S. Citizenship and Immigration Services published an [implementing policy](#) on July 22 that limited work authorization validity periods to one year or the duration of the Temporary Protected Status designation period, whichever is shorter.

As a result, Temporary Protected Status holders from El Salvador, Sudan, and Ukraine faced being [unable to work](#) as early as July 22, 2026. Temporary Protected Status for El Salvador remains valid through September 9, and Sudan and Ukraine's designations are valid through October 19.

After a lawsuit was filed, a district court issued an [administrative stay](#), temporarily blocking the retroactive application of work authorization expiration deadlines. Temporary Protected Status holders should consult the Federal Register Notices extending the three designations ([El Salvador](#), [Sudan](#), and [Ukraine](#)) to determine the validity dates of their work authorization.

Family Reunification for Asylee Families

On July 29, 2026, the International Refugee Assistance Project, Williams & Connolly LLP, and Keler & Kershow PLLC secured a huge [win](#) for asylees and family members. A federal judge [granted](#) Plaintiffs' motion for summary judgment, or a judgment on the law. The State Department is ordered to vacate its policy of applying the travel ban to follow-to-join asylees, which prevented family reunification and kept family members abroad in precarious situations.

Executive Proclamations [10949](#) and [10998](#), or the travel ban, [are blocking asylee family members](#) who are nationals of travel banned countries from traveling to the United States. Interviews are still able to occur, but family members are not issued a boarding foil, or travel authorization, to enter the United States due to the travel ban. Since this started occurring in June 2025, most attorneys have advised families to postpone consular interviews as much as possible, especially when relocation to the interview site would be unsafe or challenging.

A few Afghan asylees and family members have challenged this policy in federal court. The July 29 judgment orders the State Department to vacate the policy, which means all asylee family members blocked by the travel ban could benefit from the judgment, not just families who are formally part of the lawsuit.