1/22/2025 Updates:

As part of a slew of Executive Orders (‘EOs’) issued on January 20, 2025, the Executive Order entitled “[Protecting the American People Against Invasion](https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/)” **rescinded** (or revoked) a number of Biden administration executive orders. The “Initial Rescissions” include:

1. Biden Administration’s [Executive Order 13993 of January 20, 2021](https://www.federalregister.gov/documents/2021/01/25/2021-01768/revision-of-civil-immigration-enforcement-policies-and-priorities) - Revision of Civil Immigration Enforcement Policies and Priorities. Biden EO 13993 had revoked Trump 1.0 era [EO 13768](https://www.federalregister.gov/documents/2017/01/30/2017-02102/enhancing-public-safety-in-the-interior-of-the-united-states), which detailed Trump’s Enforcement Priorities.
   1. **What it means now that EO 13993 has been revoked:**
      1. DHS is directed to also revoke all underlying memoranda, guidance, or other policies based on the Biden Administration’s civil immigration enforcement priorities.
      2. In the interim, current civil immigration enforcement priorities appear to be those referenced in the January 20, 2025 EO. **Those seem to prioritize individuals who are here without authorization and those with final orders but not exclusively.**
      3. The 2021 Trump order did a number of things, including expanded priorities for deportation of noncitizens, ordered for the use of state and local police to enforce immigration law, and punished “sanctuary” cities by making them ineligible to receive federal grants.
2. Biden Administration’s [Executive Order 14006 of January](https://www.govinfo.gov/content/pkg/DCPD-202100088/pdf/DCPD-202100088.pdf) [26, 2021](https://www.govinfo.gov/content/pkg/DCPD-202100088/pdf/DCPD-202100088.pdf) - Reforming Our Incarceration System To Eliminate the Use of Privately Operated Criminal Detention Facilities)
   1. **What it means now that it has rescinded:** the DOJ is free to renew contracts with private prison facilities that are generally operated by companies such as CoreCivic, Geo Group, Inc., and LaSalle Corrections.
3. Biden’s [Executive Order 14010](https://www.federalregister.gov/d/2021-02561) of February 2, 2021 - 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
   1. **What it Means by Rescinding this executive order sets the stage for:**
      1. Terminating the CAM (Central American Minors) program [again](https://www.aila.org/library/federal-district-judge-upholds-termination).
      2. Ending family reunification parole programs.
      3. Articulating a new definition of particular social group or addressing *Matter of A-B-* again to try to foreclose any gang, domestic, or other private actor claims
      4. Reinstituting MPP.
      5. Expanding expedited removal in the interior and eliminating any right to seek bond. Another [EO issued on January 20, 2025](https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/) appears to effectuate the expansion of expedited removal to the interior (see Section 9).
      6. Possibly entering into new cooperation agreements with countries who have high volumes of asylum seekers.
4. [Executive Order 14013 of February 4, 2021](https://www.federalregister.gov/d/2021-02804) - Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration
   1. **What it means that it is now rescinded:** This is the first step in the promised dismantling and halting of the USRAP (United States Refugee Admissions Program) and the United States’ participation in refugee resettlement, generally.
5. [Executive Order 14012](https://www.federalregister.gov/documents/2021/02/05/2021-02563/restoring-faith-in-our-legal-immigration-systems-and-strengthening-integration-and-inclusion-efforts) of February 2, 2021 - Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans
   1. **What it means that it is now rescinded:**
   2. The Public Charge ground of inadmissibility will likely be reinstated and enforced along the same lines as the first Trump Administration, but will be required to go through notice and comment rulemaking
   3. Interagency communication and cooperation will no longer be required to work together.
   4. Outreach efforts, such as USCIS’s naturalization information sessions, will likely disappear.
   5. Efforts to streamline adjudications, such as eliminating interviews, reusing biometrics, concurrent filing, etc. will likely be overturned.
6. [The Presidential Memorandum of January 14, 2025](https://www.presidency.ucsb.edu/documents/memorandum-certification-rescission-cubas-designation-state-sponsor-terrorism) (Certification of Rescission of Cuba’s Designation as a State Sponsor of Terrorism)
   1. **What it means now that it is rescinded:** Cuba is again subject to sanctions resulting from designation as a State Sponsor of Terrorism, which includes restrictions on U.S. foreign assistance, a ban on defense exports and sales, controls over exports of dual use items, and miscellaneous financial restrictions.
