



IMMIGRATION UPDATE - OCTOBER 28, 2026

Posted on October 28, 2026 by Cyrus Mehta

Headlines:

[Ukrainian and Sudanese TPS Beneficiaries 'Retain Protection' Despite Expiration, For Now](#)

– The Department of Homeland Security told media outlets that more than 100,000 Temporary Protected Status (TPS) beneficiaries from Ukraine and Sudan would be able to stay in the United States and “retain protection,” despite their TPS expiring on October 19, until a final decision is “made at the appropriate time.”

[CDC and CBP Announce Ebola-Related Attestation Requirement for Air Passengers Arriving in United States](#)

– The Centers for Disease Control and Prevention, and U.S. Customs and Border Protection’s Carrier Liaison Program, announced an attestation requirement for air passengers arriving in the United States related to the Ebola outbreak in Africa.

[November Visa Bulletin Released](#) – The bulletin includes updated “Final Action Dates” and “Dates for Filing Applications” for employment-based immigrant visas.

[‘Dismantling Due Process’: Procedural Mechanisms Prevent Many Asylum Claims From Reaching Merits Hearings, Study Finds](#)

– The report identifies four procedural mechanisms that prevent asylum claims from reaching a merits hearing and makes recommendations.

Details:

Ukrainian and Sudanese TPS Beneficiaries ‘Retain Protection’ Despite Expiration, For Now

According to [reports](#), on October 18, 2026, the Department of Homeland Security told media outlets that more than 100,000 Temporary Protected Status

(TPS) beneficiaries from Ukraine and Sudan would be able to stay in the United States and “retain protection,” despite their TPS expiring on October 19, until a final decision is “made at the appropriate time.”

As of press time, [no official statement](#) had been posted, and it was unclear how long the protection would be in effect.

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CDC and CBP Announce Ebola-Related Attestation Requirement for Air Passengers Arriving in United States

On October 22, 2026, the Centers for Disease Control and Prevention, and U.S. Customs and Border Protection’s Carrier Liaison Program, announced an attestation requirement for air passengers arriving in the United States related to the Ebola outbreak in Africa.

The CDC [announced](#):

- After November 3, 2026, at 11:59 p.m. ET, all passengers boarding an international flight to the United States, regardless of location of embarkation, must [attest](#) (sign a statement) that they have not been present in the Democratic Republic of the Congo (DRC) during the 21 days before their flight leaves for the United States. If they have been in outbreak-affected provinces in the DRC, they may be subject to additional travel requirements from local authorities before they leave the DRC.
- Travel from South Sudan or Uganda: Non-U.S. citizens and non-U.S. nationals, including U.S. lawful permanent residents, who have been in South Sudan or Uganda within 21 days before departure will not be allowed to enter the United States. U.S. citizens and U.S. nationals who have been present in Uganda or South Sudan (and not present in the DRC) within 21 days before arrival in the United States will have their air travel routed through designated U.S. airports for public health entry screening.

According to [CBP](#), authorized designated arrival airports include Washington Dulles International Airport (IAD), Dulles, Virginia; Hartsfield-Jackson Atlanta International Airport (ATL), Atlanta, Georgia; and John F. Kennedy International Airport (JFK), New York.

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November Visa Bulletin Released

The Department of State's [Visa Bulletin for November 2026](#) includes updated "Final Action Dates" and "Dates for Filing Applications" for employment-based immigrant visas, along with a note on Special Immigration Visas.

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'Dismantling Due Process': Procedural Mechanisms Prevent Many Asylum Claims From Reaching Merits Hearings, Study Finds

Justice View has released its first report, [Dismantling Due Process: The Rise of Procedural Removal in U.S. Immigration Courts](#). The study, conducted by researchers from Princeton University and California State University, Long Beach, "examines how due process in U.S. Immigration Court is being systematically dismantled as merits adjudication is being replaced by a suite of mechanisms" that amount to what the authors call "procedural removal"—"removal from the United States based on a process determination instead of a full and fair consideration of the facts of a person's claim to relief." "What we see happening now is a kind of hollowing out of the content of immigration court while maintaining the facade of a judicial process," [said](#) Princeton professor Amelia Frank-Vitale, a co-author of the report.

The report identifies four procedural mechanisms that prevent asylum claims from reaching a merits hearing: (1) claims are deemed abandoned through *in absentia* removal; (2) claims are foreclosed through pretermission, where immigration judges increasingly dismiss asylum applications before respondents receive a full evidentiary hearing; (3) claims are circumvented through Asylum Cooperative Agreements, through which respondents are required to challenge removal to countries where they have never lived, with little notice and limited time to prepare; and (4) claims are coerced into abandonment through detention.

The report makes four recommendations aimed at strengthening due process and ensuring fair adjudications in U.S. immigration courts: (1) remove the courts from the Department of Justice; (2) guarantee representation for those who cannot afford an attorney; (3) ensure a full and fair consideration of all claims; and (4) establish mechanisms of repair for due process violations.

Justice View is a national court-watching research initiative that combines

sustained ethnographic observation with Executive Office for Immigration Review court data. According to the report, from January to August 2026, Justice in View observers conducted 1,300 hours of courtroom observation across 25 immigration courts and 107 courtrooms in 13 states and Puerto Rico, documenting how due process is enacted or denied in everyday practice. They observed 3,585 hearings, which represents 1.7 percent of the 210,569 total number of cases heard nationally over this period.

Under the second Trump administration, more than 25,000 people have been removed to more than 30 countries of which they are not citizens, according to a [tracker](#) from Refugees International and Human Rights First.

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