

**8 CFR Chapter I****[USCIS Docket No. USCIS-2019-0021]****RIN 1615-AC49****Ratification of Department Action****AGENCY:** Department of Homeland Security (DHS).**ACTION:** Ratification.**SUMMARY:** The Department of Homeland Security is publishing notice of the Secretary of Homeland Security's ratification of a rule.**DATES:** The ratification was signed on August 20, 2025 and relates back to the original date of the action that it ratifies.**FOR FURTHER INFORMATION CONTACT:** Office of the General Counsel, DHS,
Washington, DC 20528 (202) 282-9822.**SUPPLEMENTARY INFORMATION:** On August 20, 2025, the Secretary of Homeland Security ratified the interim final rule titled "Implementing Bilateral and Multilateral Asylum Cooperative Agreements Under the Immigration and Nationality Act." *See* 84 FR 63994 (Nov. 19, 2019). DHS is now publishing the ratification in the **Federal Register** out of an abundance of caution. Neither the ratification nor the publication is a statement that the ratified action would be invalid absent the ratification, whether published or otherwise.

Joseph N. Mazzara
Acting General Counsel,
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Homeland
Security

RATIFICATION

The joint Department of Homeland Security (DHS) – Department of Justice (DOJ) interim final rule (“IFR”) titled *Implementing Bilateral and Multilateral Asylum Cooperative Agreements Under the Immigration and Nationality Act*, published at 84 Fed. Reg. 63,994 (Nov. 19, 2019) (“ACA IFR”), was approved and issued by former Acting Secretary Chad Wolf. Former Acting Secretary Wolf’s approval and issuance of the ACA IFR was a delegable action that may be ratified. See 5 U.S.C. § 3348(a)(2). Out of an abundance of caution, I am affirming and ratifying the approval and issuance of the ACA IFR to provide an independent basis to address potential legal challenges to the final rule.

I am taking this action because of a Government Accountability Office opinion, see B-331650 (Comp. Gen., Aug. 14, 2020) and actions filed in federal court alleging that the April 9, 2019, order of succession issued by former Secretary Kirstjen Nielsen and the November 8, 2019, order of succession issued by former Acting Secretary Kevin McAleenan were not valid. See, e.g., *Guedes v. Bureau of Alcohol, Tobacco, Firearms, and Explosives*, 920 F.3d 1, 13 (D.C. Cir. 2019) (“We have repeatedly held that a properly appointed official’s ratification of an allegedly improper official’s prior action ... resolves the claim on the merits by remedy[ing] [the] defect (if any) from the initial appointment.”) (internal quotation marks and citation omitted, brackets in original).

I have familiarized myself with the contents, purpose, and requirements of the ACA IFR. Pursuant to my authority as Secretary of Homeland Security and based on my review of the action listed above, I hereby make a detached and considered affirmation and ratification of the ACA IFR.



Kristi Noem,
Secretary of Homeland Security

18-20-25
Date