

# Trump 2.0, First Two Months in Review: A Summary of Immigration-Related Actions

Article By:

Brian D. Bumgardner

Ashley M. Knapp

Awanti Damle Sharda

---

The first two months of the Trump administration introduced significant immigration-related executive orders and agency directives. These directives will have broad impacts on employers and foreign nationals living and working in the United States. The far-reaching executive orders direct and authorize federal agencies to take various subsequent administrative actions. Here is a review of the key provisions and the potential impacts of the federal actions that have been issued since the new administration took office.

## Quick Hits

- Multiple executive orders and other presidential directives call for reports to assess current policy, agreements, and related guidance. Following the submission of these reports, subsequent actions could be seen, such as travel bans or restrictions, changes to eligibility for certain employment-based visa categories, or heightened scrutiny at U.S. consulates and ports of entry.
- DHS has reviewed and made important changes to temporary protected status (TPS) designations for Venezuela and Haiti. As country conditions and U.S. national interest are reviewed, more changes to existing TPS programs may follow.
- DHS has rescinded existing and long-standing policy related to prohibiting Immigration enforcement actions in sensitive locations.

## January 20, 2025

### Executive Order 14159: 'Protecting the American People Against Invasion'

Executive Order (EO) 14159, titled, "[Protecting the American People Against Invasion](#)," focuses on efforts to address the illegal entry and unlawful presence of foreign nationals inside the United States. The order authorizes the establishment of the Homeland Security Taskforces (HSTF). The HSTF is charged with addressing a broad spectrum of issues, including criminal cartels, foreign gangs and transnational criminal organizations, and cross-border human smuggling and trafficking networks,

---

with a particular focus on offenses involving children. The HSTF is charged with ensuring the use of all available law enforcement tools to faithfully execute the immigration laws of the United States.

This order also authorizes the U.S. Department of Homeland Security (DHS) to limit humanitarian parole and to evaluate existing temporary protected status (TPS) programs to determine whether TPS designations for foreign nationals remain necessary to fulfill the intended purpose. The order also directs DHS to announce and ensure that all previously unregistered noncitizens who meet certain criteria to register their status and to provide law enforcement with the information necessary to fulfill immigration status verification.

Since the issuance of EO 14159, there have been several immigration-related waterfall actions from DHS and U.S. Citizenship and Immigration Services (USCIS). These include:

- On February 5, 2025, DHS [formally ended](#) the 2023 Temporary Protected Status (TPS) designation for Venezuela. TPS and its related benefits, including work authorization, will end on April 7, 2025, for Venezuelans under the 2023 designation. Importantly, the employment authorization documents (EADs) issued under this designation will expire April 2, 2025. Venezuela has two TPS designations: one from 2021 and a second from 2023. Immigration and work authorization benefits for persons from the 2021 designation will end on September 10, 2025. The DHS must decide by July 12, 2025, whether to extend or end the 2021 designation.
- On February 20, 2025, DHS [partially vacated](#) the 2024 TPS designation for Haiti. TPS for Haiti was previously extended for eighteen months, through February 3, 2026, under the Biden administration. The February 20, 2025, DHS action now limits the TPS designation for Haiti to twelve months. TPS and its related benefits, including work authorization, will end on August 3, 2025, for individuals under the Haiti designation. TPS holders under this designation may already EAD cards with a validity date of February 3, 2026. The DHS directs employers to update their records to note that the validity of the EAD is valid through August 3, 2025.
- On February 25, 2025, USCIS [issued guidance](#) that all foreign nationals fourteen years of age or older who were not fingerprinted or registered when applying for a U.S. visa and who remain in the United States for thirty days or longer, must comply with registration and fingerprinting requirements. The guidance directs those who are required to register to create a USCIS online account to prepare for next steps and ensure they are registered. Failure to comply will result in civil fines and potentially criminal misdemeanor charges. DHS plans to announce the process of registration in the coming weeks, but once an individual has been registered, they will be expected to always carry evidence of registration, if eighteen years of age or older.

