



Executive Order 14418: Continuing to Protect the Meaning and Value of American Citizenship

On August 6, 2026, President Donald J. Trump signed an Executive Order (EO) to protect the meaning and value of American citizenship. Section 3(b) of the President's order directs the heads of agencies to issue guidance regarding the order's implementation.

NOTE: Because the EO is prospective only, this guidance is prospective only and will become effective upon publication subject to any legal obligations. The following is the Department of State's proposed Implementation Plan.

Department of State Implementation Plan:

- Under Executive Order 14418 ("EO 14418"), unless one parent is a U.S. citizen, no executive department or agency shall issue documents recognizing U.S. citizenship to a child born in the United States if:
 - a) either parent of that person is an alien enemy, which will be assessed based on relevant government records and other indicators in identifying such individuals. Alien enemy is defined to include:
 - 1. any member of a designated Foreign Terrorist Organization under 8 U.S.C. 1189;
 - 2. or Specially Designated Global Terrorist, consistent with the International Emergency Economic Powers Act, 50 U.S.C. 1701 *et seq.*, and Executive Order 13224 of September 23, 2001 (Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism), as amended.
 - b) either parent of that person is a foreign government employee, which will be assessed based on records of employment status, purpose of travel, and visa class. As further defined below, "foreign government employee" generally refers to a non-U.S. citizen currently employed in a diplomatic or official capacity by a foreign government or by an international organization designated by executive order as enjoying immunity in the United States under the International Organizations Immunities Act.
 - 1. The definition of "foreign government employee" includes:
 - i. A foreign diplomatic officer accredited to the United States (as determined by the Department of State). This includes ambassadors, ministers, chargés d'affaires, counselors, secretaries

and attachés of embassies and legations as well as members of the Delegation of the Commission of the European Communities. The term also includes individuals with comparable diplomatic status and immunities who are accredited to the United Nations or to the Organization of American States, and other individuals who are also accorded comparable diplomatic status.

- ii. A person employed by a foreign embassy or consulate who is a national of that foreign country not covered in paragraph (b)(1)(i);
 - iii. A person employed by a foreign government in an official capacity not covered in paragraphs (b)(1)(i) and (ii); and
 - iv. A person employed by an international organization that possesses international-organization immunity not covered in paragraph (b)(1)(i).
2. The definition of “foreign government employee” generally does not include (subject to individualized assessments of employment status, purpose of travel, and visa class):
- i. Personal employees of foreign government or international organization officials, such as personal assistants, chauffeurs, house cleaners, etc. (i.e., employees hired by individual foreign officials rather than foreign governments);
 - ii. Employees of state-owned enterprises;
 - iii. Third-country nationals working for a foreign government, including at a foreign embassy or consulate;
 - iv. Employees of international organizations beyond those international organizations designated by executive order as enjoying immunity in the United States under the International Organizations Immunities Act;
 - v. Contractors of foreign missions, international organizations, or governments; and
 - vi. Foreign government employees visiting the United States in a personal rather than an official capacity.
- c) either parent of that person engaged in a commercial transaction to purchase or access birthright citizenship for the person, or engaged in fraudulent activity to obtain citizenship, which will be assessed based on relevant government records and other indicators identifying such activities. Such activities include:
- i. when the parent(s) of the person engage in a commercial transaction to ensure that the person’s mother is present in the United States, or a territory of the United States, to give birth; or
 - ii. when the parent(s) engage in a commercial transaction with a surrogate present in the United States, or a territory of the United States, to give birth;
- d) the person is born in a territory or territorial waters of the United States where

citizenship is not conferred by Federal statute.

The Department of State's proposed acceptance guidance for its passport acceptance agents and passport agency staff is as follows:

The acceptance agent or passport agent will require that the applicant/applying parent/legal guardian complete the parental information on the form DS-11 and submit all required documentation, including the applicant's birth certificate. Adjudicative decisions are not made during the acceptance process. The role of the acceptance agent or passport agent is to ensure, to the extent possible, that a complete application with all required information and documentation is received.

Passport agency staff will review the application for all requisite information, including each parent's citizenship status. Passport agency staff will utilize the existing parental data fields on form DS-11, submitted documents, relevant government records, and other indicators to assess whether an applicant is within the categories of children of aliens who fall within the scope of EO 14418.

If neither parent of a minor applicant is a U.S. citizen, an attestation from each parent, under penalty of perjury, must be submitted as part of the determination whether either parent meets any of the EO conditions. Any misrepresentations made under penalty of perjury could subject the individual(s) to legal liability, including potential federal criminal prosecution. If the parents' answers confirm that no conditions are met, the Department will continue adjudication of the passport. If the attestation is not submitted at the time of application, it will be requested once an application is reviewed.

This guidance may be subject to further modification.