

# Global Immigration alert

February 2025

## United States

### Executive Order announces additional measures to combat Anti-Semitism with focus on American college campuses

#### Executive summary

On 29 January 2025, President Donald J. Trump signed an Executive Order (EO) to intensify measures to combat anti-Semitism. The EO mandates the use of "all available and appropriate legal tools, to prosecute, remove, or otherwise" hold accountable individuals who have engaged in anti-Semitic harassment and violence. The text relating to removal of perpetrators focuses on foreign national students and staff at institutions of higher education in the United States.

#### Background and analysis

The EO directs federal agencies to issue recommendations and collaborate with higher education institutions to monitor and report anti-Semitic activities, including by foreign national students and staff. This measure builds on previous efforts, including a 2019 EO that expanded Title VI protections to address anti-Semitism in educational institutions.

In a fact sheet released with the EO, President Trump stated an intention to remove resident aliens and cancel student visas of all " Hamas sympathizers " on college campuses in the United States. The new EO focuses on foreign nationals who are lawfully in the United States but could face removal if found to be inadmissible on national security or terrorism-related grounds based on participation in " pro-jihadist " protests.

#### What this means

Employers that sponsor international students and staff should be aware of the possibility for increased scrutiny in the visa application process, particularly for foreign students and professionals applying for future immigration

benefits. If federal immigration agencies implement stricter background checks on individuals suspected of participating in anti-Semitic protests, it is possible this could extend to broader security screenings for work visas, including H-1B, O-1, and L-1 visas, and green card applicants.

Visa applicants may consequently face delays due to enhanced vetting, including social media reviews, affiliations with student groups or past political activities. This could create uncertainty for employers sponsoring foreign talent, as well as for individuals seeking to transition from student visas to another lawful status in the United States.

The policy changes, if any, that result from the EO may become clearer following the completion of reports required from the heads of each executive department and agency within the next 60 days. The EO instructs the Department of Justice to provide an inventory of court cases involving institutions of higher education alleging related civil-rights violations and indicate whether the Attorney General intends to or has taken any action with respect to such matters, including filing statements of interest or intervention. At this time, no specific enforcement mechanisms have been established.

We will continue to monitor and review future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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