

# MP-IDSA *Commentary*

## Trump's First Day in Office: The Shape of Things to Come?

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January 28, 2025

### **S***ummary*

Some of the Executive Orders released at the end of President Trump's first day in office could foreshadow potential pain points in the relationship.

Trump’s first day in office began with all the pomp and pageantry associated with the inauguration with a combative inaugural speech, similar to the speeches he made on the stumps, and that likely marks the shape of things to come.

Declaring that the Golden Age of America begins now, Trump proclaimed a new era of prosperity and global respect for America. He sought to cast himself as a saviour and a nationalist, putting America first, reclaiming the lost national identity and sovereignty over its actions. *A priori*, he accused the previous administration of betraying the trust of the people, prioritising foreign interests over American welfare. He dwelled at length on the areas he had based his campaign on—the economy, migration, border security, social issues and government reform. Even as he called himself the great unifier in his speech, it was replete with all the rhetoric that has polarised the population ever since his first presidency. A striking feature of the inaugural function was the presence on stage of tech leaders including Jeff Bezos, Sundar Pichai and Elon Musk, for the first time ever.

The inauguration was followed by a flurry of executive orders putting his words into action. These included: Declaring that only two sexes (male and female) are recognised by the US government;<sup>1</sup> Removal of diversity, equity and inclusion (DEI) policies in the federal government;<sup>2</sup> Leaving the Paris Climate Accord; Declaring a "national energy emergency" allowing him to speed up the acquisition of oil permits;<sup>3</sup> Ending federal regulations encouraging the sale of electric vehicles; Leaving the World Health Organization;<sup>4</sup> and Establishing the Department of Government Efficiency.<sup>5</sup>

Whilst no specific order on mass deportation of legal aliens was issued, there were a number of orders designed to tackle illegal migration. These included: Declaring a national emergency at the border with Mexico;<sup>6</sup> Designating human trafficking cartels as Foreign Terrorist Organisations;<sup>7</sup> increased scrutiny of travel applications from yet-to-be-specified countries;<sup>8</sup> tasking the military with border enforcement;<sup>9</sup> shutting down asylum and refugee admissions<sup>10</sup> and ending birthright citizenship

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<sup>1</sup> [“Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government”](#), The White House, 20 January 2025.

<sup>2</sup> [“Ending Radical and Wasteful Government DEI Programs and Preferencing”](#), The White House, 20 January 2025.

<sup>3</sup> [“Declaring a National Energy Emergency”](#), The White House, 20 January 2025.

<sup>4</sup> [“Withdrawing The United States from the World Health Organization”](#), The White House, 20 January 2025.

<sup>5</sup> [“Establishing and Implementing the President's Department of Government Efficiency”](#), The White House, 20 January 2025.

<sup>6</sup> [“Guaranteeing the States Protection Against Invasion”](#), The White House, 20 January 2025.

<sup>7</sup> [“Designating Cartels and Other Organizations as Foreign Terrorist Organizations and Specially Designated Global Terrorists”](#), The White House, 20 January 2025.

<sup>8</sup> [“Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats”](#), The White House, 20 January 2025.

<sup>9</sup> [“Clarifying the Military’s Role in Protecting the Territorial Integrity of the United States”](#), The White House, 20 January 2025.

<sup>10</sup> [“Realigning the United States Refugee Admissions Program”](#), The White House, 20 January 2025.

for American-born children of illegal migrants and children of parents on work, study and other temporary visas.<sup>11</sup>

The last of these measures will cause immense hardship to Indian workers on H1B who are stuck in a million-strong employment based Green Card backlog which would take 125 years to clear at the current rate with the 7 per cent country cap.<sup>12</sup> While they wait, their US born children would age out at 21 and either have to apply for a visa or leave the country. Also, they would not be eligible for education benefits and grants. Twenty-two states, all democratic, have already challenged the Executive Order in court and so far, one Federal judge has temporarily blocked the order, deeming it unconstitutional.<sup>13</sup>

While ending birthright citizenship, guaranteed under the Constitution under the 14<sup>th</sup> Amendment, might seem like an overstretch to curb illegal migration, it goes to the heart of “Great Replacement” conspiracy theory which posits that white Americans were being actively replaced by non-white immigrants to help Democrat governments win elections.<sup>14</sup> It also ties in with the “birther” campaign, of which Trump has been one of the major proponents over the years.<sup>15</sup> The issue has been raised in just about every presidential election in the recent past, as a dog whistle to convey that the children of minority immigrants were not truly American.<sup>16</sup>

