Executive Order 14160:
Protecting the Meaning and Value of American Citizenship

On January 20, 2025, President Donald J. Trump signed an Executive Order (EO) to protect the meaning and value of American citizenship. Currently, the federal government is enjoined from enforcing the E.O. However, Section 3(b) of the President's order directs the heads of agencies to issue guidance to implement it, and the Supreme Court has allowed that part of the order to take effect.

NOTE: These changes in U.S. passport procedures/requirements to comply with the Executive Order are ***NOT*** in effect as this time. The following is the Department of State's Implementation Plan once we are allowed to comply with the Executive Order.

This Implementation Plan, consistent with the President's direction, provides such guidance.

Department of State Implementation Plan:

- Under Executive Order 14160 ("EO 14160"), children of mothers whose presence in the United States is "unlawful" or "lawful but temporary" will not acquire U.S. citizenship unless the father is a Lawful Permanent Resident (LPR) or U.S. citizen or U.S. national at the time of the child's birth.

- The passport application process includes both acceptance and adjudication.

- Passport Acceptance agents and Passport Agency staff will request original proof of parental citizenship or immigration status to determine the citizenship status of the applicant. This information will be necessary to determine if those applying for a passport are U.S. citizens.

- The passport application process consists primarily of two main stages: acceptance and adjudication. The acceptance process ensures that, to the extent possible, the Department of State receives all the information and documentation needed to determine the U.S. citizenship of the applicant.

Categories of Acceptable Parental Status Provided by USCIS:

Individuals born to a mother who has one of the following statuses acquire U.S. citizenship at birth in the United States under EO 14160.

a. U.S. citizens and nationals,
b. Native Americans born in Canada who entered the U.S. under INA 289,
c. Asylees,
d. Conditional Permanent Residents,
e. Lawful Permanent Residents (LPR), and

f. Refugees.

If the mother does not hold a qualifying status at the time of the child's birth the father must be a U.S. citizen, U.S. national, or LPR for the child to acquire citizenship under the 14th amendment.

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 must request that the applicant/applying parent/legal guardian complete the parental information on the form DS-11 for individuals born in the United States on or after the effective date in its entirety, as reflected on the accompanying birth certificate or similar document.

- If the parental information provided on the DS-11 indicates that the parent is a U.S. citizen or national, the parent will show the original and provide a photocopy of the proof of citizenship to the acceptance agent or passport agent.

- If the parental information provided on the DS-11 indicates that the parent is not a U.S. citizen or national but has parental status that resulted in the applicant acquiring citizenship, such as the father being an LPR or the mother holding one of the qualifying statuses, the parent will show the original and provide a photocopy of the proof of status to the acceptance agent or passport agent.

- 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.