



GOVERNOR GREG ABBOTT

January 29, 2025

FILED IN THE OFFICE OF THE  
TEXAS SECRETARY OF STATE  
12:15 pm O'CLOCK

The Honorable Jane Nelson  
Secretary of State  
State Capitol, Room 1E.8  
Austin, Texas 78701

JAN 29 2025

A handwritten signature in cursive script that reads "Jane Nelson".

Secretary of State

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-52 relating to state agencies identifying additional detention space for federal actors working under the direction of the Trump Administration.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink that reads "GSD".

Gregory S. Davidson  
Executive Clerk to the Governor

GSD:gsd

Attachment

# Executive Order

BY THE  
GOVERNOR OF THE STATE OF TEXAS

Executive Department  
Austin, Texas  
January 29, 2025

EXECUTIVE ORDER  
GA 52

*Relating to state agencies identifying additional detention space for federal actors working under the direction of the Trump Administration.*

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WHEREAS, for four years, the Biden–Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other States, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, among other destructive open-border policies, the Biden–Harris Administration refused to detain illegal aliens in federal custody after committing the crime of illegally entering or reentering the country and, instead, granted millions of illegal aliens *en masse* parole into the United States; and

WHEREAS, immigration laws already passed by Congress command that federal officials “shall” detain various categories of aliens, including aliens claiming asylum, 8 U.S.C. § 1225(b)(1)(B)(ii) & (iii)(IV), aliens applying for admission, *id.* § 1225(b)(2)(A), criminal aliens, *id.* § 1226(c)(1), aliens ordered removed, *id.* § 1231(a)(2), and aliens who may carry disease, *id.* § 1222(a); and

WHEREAS, the Supreme Court of the United States essentially permitted the Biden–Harris Administration to “violat[e] its obligations under” such federal mandatory detention provisions in *Biden v. Texas*, 597 U.S. 785, 803 & n.5 (2022); and

WHEREAS, the Biden–Harris Administration’s refusal to enforce federal immigration laws allowed the surge of individuals crossing the border to continue, resulting in roughly 12 million people—a number larger than the population of 43 different States—entering this country illegally in less than four years; and

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, this disaster proclamation enhanced efforts to detain criminal aliens under state law, including by authorizing heightened criminal punishments with longer custodial sentences under Section 12.50 of the Texas Penal Code and by directing state agencies to identify additional detention facilities or to expand existing detention capacity; and

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WHEREAS, on December 18, 2023, I signed into law Senate Bill 4, which made it a crime to illegally enter or reenter the sovereign territory of Texas, consistent with existing federal criminal laws against illegal entry and reentry; and

WHEREAS, pursuant to these state detention efforts, the Texas Department of Criminal Justice, the Texas Facilities Commission, the Texas Commission on Jail Standards, the Texas Commission on Law Enforcement, and other state agencies have proven their ability to acquire land, develop or outfit infrastructure, and adapt or expand existing facilities as detention needs shifted in Texas; and

WHEREAS, on January 20, 2025, President Donald Trump issued an Executive Order, *Protecting the American People Against Invasion*, Section 10 of which directs the Department of Homeland Security to locate additional “facilities to detain removable aliens” and to “ensure the detention of aliens apprehended for violations of immigration law”; and

WHEREAS, Article IV, Section 10 of the Texas Constitution provides that the Governor of Texas is the sole organ of Texas’s diplomatic affairs, authorized by state law to conduct all business between this State and the United States;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct the Texas Department of Criminal Justice, the Texas Facilities Commission, the Texas Commission on Jail Standards, and other appropriate state agencies to:

- (1) identify all land and facilities in the State of Texas suitable and available for use by Immigration and Customs Enforcement or other federal actors working under the direction of the Trump Administration to detain removable aliens; and
- (2) coordinate with such federal actors to expedite any necessary inspections, approvals, agreements, or contracts required to facilitate the lease of identified facilities; and
- (3) expedite the preparation and transition of identified facilities to ensure they are ready for the federal government to assume operational control.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the  
29th day of January, 2025.



GREG ABBOTT  
Governor

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ATTESTED BY:



JANE NELSON  
Secretary of State

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