



JANUARY 24, 2025

Initial Migration-Related Executive Actions of the Second Trump Administration

On January 20, 2025, President Donald Trump announced a series of executive actions on a wide range of topics. Several of these directly address, or otherwise implicate, the issue of migration. In addition to these executive actions, the new administration has announced several other migration-related policy changes, also discussed below.

Action 1: “Realigning the United States Refugee Admissions Program”

This executive order establishes the policy of the United States “to admit only those refugees who can fully and appropriately assimilate into the United States and to ensure that the United States preserves taxpayer resources for its citizens.” It conveys the belief that the further resettlement of refugees in the United States through the Refugee Admissions Program (USRAP) would be detrimental to the interests of the United States. Consistent with that finding, this order indefinitely suspends the admission of refugees through USRAP, beginning January 27, 2025. It does provide for exceptions to be made jointly by the Secretary of Homeland Security and Secretary of State on a case-by-case basis.

Within 90 days of this order (by April 20, 2025), the Secretary of Homeland Security, in consultation with the Secretary of State, is required to submit a report to the President regarding whether resumption of refugee resettlement would be in the interests of the United States, also doing so every 90 days thereafter until which point the President affirmatively decides to resume resettlement through USRAP. It further requires the Secretary of Homeland Security, in consultation with the Attorney General, to determine the extent to which state and local jurisdictions may have greater involvement in the process of determining the resettlement of refugees in their jurisdictions and to devise a proposal to lawfully promote such involvement. This order also explicitly revokes Executive Order 14013 on “Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration” from February 4, 2021.

Action 2: “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats”

This executive order provides for the enhanced vetting and screening across agencies of noncitizens prior to their admission to the United States and also of those already in the United States. Consistent with this, the Secretary of State, in coordination with the Attorney General, Secretary of Homeland Security, and Director of National Intelligence, are ordered to:

- Identify all resources that may be used to ensure that all noncitizens seeking admission to the United States, or who are already in the United States, are vetted and screened to the maximum degree possible;

- Determine the information needed from any country to adjudicate any visa, admission, or other immigration benefit for one of its nationals and to ascertain whether the individual seeking the benefit is who the individual claims to be and that the individual is not a security or public-safety threat;
- Re-establish a uniform baseline for screening and vetting standards and procedures, consistent with the uniform baseline that existed on January 19, 2021, that will be used for any noncitizen seeking any immigration benefit;
- Vet and screen to the maximum degree possible all aliens who intend to be admitted, enter, or are already inside the United States, particularly those noncitizens “coming from regions or nations with identified security risks”; and
- Within 60 days of the date of this order (by March 21, 2025), submit to the President a report that identifies countries throughout the world for which “vetting and screening information is so deficient as to warrant a partial or full suspension on the admission of nationals from those countries”, how many nationals from those countries have entered or have been admitted into the United States on or since January 20, 2021, and any other information they “deem relevant to the actions or activities of such nationals since their admission or entry to the United States”.

Whenever the country-specific information required for the report is identified, supporting the exclusion or removal of a noncitizen from such a country, the Secretary of Homeland Security is ordered to take immediate steps to exclude or remove that noncitizen unless the Secretary determines that doing so would “inhibit a significant pending investigation or prosecution of the alien for a serious criminal offense or would be contrary to the national security interests of the United States.”

Additional measures required to be put in place within 30 days (by February 19, 2025) of this order by the Secretary of State, in coordination with the Attorney General, Secretary of Homeland Security, and Director of National Intelligence, include:

- Evaluating and adjusting all existing regulations, policies, procedures, and provisions of the Foreign Service Manual, or guidance of any kind pertaining to each of the criminal and security grounds of inadmissibility at 8 U.S.C. 1182(a)(2)–(3);
- Ensuring sufficient safeguards are in place to prevent any refugee or stateless individual from being admitted to the United States without undergoing stringent identification verification beyond that required of any other alien seeking admission or entry to the United States;
- Evaluating all visa programs to ensure that they “are not used by foreign nation-states or other hostile actors to harm the security, economic, political, cultural, or other national interests of the United States”;
- Recommending any actions necessary to “protect the American people from the actions of foreign nationals who have undermined or seek to undermine the fundamental constitutional rights of the American people, including, but not limited to, our Citizens’ rights to freedom of speech and the free exercise of religion protected by the First Amendment, who preach or call for sectarian violence, the overthrow or replacement of the culture on which our constitutional Republic stands, or who provide aid, advocacy, or support for foreign terrorists”;

- Ensuring the devotion of adequate resources to identify and take appropriate action for offenses described in 8 U.S.C. 1451 (revoking a person’s naturalization);
- Evaluating the adequacy of programs designed to ensure the proper assimilation of lawful immigrants into the United States and recommending any additional measures to be taken that promote a “unified American identity and attachment to the Constitution, laws, and founding principles of the United States”; and
- Recommending any additional actions to protect the American people and our constitutional republic from foreign threats.

