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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

DANIEL LOPEZ-MENDOZA,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, TODD BLANCHE, Acting Attorney General, TODD M. LYONS, Acting Director, Immigration and Customs Enforcement, JESUS ROCHA, Acting Field Office Director, San Diego Field Office, CHRISTOPHER LAROSE, Warden at Otay Mesa Detention Center,

Respondents.

CASE NO.: **'26CV4061 BJC JLB**

Petition for Writ of Habeas Corpus

[Civil Immigration Habeas Petition Under 28 U.S.C. § 2241]

INTRODUCTION

Daniel Lopez-Mendoza was born in Mexico. After he was arrested by immigration authorities, he requested asylum. In February 2026, his asylum claim was pretermitted meaning there was no hearing, and the immigration judge instead ordered him removed to either Ecuador or Honduras, under the Asylum Cooperative Agreement. Five months have passed since he was ordered removed, yet Respondents have not physically deported him.

This is likely because the Asylum Cooperative Agreement with Ecuador and Honduras have limits. Ecuador accepts no more than 300 cases a year, while Honduras is capped at 240 for the first two years. *See* Exhibit A "The U.S.-Ecuador Asylum Cooperative Agreement: Why It Fails the Law and Endangers Asylum Seeker," Center for Gender and Refugee Studies, March 25, 2026; Exhibit B "The U.S.-Honduras Asylum Cooperative Agreement: Sending Asylum Seekers to Honduras Defies the Law and Endangers Lives," Center for Gender and Refugee Studies, April 30, 2026. But "[s]ince November 2025, more than 8,000 non-Ecuadorian nationals have had Ecuador designated as a country of removal pursuant to the ACA." *Id.* In other words, less than 4% of individuals ordered removed to Ecuador could be physically removed there in any given year. And in practice, immigration judges have ordered more than 15,000 asylum seekers removed to third countries but have only carried out 100-200 of those removals. Similarly, despite the 240-case cap for Honduras, between October 2025 and February 2026, some 4,877 individuals in Immigration Court and designate Honduras as a country of removal pursuant to the ACA. Exh. B at 1.

Because this "success" rate of about 1% shows that "there is no significant likelihood of removal in the reasonably foreseeable future," *Zadvydas v. Davis*, 533 U.S. 678 (2001), this Court should order Mr. Lopez-Mendoza's release.

STATEMENT OF FACTS

Mr. Lopez-Mendoza was born in Mexico. See Exhibit C, Declaration of Lopez-Mendoza at ¶ 1. On October 8, 2025, he was stopped by immigration authorities and detained at Otay Mesa Detention Center where he remains today. *Id.* at ¶ 2.

In February 2026, an immigration judge terminated his asylum claim and ordered him removed to either Ecuador or Honduras. *Id.* at ¶ 3.[1] Five months later, Mr. Lopez-Mendoza does not know when or where he will be removed to. *Id.* at ¶ 4.

CLAIM FOR RELIEF

This Court should grant this petition and order Mr. Lopez-Mendoza's immediate release. *Zadvydas v. Davis* holds that immigration statutes do not authorize the government to detain immigrants for whom there is "no significant likelihood of removal in the reasonably foreseeable future." 533 U.S. 678, 701 (2001). Because Mr. Lopez-Mendoza is a citizen of Mexico but was ordered removed to Ecuador or Honduras under ACA, and because only about 1% of individuals are actually being removed to ACA countries, he can make this showing.

I. Claim One: Petitioner's detention violates *Zadvydas* and 8 U.S.C. § 1231.

A. Legal Background

Mr. Lopez-Mendoza's continued incarceration violates the statute authorizing detention, 8 U.S.C. § 1231(a)(6). In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court considered a problem affecting similarly situated people. Federal law requires ICE to detain an immigrant during the "removal period," which typically spans the first 90 days after the immigrant is ordered

[1] It is unclear whether the order of deportation also includes Guatemala as a third country.

removed. 8 U.S.C. § 1231(a)(1)-(2). After that 90-day removal period expires, detention becomes discretionary—ICE may detain the migrant while continuing to try to remove them. *Id.* § 1231(a)(6). Ordinarily, this scheme would not lead to excessive detention, as removal happens within days or weeks. But some detainees cannot be removed quickly. Perhaps their removal "simply require[s] more time for processing," or they are "ordered removed to countries with whom the United States does not have a repatriation agreement," or their countries "refuse to take them," or they are "effectively 'stateless' because of their race and/or place of birth." *Kim Ho Ma v. Ashcroft*, 257 F.3d 1095, 1104 (9th Cir. 2001). In these and other circumstances, detained immigrants can find themselves trapped in detention for months, years, decades, or even the rest of their lives.