## January 20, 2025

### Executive Order 14160: 'Protecting the Meaning and Value of American Citizenship'

Executive Order 14160, "[Protecting the Meaning and Value of American Citizenship](#)," calls for the end of birthright citizenship for certain infants born in the United States. Specifically, the order applies to children born in the United States on or after February 19, 2025, where at least one of a child's parents was not a lawful permanent resident (i.e., green card holder) or a U.S. citizen. The executive order presented a departure from the longstanding interpretation of the Fourteenth Amendment of the U.S. Constitution and more than one hundred years of Supreme Court of the United States precedent that individuals born in the United States are citizens at birth. The executive order was immediately challenged in court as unconstitutional. On February 5, 2025, a federal judge issued a nationwide

---

preliminary injunction of the order while the lawsuit proceeds. The injunction currently remains in place.

**January 20, 2025**

**Executive Order 14161: ‘Protecting the United States From Foreign Terrorists and Other National Security and Public Safety Threats’**

This [executive order](#) calls for enhanced screening and vetting of noncitizens. The order calls for a review and assessment of countries of concern to the security of the United States and a review of visa programs for additional security measures or possible entry bans. The order calls for a detailed report to identify specific countries deemed deficient in vetting to warrant suspension of admission of those nationals and increased enforcement action for those nationals in the United States. The report is due to the administration on March 21, 2025. A partial or full travel ban could be ordered for nationals of countries identified as having deficient screening. Foreign nationals are likely to experience increased administrative visa processing and higher levels of scrutiny at U.S. embassies and consulates abroad and ports of entry.

**January 20, 2025**

**Presidential Memorandum: ‘America First Trade Policy’**

The “[America First Trade Policy](#)” memorandum focuses on “establishing a robust and reinvigorated trade policy that promotes investment and productivity, enhances our Nation’s industrial and technological advantages, defends our economic and national security, and—above all—benefits American workers, manufacturers, farmers, ranchers, entrepreneurs, and businesses.” The memorandum calls for a review of the United States-Mexico-Canada Agreement (USMCA) and other existing trade agreements, which could lead to potential impacts or changes to treaty-based nonimmigrant work authorizations falling under existing trade agreements, including the TN, H-1B1, and E-3 visas.

**January 20, 2025**

**Presidential Proclamation 10886: ‘Declaring a National Emergency at the Southern Border of the United States’**

[Proclamation 10886](#) declares a national emergency at the southern border and directs the U.S. military to assist DHS in securing the border. DHS will submit reports on the conditions of the southern border which may result in redirecting funds, border barrier construction, and increased U.S. military presence at the southern border. The enhanced enforcement at the southern border may cause potential delays and heightened scrutiny for foreign nationals entering the United States from Mexico.

**January 20, 2025**

**Executive Order 14169: Reevaluating and Realigning United States Foreign Aid**

This [executive order](#) mandated a ninety-day pause on new obligations and disbursements of U.S. foreign development assistance to allow for a comprehensive review of these programs, to ensure that the foreign aid industry and bureaucracy are aligned with U.S. interests. On February 25, 2025, a federal judge ordered the Trump administration to release millions of dollars of funding for the U.S. Agency for International Development (USAID), and this decision was upheld by the Supreme Court on March 5, 2025. Due to USAID’s collaboration with U.S. embassies in Guatemala, Honduras, and El Salvador, the issuance of H-2 visas in those countries could be delayed.

---

**January 20, 2025**

**DHS Directive Rescinding of ‘Sensitive Locations’ Policy**

On January 20, 2025, DHS [rescinded](#) the [Biden administration’s “protected areas” policy](#). The “protected areas” policy previously prohibited immigration enforcement action in sensitive areas such as schools, hospitals, and places of worship. In rescinding this policy, the DHS memo stated that “bright line rules” will not be followed in terms of where immigration enforcement can take place. Instead, DHS may issue new guidance to officers regarding “exercising appropriate enforcement discretion.” As a result, organizations and previously protected sensitive locations may want to consider their protocols in the event of worksite enforcement actions.

