



Practice Pointer: The “Project Homecoming” Proclamation and the CBP Home App’s “Self-Deportation” Program

Background

On May 5, 2025, the Department of Homeland Security (DHS) announced a [new program](#) for noncitizens who “self-deport.” The program is available to noncitizens through the Custom and Border Protection (CBP) Home app. Four days after the DHS announcement, the White House issued the “[Establishing Project Homecoming](#)” Proclamation with an accompanying [fact sheet](#). This proclamation directs the DHS and Department of State (DOS) to set aside funds to subsidize air travel for noncitizens who “permanently relocate” to another country. The Proclamation identifies penalties for those who remain in the United States, including “removal, prosecution, incarceration, and fines as consistent with applicable law for immigration-related crimes; the garnishment of wages; and the confiscation of savings and personal property, including homes and vehicles.” Finally, the Proclamation directs the DHS to deputize “no less than 20,000 officers” from state and local law enforcement and from other federal agencies.

Three weeks prior to this announcement, immigration advocates began to report new flyers titled “Message to Illegal Aliens: A Warning to Self-Deport” posted at various offices of the Executive Office for Immigration Review (EOIR, or the immigration courts). Some noncitizens received copies of these flyers along with decisions, scheduling orders, and notices from the court. These flyers bear the Department of Justice (DOJ) insignia, rather than the DHS insignia, and contain a QR code that directs the reader to [CBP’s page](#) on its app. As of now, the flyer is offered only in English and Spanish. An example flyer is located at the bottom of this resource as an appendix.

The program purports to provide the following benefits to noncitizens who depart the United States after signing up through the CBP Home App:

- A \$1,000 stipend.
- Additional financial and travel document assistance if needed.
- An extended period to depart for self-funded travelers.
- De-prioritization for detention and removal by ICE.

To qualify for these benefits, noncitizens must provide a photo of themselves and biometric data through the CBP Home App. After submitting this information, a noncitizen can request financial and passport assistance through the app. Once an individual has departed the United States, they must submit a photo of themselves through the app to receive what the Proclamation refers to as an “exit bonus” and what CBP refers to as a “stipend.” CBP provides no information about how long the noncitizen will have before departing. There is no information about when the proposed \$1,000 stipend will be awarded. On May 20, 2025, 38 Hondurans returned to Honduras on a charter flight. It was reported that this group flew with preloaded debit cards carrying the \$1,000 “exit bonus.” The CBP App states that confirmation of return is required before receiving an “exit bonus.” It’s unclear if CBP will continue using debit cards going forward. As of now, the CBP app is available only in English, Spanish, and Haitian Creole.

Who Qualifies for the “Self-Deportation Program?”

The Presidential Proclamation directs that DHS and DOS create these funds for so-called “illegal aliens,” but provides no further information about who would be eligible for an “exit bonus” under the Proclamation. CBP’s FAQ on its program provides additional information about who qualifies for this program:

1. *Non-criminal aliens illegally in the United States who had an encounter with CBP either at a port of entry or between ports of entry.*

This group includes individuals who presented themselves at the border, as well as individuals who entered the country lawfully and who are no longer in lawful immigration status. Additionally, it includes noncitizens who encountered CBP after crossing the border. This excludes noncitizens who entered without inspection (EWI), remain in the United States, and were never apprehended by CBP.

CBP provides no guidance on what types of criminal issues might disqualify an individual from the “non-criminal” group. Considering the sweeping use of “criminal” by the current administration, it is likely that any arrest, citation, charge, or conviction would exclude an individual from the “non-criminal” group and disqualify them from this program.

2. *Categorical parolees whose legal presence in the United States has expired or will soon expire.*

Categorical parole programs include parole programs that allow individuals from certain countries or in similar circumstances to enter or remain in the United States, often in response to humanitarian concerns. On Jan. 20, 2025, the Trump administration issued two executive orders (EO): “Protecting the American People Against Invasion,” and “Securing Our Borders,” which significantly impact parolees. The “Securing Our Borders”

EO directs the DHS Secretary to terminate all “categorical” parole programs that are contrary to the policies of the United States as established by the current administration. Categorical programs targeted include the CHNV (Cuba, Haiti, Nicaragua, and Venezuela) Parole, U4U (Uniting for Ukraine), Operation Allies Welcome (OAW)/Operation Allies Refuge (OAR) for certain Afghan nationals, and the Family Reunification Parole Process (FRP) for beneficiaries of approved family-based petitions from Cuba, Haiti, Guatemala, El Salvador, Honduras, Colombia, and Ecuador.