If federal law were understood to allow for "indefinite, perhaps permanent, detention," it would pose "a serious constitutional threat." *Zadvydas*, 533 U.S. at 699. In *Zadvydas*, the Supreme Court avoided the constitutional concern by interpreting § 1231(a)(6) to incorporate implicit limits. *Id.* at 689.

As an initial matter, *Zadvydas* held that detention is "presumptively reasonable" for at least six months. *Id.* at 701. This acts as a kind of grace period for effectuating removals.

Following the six-month grace period, courts must use a burden-shifting framework to decide whether detention remains authorized. First, the petitioner must make a prima facie case for relief: He must prove that there is "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.*

If he does so, the burden shifts to "the Government [to] respond with evidence sufficient to rebut that showing." *Id.* Ultimately, then, the burden of proof rests with the government: The government must prove that there is a "significant likelihood of removal in the reasonably foreseeable future," or the immigrant must be released. *Id.*

B. There is good reason to believe there is no significant likelihood of removal to Ecuador under the Asylum Cooperative Agreement.

Based on the EOIR website, Mr. Lopez-Mendoza was ordered removed on February 26, 2026 and no appeal was received in this case.[2] Thus, the order of removal became administratively final on that date. Thus, the 90-day mandatory detention removal period for Mr. Lopez-Mendoza expired May 26, 2026. And Mr. Lopez-Mendoza has been detained for an additional three months. Accordingly, this Court must release Mr. Lopez-Mendoza if he can show there is "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Zadvydas*, 533 U.S. at 701. He can.

First, the text of the Asylum Cooperative Agreement between the United States and Ecuador does not state how many deportees Ecuador shall accept per year. See Agreement Between the Government of the United States of America and the Government of the Republic of Ecuador Relating to the Transfer of Third-Country Nationals to Ecuador, 90 Fed. Reg. 51376 (Nov. 17, 2025).[3] However, "[p]revious declarations indicated that Ecuador may receive 300 refugees" annually from the United States under this agreement.[4] But since November 2025, immigration judges have pretermitted the asylum applications of 8,675 individuals and ordered them removed to Ecuador.[5] In other words, even if Ecuador accepted the maximum number of annual deportees, only 3.4% of people ordered removed to Ecuador would actually be physically deported there.

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[2] https://acis.eoir.justice.gov/en/caseInformation.

[3] https://immpolicytracking.org/policies/united-states-and-ecuador-sign-asylum-cooperative-agreement/#/tab-policy-documents.

[4] https://mixedmigration.org/articles/the-us-seeks-to-remake-cooperation-on-migration-through-bilateral-agreements/.

[5] https://www.refugeesinternational.org/statements-and-news/human-rights-first-and-refugees-international-third-country-deportation-watch-details-scope-secrecy-and-human-toll-of-third-country-transfer-agreements/.

Similarly, the ACA with Honduras is limited to 10 transfers per month, with no more than 240 for the first two years. Exh. B at 1. Despite this low cap, in a five-month period, between October 2025 and February 2026, DHS moved to pretermit, or terminate, the asylum cases of 4,877 individuals in Immigration Court and designate Honduras as a country of removal pursuant to the ACA. *Id.* According to this number less than .02% of those designated to Honduras will actually be removed to Honduras.

But reports suggest that Ecuador and Honduras are actually accepting far fewer. "Most third countries have received only a few dozen people or fewer, on flights without a regular cadence."[6] According to a Human Rights First and Refugees International report, immigration judges have "[p[retermitted more than 15,000 individual asylum claims under the Asylum Cooperative Agreements (ACA)" but only physically deported "between 100-200 people to ACA countries."[7] This means that a person ordered deported to an ACA country has a .6% and 1.3% chance of actually being removed there. This easily satisfies the burden of showing that there is "no significant likelihood of removal in the reasonably foreseeable future." *Zadvydas*, 533 U.S. at 701.