7. [Executive Order on Birthright Citizenship](https://www.aila.org/library/president-trump-signs-executive-order-protecting-the-meaning-and-value-of-american-citizenship)
   1. This order denies citizenship to persons born from a mother who was unlawfully present in the U.S. and the father was not a U.S. citizen or LPR at the time of said person’s birth, or when that child’s mother’s presence in the United States at the time of said child’s birth was lawful but temporary
   2. Applies only to persons who are born within the United States after 30 days from the date of this order i.e. Feb 20, 2024
   3. This Trump Administration has been sued over this executive order that seeks to strip certain babies born in the United States of their U.S. citizenship. The lawsuit alleges the administration is flouting the Constitution's dictates, congressional intent, and SCOTUS precedent.
8. Other Executive Orders Include:
   1. [Executive Order on Enforcement of U.S. Immigration Laws](https://www.aila.org/library/president-trump-signs-executive-order-protecting-the-american-people-against-invasion) - This EO revokes Biden proclamations on enforcement, border processing, and family reunification, among others, and further calls for actions related to interior enforcement, removal, expedited removal, detention, NGO funding, federal-state agreements, civil fines, visa bonds, public benefits, etc.
   2. [Executive Order on U.S. Border Security:](https://www.aila.org/library/executive-order-on-u-s-border-security) This EO calls for a number of DHS and DOD measures, including physical barriers; increased border personnel; expanded detention; Remain in Mexico policies; ceasing use of CBP One; terminating parole programs; DNA and ID requirements; increased prosecutions of border-related crimes; and more.
   3. [Executive Order on the Military Prioritizing U.S. Border Security:](https://www.aila.org/library/executive-order-on-the-military-prioritizing-u-s-border-security) This EO calls on DOD to assign USNORTHCOM the mission of sealing U.S. borders by repelling unlawful mass migration, narcotics trafficking, human smuggling and trafficking, and other criminal activities. Among other things, it also calls on USNORTHCOM to provide steady-state southern border security.
   4. [Executive Order on Adjustments to U.S. Trade Policy](https://www.aila.org/library/president-trump-signs-executive-order-america-first-trade-policy) - Among other actions, this executive order calls on the U.S. Trade Representative to commence public consultations ahead of the 2026 review of the U.S.-Mexico-Canada Agreement (USMCA) and assess the impact of the USMCA on American workers, farmers, ranchers, service providers, and other businesses.
   5. [Executive Order Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists-](https://www.aila.org/library/executive-order-designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially-designated-global-t) This executive order, among other actions, orders that within 14 days of the date of this order, the Attorney General and the Secretary of DHS shall take all appropriate action, in consultation with the Secretary of State, to make operational preparations regarding implementation.
   6. [Executive Order Suspending the U.S. Refugee Admissions Program](https://www.aila.org/library/president-trump-signs-executive-order-realigning-the-united-states-refugee-admissions-program) - This executive order, among other actions, suspends the U.S. Refugee Assistance Program (USRAP) effective at 12:01 am eastern standard time on January 27, 2025.
   7. [Executive Order Declaring a National Emergency at the U.S. Southern Border](https://www.aila.org/library/president-trump-signs-executive-order-declaring-a-national-emergency-at-the-southern-border-if-the-u-s) - Signing of this executive order allows President Trump to deploy the U.S. military to the U.S. - Mexico border, create additional physical barriers, and revokes Proclamation 10142, which revoked fund diverted to border wall construction, among other actions.
   8. [Executive Order on Enhancing Visa Vetting and Screening](https://www.aila.org/library/president-trump-signs-executive-order-protecting-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety-threats) - President Trump signed an executive order to further enhance the vetting and screening processes across agencies all relevant federal agencies for purposes of visa issuance.
   9. [Reverting of Gender Identity Pronouns on All Government Office and Identity Documents](https://www.aila.org/library/reverting-of-gender-identity-pronouns-on-all-government-office-and-identity-documents) - This proclamations aims to revert policies on gender identity on all aspects of the government, which allowed an individual to choose gender identity on all government issued documents including passports, visas, and Global Entry cards.
   10. [Executive Order on Suspension of Entry at the Southern Border](https://www.aila.org/library/president-trump-signs-executive-order-guaranteeing-the-states-protection-against-invasion) - This EO identifies asylum seekers seeking entry at the southern border as an "invasion" against which the states need "protection." With it, the president gives himself powers in Article II of the Constitution of the U.S. to suspend physical entry until he determines that the "invasion" has ended.
   11. [President Trump Signs Executive Order America First Policy Directive to the Secretary of State](https://www.aila.org/library/president-trump-signs-executive-order-america-first-policy-directive-to-the-secretary-of-state) - This executive order requires the Secretary of State to issue guidance bringing the Department of State’s policies, programs, personnel, and operations in line with an America First foreign policy.