



⚡ PRESIDENTIAL ACTIONS

ENDING BIRTH TOURISM

Executive Orders

August 6, 2026

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose. United States citizenship is among the greatest inheritances the Nation can bestow. It embodies a sacred bond between the American people and the Nation in which they live, and carries profound rights, privileges, and responsibilities reflective of the enduring allegiance of citizens to the United States and our Constitution. Citizenship is not a commodity to be acquired through calculated exploitation and evasion of the immigration laws, such as by entering the United States on a nonimmigrant visa for the purpose of giving birth within the Nation's borders.

Birth tourism operators use deceptive advertisements and inducements to entice foreign nationals to travel to the United States for the purpose of giving birth on American soil. They promise citizenship; access to public benefits; and short-term stays in specialized facilities, hotels, or rentals, but often fail to deliver on these promises. These operators coach their clients to misrepresent the purpose and duration of their travel to consular and border officials to obtain visas authorizing entry into the United States. Failure to appropriately combat these schemes has resulted in thriving industries around the world that profit by enabling the evasion of American immigration laws to obtain citizenship and other immigration benefits for foreign visitors, and the exploitation of the women who travel here for purposes of giving birth.

The immigration laws of the United States establish discrete categories of temporary nonimmigrant visas to allow foreign visitors into the United States for study, exchange, temporary employment, tourism, and other transitory activities that are now exploited by birth tourism operators. Participants in birth tourism schemes abuse these categories to establish a permanent foothold in the United States by securing the advantage of citizenship for their children and then potentially for themselves.

Birth tourism, defined in section 3 of this order, undermines the integrity of the Nation's immigration system by enabling foreign nationals to exploit their temporary admission to obtain permanent

immigration-related benefits. Birth tourism also diverts limited consular inspection and enforcement resources away from legitimate visa applicants, erodes public confidence in the faithful enforcement of the immigration laws, and impairs the executive branch's ability to protect the national security. The United States has a compelling interest in ensuring that each visa category is used only for the purpose for which it was established. Foreign nationals seeking temporary admission into the United States must adhere to the purposes for which the Congress has authorized their temporary admission, and cannot be permitted to circumvent the immigration laws in an attempt to vest themselves and their children with lasting benefits that are irreconcilable with their nonimmigrant status.

It is therefore the policy of the United States to promote the integrity of its immigration system, to ensure that nonimmigrant visa classifications are used only for their lawful and intended purposes, and to prevent the exploitation of those classifications by persons engaging in birth tourism.

Sec. 2. Authorities. Pursuant to section 301 of title 3, United States Code, the authority granted to the President under section 215(a) of the Immigration and Nationality Act, 8 U.S.C. 1185(a), is hereby delegated to the Secretary of State and the Secretary of Homeland Security to the extent necessary to implement this order, including the authority to issue or adopt rules, policies, operational guidance, or other guidance to carry out this order.

Sec. 3. Definition. For purposes of this order, "birth tourism" is defined as:

- (a) the entry of any foreign national into the United States via a nonimmigrant visa for the purpose of giving birth on American soil; or
- (b) any effort by any foreign national to facilitate the entry of any foreign national into the United States via a nonimmigrant visa for the purpose of giving birth on American soil.

Sec. 4. Scope and Implementation. (a) The Secretary of State and the Secretary of Homeland Security shall take such actions and update any rules, policies, operational guidance, or other guidance as necessary to effectuate the policy set forth in this order. Such actions may include, within the Secretaries' respective discretion and authority, appropriate action to prevent the entry into the United States of, or the granting of any visa or other travel authorization to, any alien entering or attempting to enter the United States for the purpose of engaging in birth tourism; revoking the visa or travel authorization and permanently barring entry of any alien who enters or attempts to enter the United States for the purpose of engaging in birth tourism; denial of entry to, or removal of, any alien who previously engaged or plans to engage in birth tourism; or other appropriate action against entities, organizations, or individuals, within or outside of the United States, responsible for facilitating or enabling birth tourism in any manner.

(b) All other relevant executive departments and agencies shall provide such records and information as are necessary for the Secretary of State and the Secretary of Homeland Security to implement the terms of this order and the rules, policies, operational guidance, or other guidance issued pursuant to it, subject to applicable law.

Sec. 5. Exemptions. Notwithstanding the restrictions imposed by this order, the Secretary of State or the Secretary of Homeland Security may exempt a foreign national from actions taken pursuant to this order on humanitarian grounds or when the foreign national's entry is in the national interest, as determined by the Secretary of State or the Secretary of Homeland Security.

Sec. 6. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) If any provision of this order, or the application of any provision to any person or circumstances, is held to be invalid, the remainder of this order and the application of any of its other provisions to any other persons or circumstances shall not be affected thereby.

(e) The costs for publication of this order shall be borne by the Department of Homeland Security.

DONALD J. TRUMP

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