Importantly, Mr. Lopez-Mendoza was only ordered removed to Ecuador or Honduras, not to Mexico—the country of his citizenship and the only country that would likely accept him. Because Mr. Lopez-Mendoza has thus shown there is "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Zadvydas*, 533 U.S. at 701, this Court should order his immediate release.

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[6] https://www.thirdcountrydeportationwatch.org/.

[7] https://www.refugeesinternational.org/statements-and-news/human-rights-first-and-refugees-international-third-country-deportation-watch-details-scope-secrecy-and-human-toll-of-third-country-transfer-agreements/.

II. This Court must hold an evidentiary hearing on any disputed facts.

Resolution of a prolonged-detention habeas petition may require an evidentiary hearing. *Owino v. Napolitano*, 575 F.3d 952, 956 (9th Cir. 2009). Petitioner hereby requests such a hearing on any material, disputed facts.

III. Prayer for relief

For the foregoing reasons, Petitioner respectfully requests that this Court:

1. Order Respondents to immediately release Petitioner from custody;
2. Enjoin Respondents from re-detaining Petitioner unless and until ICE obtains a travel document for his removal; and
3. Order all other relief that the Court deems just and proper.

Respectfully submitted,

Dated: July 15, 2026

s/ Zandra L. Lopez

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Federal Defenders of San Diego, Inc.
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Exhibit A

CGRS | Center for Gender & Refugee Studies

The U.S.-Ecuador Asylum Cooperative Agreement: Why It Fails the Law and Endangers Asylum Seekers

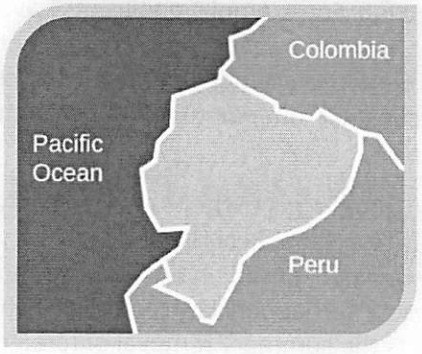
March 25, 2026

In 2025, the United States and Ecuador entered into an Asylum Cooperative Agreement (ACA), under which the United States can transfer asylum seekers to Ecuador to seek protection there instead of in the United States. The ACA with Ecuador is one of at least six such agreements the Trump administration has signed as part of a broader strategy to offshore America's refugee obligations (*see* CGRS's ACAs two-pager).

The Immigration and Nationality Act permits the government to enter into agreements to remove asylum seekers to third countries, but only where those countries provide access to a full and fair asylum procedure and the transfer will not expose the person to persecution or torture. The Trump administration's ACAs fail to meet these requirements. CGRS and partners are challenging the rule and associated policies in *U.T. v. Bondi*.

The sections below examine the terms of the Ecuador ACA, its use in U.S. immigration courts, and why the agreement with Ecuador fails to meet the standards required by U.S. law.

The Agreement and Its Implementation



The U.S.-Ecuador ACA was concluded through an exchange of diplomatic notes between both governments in July 2025 that were published in the Federal Register in November 2025. Under the agreement, the United States may propose the transfer of third-country nationals who have sought protection in the United States to Ecuador to seek protection there instead. Ecuador retains discretion to accept or deny individual transfers.

The diplomatic notes are notably vague. They do not offer information on eligibility criteria, restrictions on nationality, or a cap on the number of transfers. The agreement contemplates that a "subsequent instrument," as exists for the agreement with Honduras, will define eligibility criteria, though no such instrument has been made public. Ecuadorian government officials have stated that the agreement has an annual cap of 300 individuals, something U.S. officials have disputed. Since November 2025, more than 8,000 non-Ecuadorian nationals have had Ecuador designated as a country of removal pursuant to the ACA in immigration court after the Department of Homeland Security moved to pretermit, or terminate, their cases.

There is no government transparency on actual removals to Ecuador. Transfers are reported to have begun in January 2026, though the exact number of individuals removed to date remains unknown.