Noncitizens who do not fall under the two previous categories do not qualify for the so-called “self-deportation” program. CBP’s FAQ indicates that the app will not reject an applicant until after they have entered their biometric data. This means that an individual who does not qualify for the program may put themselves at risk of Immigration and Customs Enforcement (ICE) enforcement by attempting to enroll in the program. Individuals who do not fall under these two categories are advised to refrain from downloading or using the app, and even those who do qualify are urged to exercise caution for the reasons described below.

The EOIR Flyer Provides Misleading Information About the Immigration Impact of this Program

The flyers distributed by EOIR bear the DOJ insignia but direct readers to the CBP Home app. The Proclamation identifies DHS and DOS to create this program. EOIR, which falls under the DOJ, was not identified in the Presidential Proclamation. Nonetheless, in April 2025, EOIR began to distribute flyers directly to individuals in removal proceedings and post them in public areas of the court. Because these flyers bear the DOJ insignia and are associated with the courts, the messages contained in the flyer may be construed as an order from an Immigration Judge (IJ).

These flyers include several confusing and misleading statements:

- *Message to Illegal Aliens: A Warning to Self-Deport*

The flyer implies that anyone present without authorization in the United States will qualify for the “self-deportation program.” Many of the noncitizens in removal proceedings will not qualify under the two groups identified in the flyer. The non-specific language, along with the flyer’s presence in courthouses and the fact that the flyer is being sent along with immigration judges’ decisions and orders, may lead many individuals to believe it applies to their case.

- *“Self-deportation is safe.”*

This claim does not consider that many individuals in removal proceedings do not have a safe country to return to. Additionally, it does not warn individuals that departing the

United States before removal proceedings have ended could result in an *in absentia* removal order for failure to appear.

- “*Keep money earned in the U.S.*”

This statement reflects the Proclamation’s threat to garnish wages and confiscate property. EOIR does not have the authority to order wage garnishment or confiscation of property. This claim may encourage some individuals to self-deport out of unnecessary fear of having their money and other property confiscated.

- “*Future opportunity for legal immigration*” and “*Barred from Returning.*”

The EOIR flyer states that a benefit of self-deportation is “Future opportunity for legal immigration. If you self-deport using CBP Home instead of being deported by ICE.” A purported consequence of remaining in the United States is being “barred from returning” and “prohibited from reentering the U.S. through the legal immigration system.” The flyer does not explain whether these consequences apply to all noncitizens or only those using the app to leave the United States.

Both statements are inaccurate and misleading. Departure from the United States pursuant to an order of removal will trigger inadmissibility under INA § 212(a)(9)(A). Departing will also subject some individuals to inadmissibility for unlawful presence under 212 §§ (a)(9)(B) & (C). The period of inadmissibility may be three years, ten years, or permanent, depending on the person’s immigration history. If an individual departs while their proceedings remain pending, they may become subject to inadmissibility for failure to attend a hearing under INA § 212(a)(6)(B), for which there is no waiver and the person must wait until five years have passed.

Even for individuals who are not subject to inadmissibility grounds, there is no guarantee they will have a future pathway to return. For example, the current administration’s efforts to end parole and pause the refugee program have severely limited the lawful pathways allowing return to the United States.

Certain types of relief require an individual to be physically present in the United States and cannot be pursued while the applicant is overseas. This includes asylum, withholding of removal, Special Immigrant Juvenile Status, T visas, cancellation of removal, adjustment of status, Temporary Protected Status, and voluntary departure. Departing the country could forfeit an individual’s opportunity to seek these types of relief.

- “*Immediate Deportation.*”

The notice does not specify who will be deported immediately. Individuals who have received a Notice to Appear and are in removal proceedings cannot be removed until

they are subject to a final order of removal. This means an IJ has ordered removal and that decision has not been appealed. An appeal of the judge's decision to the Board of Immigration Appeals provides an automatic stay of removal under 8 CFR § 1003.6. This general statement threatening deportation will lead some individuals to wrongly believe they have been ordered removed already or that they could be removed at any point while their immigration case remains pending.