Action 3: “Declaring a National Emergency at the Southern Border of the United States”

This proclamation declares that a “national emergency exists at the southern border of the United States” and, citing the U.S. Constitution and statutory provisions (including the National Emergencies Act), authorizes the deployment of the Armed Forces to the area. Through this proclamation, the President directs the Secretary of Defense to “order as many units or members of the Armed Forces, including the Ready Reserve and the National Guard, as the Secretary of Defense determines to be appropriate to support the activities of the Secretary of Homeland Security in obtaining complete operational control of the southern border of the United States.” This proclamation further requires the Secretary of Defense to take “all appropriate action” to assist the Secretary of Homeland Security in the provision of detention space, transportation (including aircraft), and other logistics in support of civil law enforcement operations. Along with this, the Secretaries of Defense and Homeland Security, in consultation with the Attorney General, are required to “take all appropriate action, consistent with law, to prioritize the impedance and denial of the unauthorized physical entry of aliens across the southern border of the United States, and to ensure that use of force policies prioritize the safety and security of Department of Homeland Security personnel and of members of the Armed Forces.”

The Secretary of Transportation and the Federal Communications Commission are also ordered under this proclamation to consider waiving all regulations or policies that restrict the Department of Homeland Security’s “ability to counter unmanned aerial systems within 5 miles of the southern border.” Moreover, this proclamation explicitly revokes Proclamation 10142 on “Termination of Emergency with Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction” (January 20, 2021). Finally, within 90 days of the proclamation (by April 20, 2025), the Secretaries of Defense and Homeland Security are required to submit a joint report to the President about the conditions at the border and “any recommendations regarding additional actions that may be necessary to obtain complete operational control of the southern border, including whether to invoke the Insurrection Act of 1807.”

Action 4: “Securing Our Borders”

In this executive order, the President calls for measures to deter and prevent noncitizens from entering the United States. In particular, the following measures are mentioned in this order with respect to securing the nation’s borders: the establishment of a wall and other physical barriers, monitored by personnel and technology; detaining noncitizens apprehended on suspicion of violating state or federal law for the maximum duration permitted by law until they are removed from the United

States; removing all noncitizens who have entered or remain in the United States in violation of federal law; pursuing criminal charges against noncitizens in violation of immigration laws and against those who facilitate their presence in the United States; cooperation with state and local law enforcement in enacting federal-state partnerships to enforce federal immigration priorities; and obtaining operational control of the nation's borders.

Accordingly, this order directs the Secretary of Defense, Secretary of Homeland Security, and/or the Attorney General to undertake the following:

- Deploy and construct temporary and permanent physical barriers;
- Deploy, and reassign as necessary, sufficient personnel along the southern border of the United States to ensure complete operational control;
- Detain, to the fullest extent permitted by law, aliens apprehended for violations of immigration law until their successful removal from the United States, including by ending the policy colloquially known as “catch-and-release”;
- Resume the Migrant Protection Protocols (also known as “Remain in Mexico”);
- Adjust parole policies by terminating the use of the “CBP One” mobile application as a method of paroling or facilitating the entry of noncitizens, terminating all categorical parole programs “that are contrary to the policies of the United States”, specifically including the Processes for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV), and ensure that all future parole determinations comply with this order;
- Facilitate additional international cooperations and agreements, consistent with the policies of this order, including what are often referred to as “Safe Third Country” agreements;
- Fulfill the requirements of the DNA Fingerprint Act of 2005—which authorizes the Attorney General to promulgate regulations for federal law enforcement agencies to collect DNA samples from detained noncitizens, excluding lawful permanent residents¹—and take “any available technologies and procedures to determine the validity of any claimed familial relationship” between noncitizens;
- Prioritize the prosecution of offenses that relate to the borders of the United States, including the investigation and prosecution of offenses that involve human smuggling, human trafficking, child trafficking, and sex trafficking in the United States; and
- Provide recommendations to the President regarding the use of any other authority.