CGRS maintains an extensive database of reported individual immigration court decisions across the country. Of the nearly 100 outcomes reported in which a person was ordered removed to a third country pursuant to an ACA since November 2025, approximately one-third included Ecuador as a country of removal. Most of the cases are Venezuelan nationals, but the list also includes Colombians, Cubans, Guatemalans, Hondurans, Mexicans, Nicaraguans, and Peruvians; 41 percent are women.

Ecuador Cannot be Considered a Safe Third Country

Ecuador fails to meet the statutory requirements that must be satisfied before asylum seekers can lawfully be sent there. Its asylum system is inadequate, and those transferred face serious risks of harm.

Absence of a Full and Fair Asylum Process

Ecuador is a middle-income country with a population of only 18 million. By 2025, the Office of the UN High Commissioner for Refugees (UNHCR) counted over 465,000 internationally displaced people within its borders, representing approximately 2.5 percent of its population and one of the largest such populations in Latin America. Its asylum system is modest in scale, with only roughly 80,000 refugees recognized in nearly five decades, the vast majority of them from Colombia.

The country has struggled to meet the protection needs of the significant displaced population it hosts, and its system is strained before accounting for any additional caseload from ACA transfers. Between 2021 and 2025, fewer than 27,000 people applied for asylum in Ecuador, a strikingly low figure against a displaced Venezuelan population of over 400,000. During that same period, around 10,000 cases were closed without a decision on the merits, and fewer than 20,000 were adjudicated.

The Organic Law on Human Mobility and its accompanying regulation define and establish procedures for refugee status determinations. In practice, significant barriers prevent asylum seekers from accessing protection. For example, applicants have only 90 days from entry to apply for asylum, and information about how to navigate the process is not readily available to those who need it. Additionally, civil society organizations have documented instances in which migration officials have actively discouraged Venezuelans from pursuing refugee status, with reports of officials telling applicants that recognition was unlikely.

The 2025 reforms to the Human Mobility Law introduced measures that erode due process and restrict access to asylum. Security and intelligence authorities can now block asylum applications before their merits are examined, based on undisclosed threat assessments that effectively substitute for the individualized analysis international law requires. The reforms also set a parallel expedited deportation regime that permits the summary removal of foreign nationals who have not been convicted of any crime, based on pretrial detention alone. The procedure allows as little as 24 hours for a detained individual to mount a defense.

The reforms also affect those who have already been recognized as refugees. In Ecuador, refugee status requires renewal two years after the initial grant. The law now provides that failure to renew can trigger a full reassessment of refugee status, potentially requiring individuals to undergo the determination process again or face deportation.

Together, these measures and challenges paint a picture of an asylum system that cannot meaningfully protect those already within its borders, let alone those the United States seeks to transfer there.

Pervasive Violence and Dangers for Asylum Seekers

Violence in Ecuador has reached a scale the state cannot contain. Since 2020, the country has experienced a dramatic increase in violence driven by the expansion of international drug trafficking organizations, which have engaged in homicides, extortion, prison massacres, kidnappings, and forced recruitment. The situation has grown so severe that U.S. and Ecuadorian military forces recently launched joint operations to combat drug cartels.

Ecuador's homicide rate reached a record high in 2025, rising 31 percent from 2024 to 50.9 per 100,000 people. Civil society organizations documented 411 femicides in the country in 2025 alone. Violence has become increasingly dispersed and volatile, characterized by the recruitment of minors and the use of explosives. Law enforcement operations targeting criminal leaders have fragmented established gangs into smaller, more aggressive factions that form unpredictable alliances, creating further instability.

The growing crisis has forced people from their homes. According to the International Organization for Migration, approximately 125,000 people, including refugees and others already displaced, have been internally displaced within Ecuador over the past five years. Conflict and violence account for 60 percent of this displacement, while disasters account for 40 percent. Between January and October 2024 alone, over 80,000 individuals were displaced due to insecurity, with survey data indicating that all respondents experienced violence, including robbery, sexual assault, or homicide, while nearly half reported being victims of extortion.