- *"Possible Imprisonment."*

The flyer provides no information on whether the imprisonment threatened refers to immigration detention or whether new criminal charges are being threatened. In light of the Proclamation and DHS announcement's focus on prioritization for removal, it's possible this refers to the use of ICE detention. As with previous statements, these statements could lead individuals in removal proceedings to fear detention while they are in proceedings or those who have been released on bond to fear being re-detained.

Advice to Advocates

Immigration practitioners should encourage noncitizens to seek a thorough immigration consult before attempting to enroll in this program or before departing the United States on their own. Departing the United States may subject a noncitizen to inadmissibility, making it challenging to return, and may also result in forfeiting relief available while present in the United States. If an individual wishes to enroll in the program after consultation with an immigration practitioner, practitioners should be sure to warn that the program is new and that we do not have many examples of successful use of the program. In May 2025, the AP [reported](#) that a group of 68 Hondurans and Colombians returned to their countries on a chartered flight. It is unclear whether the U.S. government will continue to charter flights. It is also unknown how much time CBP will give an individual to depart before seeking to enforce civil penalties or seeking to detain them.

The new program created by the Trump administration is for specific groups, delineated above. Those who do not fall under those two groups *should not* attempt to enroll in the CBP Home App. They will be rejected from the program and may put themselves at greater risk of ICE enforcement action and ICE detention after providing their information in the app.

Advocates who practice in immigration court have reported that these flyers have been sent to clients along with notices from the immigration court. In one case, the flyer was mailed along with a decision granting lawful permanent residence. These flyers, especially when sent directly by the court, suggest that the IJ is not an impartial decisionmaker, as required under 8 CFR § 1003.10(b). The flyer's direct distribution by

the court further suggests that the IJ intends to order deportation immediately without informing the noncitizen of their eligibility for relief as required the 8 CFR § 1240.11(a)(2). Even though EOIR mails the flyer, it has not been consistently added to the Record of Proceedings (ROP). If your client receives a flyer, you should affirmatively file the flyer to ensure it is in the ROP. Include with the filing any objections to the flyer, such as that it calls into question EOIR's role as a neutral arbitrator of removal proceedings.

Appendix A: Example of EOIR/DOJ Flyer, English

MESSAGE TO ILLEGAL ALIENS: A WARNING TO SELF-DEPORT

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Benefits:

Self-deportation is safe. Leave on your own terms by picking your departure flight.

Keep money earned in the U.S. If you self-deport as a non-criminal illegal alien.

Future opportunity for legal immigration. If you self-deport using CBP Home instead of being deported by ICE.

Possible Flights Home. You may be eligible to a subsidized flight if you cannot afford to leave.

For More Information:

SCAN ME

Consequences:

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Immediate deportation. You will be apprehended by DHS with no opportunity to get your affairs in order beforehand.

Fines and penalties. A fine of \$998 *per day* if you received a final order of removal and stayed. A fine of \$1,000 - \$5,000 if you fail to self-deport after claiming that you will.

Possible imprisonment. If you fail to self-deport, you may be subject to jail time.



Barred from returning. Prohibited from reentering the U.S. through the legal immigration system.

Appendix B: Example of EOIR/DOJ Flyer, Spanish

**MENSAJE A LOS INMIGRANTES ILEGALES:
UNA ADVERTENCIA PARA
LA AUTODEPORTACIÓN**

 **BENEFICIOS:**

Para más información:

  SCAN ME


Autodeportación es mas seguro. Puede viajar bajo sus propios términos y elegir su vuelo.

Mantenga su dinero ganado en los Estados Unidos. Si se autodeporta como un inmigrante no criminal.

Oportunidades de inmigración legal en el futuro. Si se autodeporta usando la aplicación CBP Home en lugar de ser deportado por ICE.

Posibles vuelos a casa. Podrá ser eligible a que su vuelo sea pagado si no puede pagarlo por su cuenta.

Consecuencias:

 **Deportación Inmediata.** Sera arrestado por DHS sin tener la oportunidad de poder hacer ningún arreglo de antemano.

Multas y Sanciones. Una multa de \$998 por día si recibe una ultima orden de deportación y decide quedarse. Una multa de \$1,000 - \$5,000 si no se auto deporta después de haber dicho que si lo haría.

Posible Encarcelamiento. Si no se autodeporta, será sujeto a tiempo en prisión.

Prohibido Regresar. Prohibido de regresar a los Estado Unidos por el sistema legal de migración.