Action 5: “Guaranteeing the States Protection Against Invasion”

Through this proclamation, the Secretary of Homeland Security is ordered to immediately deny admission to all noncitizens deemed to be engaged in the “invasion across the southern border,” with the President citing the “Federal Government’s promise in Article IV, Section 4 of the U.S. Constitution, to ‘protect each of [the States] against Invasion’,” as well as 8 U.S.C. 1182(f) and 1185(a) as authorities for this. Said suspension is ordered until the President finds that the purported “invasion” has ceased. This proclamation additionally restricts entry for any noncitizen who does not provide federal officials with “sufficient medical information and reliable criminal history and

¹ 34 U.S.C. § 40702.

background information.” In neither case are exceptions or exemptions made for any class of individuals, including unaccompanied children or victims of a severe form of human trafficking, and this proclamation explicitly prevents, in both cases, noncitizens from “invoking provisions of the [Immigration and Nationality Act] that would permit their continued presence in the United States, including, but not limited to, [asylum]”. Finally, the Secretary of Homeland Security, in coordination with the Secretary of State and Attorney General, are ordered to take all appropriate action to repel, repatriate, or remove any alien engaged in the purported “invasion”.

Action 6: “Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists”

This executive order creates a process by which certain international cartels and other organizations will be designated as Foreign Terrorist Organizations (FTO) or Specially Designated Global Terrorists (SDGT), citing multiple authorities in federal law. Within 14 days of this order (by February 3, 2025), the Secretary of State (in consultation with the Secretary of the Treasury, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence) is required to make a recommendation regarding the designation of any cartel or other organization as an FTO and/or SDGT.

Also within 14 days of this order, the Attorney General and the Secretary of Homeland Security, in consultation with the Secretary of State, are required to prepare for “any decision” the President makes to invoke the Alien Enemies Act, in relation to the existence of “any qualifying invasion or predatory incursion against the territory of the United States by a qualifying actor, and to prepare such facilities as necessary to expedite the removal of those who may be designated under this order.” The Alien Enemies Act provides authority for the removal of all “natives, citizens, denizens, or subjects of [a] hostile nation or government” who are at least fourteen years old and not U.S. citizens whenever there is “a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion shall be perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government”.²

Action 7: “Clarifying the Military’s Role in Protecting the Territorial Integrity of the United States”

Consistent with the national emergency declared in Action 3 above, this executive order directs the Secretary of Defense to deliver, within 10 days of this order (by January 30, 2025) “a revision to the Unified Command Plan that assigns United States Northern Command (USNORTHCOM) the mission to seal the borders and maintain the sovereignty, territorial integrity, and security of the United States by repelling forms of invasion including unlawful mass migration, narcotics trafficking, human smuggling and trafficking, and other criminal activities.” Effective immediately, this order also adds several requirements to the Contingency Planning Guidance and Guidance for the Employment of the Force, including:

- A Level 3 planning requirement for USNORTHCOM to seal the borders and maintain the sovereignty, territorial integrity, and security of the United States by repelling forms of invasion, with a commander’s estimate due to the Secretary of Defense within 30 days;

² 50 U.S.C. 21 *et seq.*

- A campaign planning requirement for USNORTHCOM to provide steady-state southern border security, seal the border, and maintain the sovereignty, territorial integrity, and security of the United States by repelling forms of invasion; and
- Continuous assessments of all available options to protect the sovereign territory of the United States from mass unlawful entry and impingement on our national sovereignty and security by foreign nations and transnational criminal organizations.

Action 8: “Protecting the Meaning and Value of American Citizenship”

This executive order asserts that the Fourteenth Amendment’s Citizenship Clause (“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside”) was not intended to apply to a person born in the United States when:

- (1) The person’s mother was unlawfully present in the United States and the father was not a U.S. citizen or lawful permanent resident at the time of said person’s birth; or
- (2) The person’s mother’s presence in the United States at the time of said person’s birth was lawful but temporary (such as, but not limited to, visiting the United States under the auspices of the Visa Waiver Program or visiting on a student, work, or tourist visa) and the father was not a U.S. citizen or lawful permanent resident at the time of said person’s birth.

This order further conveys that it is the policy of the United States that “no department or agency of the United States government shall issue documents recognizing United States citizenship, or accept documents issued by State, local, or other governments or authorities purporting to recognize United States citizenship, to persons” who fall into one of the two categories above. This order’s interpretation of the Fourteenth Amendment and related policy is applied to those born within the United States beginning 30 days from the date of this order (February 19, 2025). With respect to enforcement, this order directs the Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Commissioner of Social Security to take all appropriate measures to ensure that the regulations and policies of their respective departments and agencies are consistent with the substance of this order and that their personnel act in accordance with it. Additionally, the heads of all executive departments and agencies are required by this order to issue public guidance within 30 days from the date of this order regarding implementation with respect to their operations and activities.