Refugees and asylum seekers are not shielded from this danger. UNHCR has documented that refugees and other displaced people in Ecuador live in fear of criminal gang violence, extortion, and gender-based violence, with many staying home and avoiding going outdoors as a self-protection measure. Criminal and violent practices have become normalized in many of the communities where they live. Amnesty International found that Venezuelan refugee women face widespread gender-based violence while being denied access to justice and safe shelters, with institutional xenophobia compounding their vulnerability.

This denial of justice reflects a broader collapse of accountability in Ecuador. Organized crime has systematically infiltrated Ecuador's justice system, with criminal networks using bribes ranging from $1,000 to over $100,000 to manipulate legal proceedings. The state faces a deficit of at least 600 prosecutors, and officials lack basic protection. The resulting impunity is severe. An estimated 90 percent of investigations into violent offenses never progress past a preliminary stage.

Barriers to Integration and Basic Needs

With 28 percent of the population, approximately 5.2 million people, living in poverty, Ecuador's capacity to absorb and protect additional vulnerable populations is severely limited. Structural economic exclusion and escalating violence have pushed large numbers of Ecuadorians to leave. Approximately 10 percent of Ecuadorian nationals now live abroad. In 2024 alone, over 90,000 Ecuadorians entered Mexico irregularly, and CBP has recorded more than 250,000 encounters with Ecuadorian nationals since 2023.

Refugees and migrants in Ecuador face severe hardship meeting their most basic needs. Even the Department of State has documented that discrimination creates barriers to their integration and limits their access to housing, employment, and education. Among Colombian households, 84 percent lack access to basic needs and 31 percent lack access to employment. For Venezuelans, 55 percent lack access to food, 67 percent to adequate housing or shelter, and 53 percent to stable livelihoods. A severe humanitarian funding gap makes this worse. UNHCR in Ecuador has received only 7 percent of its total funding needs for this year, and many NGOs working in the country have had to suspend or significantly reduce their services, further limiting the support available for this population.

Congress Must Act

The U.S.-Ecuador ACA is being used to strip people of their right to seek asylum and expose them to serious harm. Congress should demand transparency on transfers under the agreement, hold oversight hearings on Ecuador's human rights conditions and its asylum system, and condition further funding and implementation on demonstrated compliance with the statutory requirements Congress established.

Exhibit B

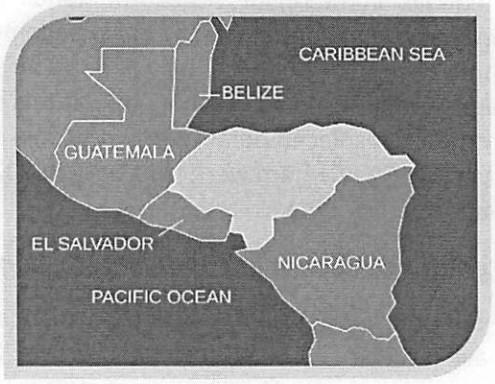
CGRS | Center for Gender & Refugee Studies

The U.S.-Honduras Asylum Cooperative Agreement: Sending Asylum Seekers to Honduras Defies the Law and Endangers Lives

April 30, 2026

This factsheet examines the terms and implementation of the U.S.-Honduras Asylum Cooperative Agreement (ACA), and explains why it fails to meet the standards required by U.S. law, that an individual would not face a threat to their life or freedom and would have access to a full and fair asylum procedure. As documented during a CGRS fact-finding trip to Honduras in March 2026, Honduras meets neither of these requirements.

Since 2025, the administration has signed at least six ACAs, under which the U.S. government can transfer asylum seekers to third countries to seek protection there instead of in the United States (*see* CGRS's ACAs two-pager). Honduras was the first of these agreements, reviving a policy from the administration's first term, when it signed similar now-rescinded agreements with Honduras, El Salvador, and Guatemala. CGRS and partners are challenging the rule and policies governing the agreements in *U.T. v. Blanche*.



Terms and Implementation

The United States and Honduras entered into the ACA in March 2025. In June 2025, before the agreement was published in the Federal Register, the two governments amended it through an exchange of diplomatic notes, expanding its temporal scope to include individuals who arrived in the United States before the agreement was signed.