**January 22, 2025**

**DHS Directive: COVID-19 Vaccine Waived for AOS Applications**

Effective January 22, 2025, USCIS is [waiving](#) the COVID-19 vaccination as a required vaccine on green card applicants’ medical exams. The medical exam form, Form I-693, still lists the COVID-19 vaccine. A new form edition may be released to capture this change. The U.S. Department of State for consular processing abroad has not yet changed its vaccine requirements for immigrant visa processing.

**January 23, 2025**

**Executive Order 14179: ‘Removing Barriers to American Leadership in Artificial Intelligence’**

The “[Removing Barriers to American Leadership in Artificial Intelligence](#)” executive order directs the review of all policies, directives, regulations, orders, and other actions taken pursuant to President Joe Biden’s [Executive Order 14110](#) regarding the development and use of artificial intelligence (AI) (issued on October 30, 2023; revoked on January 20, 2025). Executive Order 14110 included provisions to streamline the processing of visa petitions for noncitizens working in AI or other critical and emerging technologies. EO 14179 requests an action plan to enhance America’s “global AI dominance.” The directives in this order may result in changes to USCIS policy for employees working in AI and applying for O-1, EB-1, or EB-2 National Interest Waiver (NIW) classifications and USCIS policy as it relates to entrepreneur parole.

**February 12, 2025**

**Executive Order 14211: One Voice for America’s Foreign Relations**

[Executive Order 14211](#) reasserts the secretary of state’s authority over foreign services, including personnel-related areas, implementation of policy, and revision of the Foreign Affairs Manual and any other procedural documents that guide the operations of the foreign service. The order directs the secretary of state to identify necessary reforms for the implementation of the President’s agenda. As a result, visa processing may be affected by the potential changes to personnel procedures of the foreign services, as well as any changes to the Foreign Affairs Manual, which currently serves as the primary authority for procedures and guidance on consular and visa processing.

**February 18, 2025**

**State Department Update: Interview Waiver Eligibility**

On February 18, 2025, the State Department updated the [eligibility criteria](#) for the interview waiver program to applicants who are seeking a visa renewal at a U.S. embassy or consulate outside of the United States. Under the updated criteria, interview waiver is now only available for persons seeking

a visa renewal in the same category and only if the most recent visa expired less than twelve months (previously forty-eight months) preceding the new application. The updated criteria also removes interview waiver eligibility for first time H-2 visa applicants; but extends eligibility to applicants applying for an A-1, A-2, C-3 (except attendants, servants, or personal employees of accredited officials), G-1, G-2, G-3, G-4, NATO-1 through NATO-6, or E-1 visas; and applicants for diplomatic or official type visas. This change to interview waiver eligibility will potentially increase visa application wait times worldwide, as many more applicants will be required to attend in-person interviews.

### **Anticipated Changes on the Horizon**

- The detailed report summarizing potential security risks and areas of deficient vetting mandated by EO 14161, "[Protecting the United States From Foreign Terrorists and Other National Security and Public Safety Threats](#)," is due to the administration on March 21, 2025. Additional further travel restrictions or bans may follow the review of this report.
- The "America First Trade Policy" executive order could result in changes or limitations to treaty-based visa options, including the TN, H-1B1, and E visas.
- The "Protecting the American People Against Invasion" executive order may lead to rollbacks or ending additional TPS country designations.
- Given recent changes to the State Department drop box and interview waiver policy, it is likely that there will be increased wait times and scrutiny for visa processing at U.S. consulates abroad.
- Increased enforcement actions are likely given the administration's objectives and recent policy shifts. Employers may want to consider their preparedness for increased worksite enforcement actions.

© 2025, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., All Rights Reserved.

---

National Law Review, Volume XV, Number 78

Source URL: <https://natlawreview.com/article/trump-20-first-two-months-review-summary-immigration-related-actions>