Illegal immigration from India to the US has also gone up exponentially in recent years which could prove to be an irritant in the relationship, going by the focus of this Administration on that issue. According to the readout from the State Department, Secretary of State Marco Rubio raised it during his interaction with External Affairs Minister S. Jaishankar.<sup>17</sup> In a press conference the following day, Minister Jaishankar acknowledged discussion on this issue and noted that with

every country we have taken the view that if there are any of our citizens who are not there legally, if you have shown that they are citizens, we are open to their legitimate return to India.<sup>18</sup>

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<sup>11</sup> [“Protecting the Meaning and Value of American Citizenship”](#), The White House, 20 January 2025.

<sup>12</sup> [“US Visa Bulletin February 2025: Indian Green Card Employment Based Category Moved Ahead”](#), *India Today*, 14 January 2025.

<sup>13</sup> [“Judge Temporarily Blocks Trump’s Plan to End Birthright Citizenship”](#), *The New York Times*, 23 January 2025.

<sup>14</sup> Steve Ross, [“A Deadly Ideology: How the ‘Great Replacement Theory’ Went Mainstream”](#), *The Guardian*, 8 June 2022.

<sup>15</sup> [“Donald Trump Clung to ‘Birther’ Lie for Years, and Still is Not Apologetic”](#), *The New York Times*, 16 September 2016.

<sup>16</sup> Cherian Samuel, [“US Presidential Elections and the ‘Natural-Born Citizen’ Requirement”](#), Comment, Manohar Parrikar Institute for Defence Studies and Analyses (MP-IDSA), 31 May 2024.

<sup>17</sup> [“Secretary Rubio’s Meeting With Indian External Affairs Minister Jaishankar”](#), U.S. Department of State, 21 January 2025.

<sup>18</sup> Ministry of External Affairs, India, [“EAM: Press Conference in Washington DC. \(January 22, 2025\)”](#), *YouTube*, 22 January 2025.

He noted that this issue also creates a reputational problem and distracts from discussion on more pressing issues around legal mobility, including the long backlog for visas which can extend up to 400 days.

Repatriation is a thorny issue with security implications for a number of reasons. Illegal immigrants are known to tear up all documentation and to give incorrect information to authorities in order to make it difficult to be repatriated. Thus, verifying that they are Indian citizens becomes a difficult proposition. This could lead to a form of circular migration with illegal immigrants from across the South Asian region saying they are from India in order to be repatriated to this country rather than their home countries.

To facilitate resolving of these issues, a leaf could be taken out of the Migration and Mobility Agreement that was signed between India and the United Kingdom in 2021. While facilitating legal migration and mobility of professionals, the agreement laid out the procedure for identification of illegal migrants and their repatriation to India, including the option to reconsider cases based on fresh evidence provided by the UK.<sup>19</sup> The mechanism also includes a Joint Working Group to evaluate and monitor the implementation of the agreement. Such a mechanism could also be created with the US, wherein at present, such issues are being dealt with through the annual India–US Consular Dialogue.<sup>20</sup>

Illegal migration is the tip of the iceberg consisting of an ecosystem of human trafficking and drug smuggling. While it is difficult to figure out the extent of illegal migration from India—since, unlike the US, not all countries release country-wise figures—the government has tried to do what it can by collecting information on agents facilitating illegal migration and blacklisting them.<sup>21</sup>

While birthright citizenship, even if it affects large numbers of the Indian diaspora in the United States, is an issue that will have to be resolved internally, illegal migration is an area in which both governments will have to sit and work together the modalities before it turns into an irritant in the relationship.

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<sup>19</sup> [“Migration and Mobility Partnership Between India and the United Kingdom”](#), UK Government.

<sup>20</sup> [“Question No. 553-Illegal Immigration in US from India”](#), Ministry of External Affairs, Government of India, 7 December 2023.

<sup>21</sup> [“Question No. 2143-Illegal Immigration from India”](#), Ministry of External Affairs, Government of India, 21 December 2023.

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