The governments signed a Joint Implementation Plan in June 2025, published in Honduras's Official Gazette, capping transfers at 10 individuals per month, for a total of up to 240 over the agreement's first two years. Eligibility for transfer is restricted to nationals of Spanish-speaking Latin American countries who do not require a visa to travel to Honduras, a criterion that excludes Cubans and Venezuelans.

Under Honduras' Action Plan for the agreement, transferees arrive in San Pedro Sula and are transported to a facility managed by the National Migration Institute. At this center, individuals are informed of their options to seek international protection in Honduras, return voluntarily, or remain in the country under the CA-4 agreement—a free-mobility pact between El Salvador, Guatemala, Honduras, and Nicaragua—when applicable.

Roughly 50 people of multiple nationalitites, including Colombians, Ecuadorians, Guatemalans, Nicaraguans, Peruvians, and Salvadorans, are known to have been transferred to Honduras under the agreement between October 2025 and mid-March 2026. Of them, only around 8 have sought protection there. The vast majority have refused to seek asylum there out of fear, with some returning to the very countries they had originally fled despite the risks and others choosing to undertake the dangerous migration route once more.

Despite the ACA limit of 10 transfers per month, in the five months between October 2025 and February 2026, the Department of Homeland Security moved to pretermit, or terminate, the asylum cases of 4,877 individuals in Immigration Court and designate Honduras as a country of removal pursuant to the ACA. As

with other ACAs, the government has released no official data on the number of individuals actually removed or the criteria used to select them for transfer.

Honduras is Not a Safe Third Country

The statutory requirements that must be satisfied before asylum seekers can lawfully be sent to a third country are not met by Honduras. Its asylum system is inadequate, and those transferred face serious risks of harm.

Honduras is a lower-middle-income nation of 10.7 million people that contends with pervasive violence and one of the highest levels of economic inequality in the region. It has traditionally been a country of origin for displaced populations and has also become a major country of transit, with more than 950,000 individuals passing through since 2023. It grapples with large and growing vulnerable populations of its own, including over 250,000 internally displaced persons and a sizable number of returning nationals, over 42,000 of whom were sent back in 2025 alone, the vast majority deported from the United States.

Pervasive Violence and Dangers for Vulnerable Populations

Honduras is a dangerous country. Violence and recurring natural disasters have driven mass displacement for years. Civil society organizations documented over 21,000 cases of internal displacement in the first three quarters of 2025, with violence-related displacement more than doubling as compared to the year before. This crisis extends well beyond Honduras's borders. Over the last three years, Hondurans have been encountered by CBP nearly 390,000 times at the U.S. southern border, and UNHCR estimates that in 2025, approximately 107,000 Hondurans had been recognized as refugees and 195,000 more had active asylum claims worldwide.

Extralegal Transfers of Guatemalan Nationals

During its fact-finding trip to Honduras, CGRS documented an additional practice that has received no public scrutiny. Since October 2025, over 100 Guatemalan nationals have been transferred by the United States government to Honduras outside the formal ACA framework and bused directly into Guatemala. This process denies individuals any opportunity to seek asylum in Honduras and violates U.S., Honduran, and international law.

For those transferred under the ACA, the danger is not hypothetical. As documented during CGRS's fact-finding trip to Honduras, a Salvadoran man transferred under the ACA was forced to flee Honduras, pursued by the same gangs he had originally escaped in his country. Nicaraguan asylum seekers face particular risks given the country's proximity to Nicaragua and the targeted killings that have taken place in Honduras in recent years.

For decades, Honduras has faced entrenched organized crime with deep roots in its communities, businesses, local economies, and political structures. Criminal organizations exercise territorial control through extortion, forced recruitment, kidnapping, and targeted killings, leaving few corners of Honduran life untouched. The homicide rate remains among the highest in the world, and it is considered the deadliest country for environmental defenders. Violence against women is systemic, with the highest femicide rate in Latin America, and LGBTQ+ individuals face harassment, torture, and killings. That more than 36 Hondurans deported from the United States were killed there last year alone speaks to the danger awaiting those who are forced to return.

There is little to no recourse for those who experience this violence as the vast majority of offenses go unpunished. Impunity is widespread: nearly 90 percent for violent crimes, with even higher rates for gender-based violence. A government that cannot protect its own citizens is in no position to protect those forcibly sent there to seek refuge.

