



OOD  
PM 21-27

Effective: July 26, 2021

To: All of EOIR  
From: Jean King, Acting Director  
Date: July 23, 2021

## TERMINOLOGY

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PURPOSE:	Clarify the agency’s use of terminology regarding noncitizens
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. §§ 1003.0(b)
CANCELLATION:	None

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President Biden’s Executive Order 14012, Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans (Feb. 2, 2021), affirms that the “Federal Government should develop welcoming strategies that promote integration [and] inclusion.” That Executive Order and Executive Order 14010, 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 (Feb. 2, 2021), do not use the terms “alien” or “illegal alien” to describe migrants.

Some opinions of the Supreme Court now use the term “noncitizen” in place of “alien.” *See, e.g., United States v. Palomar-Santiago*, 141 S. Ct. 1615, 1619 (2021); *Barton v. Barr*, 140 S. Ct. 1442, 1446 n.2 (2020) (“This opinion uses the term ‘noncitizen’ as equivalent to the statutory term ‘alien.’”) (citing 8 U.S.C. § 1101(a)(3)).<sup>1</sup>

This Policy Memorandum (PM) clarifies proper terminology at the Executive Office for Immigration Review (EOIR), and directs EOIR staff, including adjudicators, to use language that is “[consistent] with our character as a Nation of opportunity and of welcome.” E.O. 14012 at Sec. 1.

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<sup>1</sup> Outside the legal context, in 2013 the Associated Press Stylebook stopped sanctioning the terms “*illegal alien*,” “*an illegal*,” “*illegals*,” and “*undocumented*.” *See* Associated Press, ‘*Illegal immigrant*’ no more (Apr. 2, 2013), <https://blog.ap.org/announcements/illegal-immigrant-no-more>. The Library of Congress, stopped using the term alien in headings in 2016, noting that “the phrase *illegal aliens* has become pejorative.” *See* Library of Congress, *Library of Congress to Cancel the Subject Heading “Illegal Aliens”* (Mar. 22, 2016), <https://www.loc.gov/catdir/cpsa/illegal-aliens-decision.pdf>.

The terms listed as “Current” in the table below will be used in EOIR decisions and for both internal and external communications. The only exception to the change in terminology outlined in the chart below is when quoting a statute, regulation, legal opinion, court order, or settlement agreement.

<b>Previous</b>	<b>Current</b>
Alien	Respondent, applicant, petitioner, beneficiary, migrant, noncitizen, or non-U.S. citizen
Undocumented alien or illegal alien	Undocumented noncitizen, undocumented non-U.S. citizen, or undocumented individual
Unaccompanied alien child	Unaccompanied noncitizen child, unaccompanied non-U.S. citizen child, or UC

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