Several legal challenges have already been brought against this executive order,³ and, on January 23, 2025, a judge in one such case issued a temporary restraining order, temporarily blocking this order from going into effect for an initial period of 14 days.⁴

³ Nate Raymond, *22 Democratic-led States Sue Over Trump's Birthright Citizenship Order*, REUTERS (Jan. 22, 2025), <https://www.reuters.com/legal/lawsuits-challenge-trumps-birthright-citizenship-other-orders-2025-01-21/>.

⁴ Daniel Barnes, *Federal District Court Judge Temporarily Blocks Trump's Birthright Citizenship Order*, NBC News (Jan. 23, 2025), <https://www.nbcnews.com/politics/immigration/trump-administration-defends-birthright-citizenship-order-court-first-rcna188851>; *Washington et al v. Trump et al*, No. C25-0127-JCC (D. Wash. Jan. 23, 2025).

Action 9: “Reevaluating and Realigning United States Foreign Aid”

This executive order makes several assertions about the “United States foreign aid industry and bureaucracy” and implements an immediate, 90-day pause (ending April 20, 2025) in U.S. foreign development assistance. The pause applies to “new obligations and disbursements of development assistance funds to foreign countries and implementing non-governmental organizations, international organizations, and contractors”, enforceable by the Office of Management and Budget (OMB). This order also requires that reviews be conducted of each foreign assistance program by the responsible department and agency heads under guidelines provided by the Secretary of State, in consultation with the Director of OMB.

Determinations about whether to continue, modify, or cease each foreign assistance program must be made within 90 days of this order, with the concurrence of the Secretary of State. New obligations and disbursements of foreign development assistance funds may resume for a program (in the same or a modified form) prior to the end of the 90-day period, so long as a review has been conducted and the Secretary of State or his designee so decides, in consultation with the Director of OMB. Any other new foreign assistance programs and obligations must be approved by the Secretary of State or his designee, in consultation with the Director of OMB. Finally, this order authorizes the Secretary of State to waive the 90-day pause for specific programs.

Action 10: “America First Policy Directive to the Secretary of State”

This executive order states: “From this day forward, the foreign policy of the United States shall champion core American interests and always put America and American citizens first.” This order directs the Secretary of State, as soon as practicable, to issue guidance bringing all activities of the Department of State in line with this policy.

Action 11: “Initial Rescissions of Harmful Executive Orders and Actions”

In addition to the substantive executive actions described above, President Trump signed an executive order rescinding over 70 executive actions issued during the Biden Administration, including the following related to migration:

- [Executive Order 13993 on “Revision of Civil Immigration Enforcement Policies and Priorities”](#) (January 20, 2021)
- [Executive Order 14010 on “Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border”](#) (February 2, 2021)
- [Executive Order 14011 on “Establishment of Interagency Task Force on the Reunification of Families”](#) (February 2, 2021)
- [Executive Order 14012 on “Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans”](#) (February 2, 2021)
- [Executive Order 14013 on “Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration”](#) (February 4, 2021)

Other Noteworthy Migration-Related Actions Taken

Since January 20, 2025, the Trump Administration has also announced the following migration-related actions:

- [U.S. Customs and Border Protection removed the scheduling functionality in the CBP One mobile application for noncitizens, including asylum seekers in Mexico, cancelling all previously scheduled appointments](#) (January 20, 2025)
- [U.S. Department of Homeland Security \(DHS\) revoked the “Guidelines for Enforcement Actions in or Near Protected Areas” \(formerly known as the “sensitive locations” policy\)](#) (January 20, 2025)
- [DHS reinstated the Migrant Protection Protocols \(also known as “Remain in Mexico\)](#) (January 21, 2025)
- [DHS issued new guidance expanding the use of expedited removal to the maximum extent allowed by statute](#) (January 21, 2025)
- [DHS published new guidance regarding how to exercise discretion in immigration enforcement](#) (January 23, 2025)
- [DHS issued new guidance on identifying those granted parole under a policy that may be paused, modified, or terminated as of January 20, 2025, for possible enforcement action](#) (January 24, 2025)

USCCB Response

To date, the U.S. Conference of Catholic Bishops has issued the following statements addressing these actions:

- [USCCB Statement on the Executive Orders Expected to be Signed by the New President](#) (January 20, 2025)
- [Statement of Archbishop Broglio on Executive Orders Signed by the President](#) (January 22, 2025)
- [Executive Actions Will Subject Vulnerable Families and Children to Grave Danger, says Bishop Seitz](#) (January 22, 2025)
- [“Human Dignity is Not Dependent on a Person’s Citizenship or Immigration Status”](#) (January 23, 2025)