Absence of a Full and Fair Asylum Process

Aside from the dangers they face, asylum seekers in Honduras encounter a system that offers no meaningful path to protection. Honduras is not a destination country accustomed to receiving asylum seekers, and its asylum system is not equipped to meet that demand. By the end of 2025, only 270 recognized refugees were living in the country, despite the large numbers of vulnerable people transiting through it.

The system is modest in scale and has historically processed very few cases. Between 2022 and 2024, the government adjudicated fewer than 15 applications per year, despite receiving fewer than 430 applications in the same period. In 2025, Honduras received over 700 asylum applications, an increase of over 400 percent compared to the average of the prior four years. The addition of up to 120 ACA-related applications per year, on top of the substantial growth in 2025, represents a caseload that the system has no demonstrated capacity to absorb.

The barriers asylum seekers face in Honduras are inherent to the system. The legal framework governing international protection, the Migration and Nationality Law and its regulation, establishes a process that lacks clear procedures and defined roles, making it ill-suited to providing timely and effective protection. Every case must be reviewed by a multi-member commission that meets no more than once every two weeks, and every final determination requires the signature of a cabinet-level official.

Structural deficiencies are exacerbated by a severe lack of capacity and resources. Migration officers who conduct screenings, gather evidence, and handle the initial stages of the asylum process before cases reach the multi-member commission, fulfill a broad set of additional duties that divide their attention and limit their ability to develop expertise in refugee law. This means they often lack the training needed to conduct proper credibility assessments or handle complex claims. The situation is compounded by UNHCR's diminished presence in Honduras, which has historically provided this training. This year, UNHCR has received only 21 percent of its required funding and was forced to cut over 70 percent of its in-country staff.

That funding gap affects asylum seekers directly, as UNHCR is the primary source of legal accompaniment during the asylum process and plays a central role in coordinating integration and humanitarian services, including health and shelter. Without that support, asylum seekers are left to navigate an opaque process largely on their own. Denied work authorization while their claims are pending, and in a country where nearly two-thirds of the population lives in poverty, there is little social infrastructure to support them through the nearly year-long wait. Cut off from their finances and entirely dependent on international organizations whose funding is now running low, individuals transferred under the ACA face a growing risk of homelessness and trafficking.

The cumulative effect is a system in which the obstacles to receiving protection are so significant that meaningful access to asylum is, for most, out of reach.

Congress Must Act

The U.S.-Honduras ACA is being used to strip people of their right to seek asylum and expose them to serious harm. Congress should demand transparency on transfers under the agreement, hold oversight hearings on Honduras's human rights conditions and its asylum system, and condition further funding and implementation on demonstrated compliance with the established statutory requirements. Congress should also examine the legal basis and scope of the transfer of individuals from the United States to Honduras outside the ACA framework and their onward movement into Guatemala without any screening for protection.

Exhibit C

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DANIEL LOPEZ-MENDOZA,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, et al.,

Respondents.

CASE NO.:

DECLARATION OF DANIEL LOPEZ-MENDOZA

I, Daniel Lopez-Mendoza, declare:

1. I was born in Mexico. My parents were also born in Mexico. My immigration number is A [redacted]

2. On October 8, 2025, I was stopped by ICE and sent to Otay Mesa Detention Center where I remain today.

3. I requested asylum. On February 26, 2026, an immigration judge terminated my case. Instead of going forward with my asylum, I was told that I would now be sent to a third country. The judge ordered me deported to Honduras, Ecuador, and Guatemala.

4. As of today, I do not know where I am going. All I know is that one day, ICE will come and get me and send me somewhere.

5. I cannot afford an attorney. I have now been detained for nine months.

6. This declaration was read to me in its entirely in the Spanish language. I understand and agree with the statements contained herein.

I declare that I received authority to sign that the above is true and correct under penalty of perjury from Mr. DANIEL LOPEZ-MENDOZA from Otay Mesa Detention Center to San Diego on July 8, 2026, at 11:00 a.m. and July 14 at 3:30 p.m..

/s/ Zandra L. Lopez