

# Executive Order 14160

**Executive Order 14160**, titled "**Protecting the Meaning and Value of American Citizenship**", is an executive order signed by Donald Trump, the 47th president of the United States, on January 20, 2025. The executive order aims to challenge the prevailing interpretation of the Citizenship Clause of the 14th Amendment to the United States Constitution, in order to end birthright citizenship in the United States for children of unauthorized immigrants as well as immigrants legally but temporarily present in the U.S., such as those on student, work, or tourist visas.

The order was swiftly challenged in court by multiple organizations and states, being blocked by multiple federal judges.

## Provisions

Trump's executive order seeks to redefine how the Fourteenth Amendment's clause "and subject to the jurisdiction thereof" should be interpreted.<sup>[1]</sup>

The executive order states two different situations where a person is no longer a U.S. citizen at birth.<sup>[2]</sup>

- When the mother was unlawfully present in the U.S. and the father was neither a U.S. citizen nor a lawful permanent resident when the person was born.<sup>[2]</sup>
- When the mother was in the U.S. in temporary status, such as a student visa, work visa, tourist visa or under the Visa Waiver Program, and the father was neither a U.S. citizen nor a lawful permanent resident when the person was born.<sup>[2]</sup>

The executive order states that these provisions are only effective for people born 30 days or more after the date of the order; it would have only applied to children born beginning February 19, 2025 had it not been blocked.<sup>[2]</sup>

## Executive Order 14160

### "Protecting the Meaning and Value of American Citizenship"



Federal Register / Vol. 90, No. 18 / Wednesday, January 23, 2025 / Presidential Documents 8449  
**Presidential Documents**

Executive Order 14160 of January 20, 2025  
**Protecting the Meaning and Value of American Citizenship**

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order:

**Purpose:** The principle of United States citizenship is a precious and protected gift. The President's Amendment states: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." That provision rightly specified the Supreme Court of the United States's landmark decision in *Dred Scott v. Sandford* (39 U.S. 375 (1857)), which misinterpreted the Constitution as generically excluding people of African descent from eligibility for United States citizenship merely based on their race.

But the President's Amendment has never been interpreted to extend citizenship automatically to everyone born within the United States. The President's Amendment has always excluded from birthright citizenship persons who were born in the United States but not "subject to the jurisdiction thereof." Consistent with this understanding, the Congress has further specified through legislation that "a person born in the United States, and subject to the jurisdiction thereof" is a natural and citizen of the United States at birth, 8 U.S.C. 1401, generically securing the President's Amendment's goal.

Among the categories of individuals born in the United States and not subject to the jurisdiction thereof, the principle of United States citizenship does not automatically extend to persons born in the United States (1) when that person's mother was unlawfully present in the United States and the father was not a United States citizen or lawful permanent resident at the time of said person's birth, or (2) when that person's mother is the United States at the time of said person's birth, was lawful, but temporarily (such as, but not limited to, visiting the United States under the auspices of the Visa Waiver Program or visiting on a student, work, or tourist visa) and the father was not a United States citizen or lawful permanent resident at the time of said person's birth.

**Sec. 2. Policy.** (a) It is the policy of the United States that no department or agency of the United States government shall issue documents recognizing United States citizenship, or accept documents issued by State, local, or other governments or authorities purporting to recognize United States citizenship, to persons: (1) when that person's mother was unlawfully present in the United States and the person's father was not a United States citizen or lawful permanent resident at the time of said person's birth, or (2) when that person's mother's presence in the United States was lawful, but temporary, and the person's father was not a United States citizen or lawful permanent resident at the time of said person's birth.

(b) Sections 2(a) of this section shall apply only to persons who are born within the United States after 30 days from the date of this order.

(c) Nothing in this order shall be construed to affect the settlement of other institutions, including children of lawful permanent residents, to citizens documentation of their United States citizenship.

**Sec. 3. Enforcement.** (a) The Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Commissioner of Social Security shall take all appropriate measures to ensure that the regulations and policies

Front page of Executive Order 14160

<b>Type</b>	<u>Executive order</u>
<b>Number</b>	14160
<b>President</b>	Donald Trump
<b>Signed</b>	January 20, 2025
<b><u>Federal Register details</u></b>	
<b><i>Federal Register</i> document number</b>	2025-02007
<b>Publication date</b>	January 20, 2025

After the Supreme Court lifted the block, the order was set to go into effect on July 27, 2025; however, it was again blocked on July 10.<sup>[3]</sup>

## Legal challenges

---

At least ten lawsuits challenging the executive order have been brought by various plaintiffs, including 22 U.S. state attorneys general, civil liberties and immigrants rights groups, and pregnant women.<sup>[4][5]</sup> As of February 2025, four federal judges have issued preliminary injunctions blocking its implementation and enforcement nationwide.<sup>[6][5]</sup> On March 13, the Trump administration made emergency applications to the Supreme Court, asking it to narrow those court orders.<sup>[7]</sup> In these appeals, the government argued for its position on birthright citizenship.<sup>[8]</sup> On April 17, the Supreme Court said it would hear arguments in May.<sup>[9]</sup>

### *State of Washington v. Trump*

On January 21, Attorney General of Washington Nick Brown filed suit against the Trump administration in the United States District Court for the Western District of Washington, arguing that the order violates the 14th Amendment and federal immigration law. The lawsuit was joined by Arizona, Oregon, and Illinois.<sup>[10][11]</sup> It was the first of the lawsuits to get a hearing in court, when on January 23, Judge John C. Coughenour issued a temporary block on the order, calling it "blatantly unconstitutional."<sup>[12][13]</sup> On February 6, 2025, Coughenour granted a preliminary injunction enjoining enforcement of the order, while accusing Trump of circumventing or ignoring the rule of law for personal or political gain.<sup>[6]</sup> The Department of Justice appealed the ruling later that day. The appeal will be heard by the Court of Appeals for the 9th Circuit.<sup>[4]</sup> On February 19, an appellate panel, the first to make a ruling on the executive order, denied to lift the preliminary injunction on an emergency basis, with the majority citing the unlikelihood of success on the underlying merits, setting the stage for fuller hearings in June 2025, pending an appeal to the Supreme Court.<sup>[14]</sup>

### *CASA Inc. v. Trump*

A second lawsuit was filed in a Maryland federal court by immigrant and asylum-seeker rights groups CASA and the Asylum Seeker Advocacy Project on behalf of five pregnant women.<sup>[15]</sup> On February 5, US district judge Deborah Boardman issued a nationwide preliminary injunction, saying the order "conflicts with the plain language of the 14th Amendment, contradicts 125-year old binding Supreme Court precedent and runs counter to our nation's 250-year history of citizenship by birth" and was "likely to be found unconstitutional."<sup>[16]</sup> Attorneys for the Department of Justice appealed the ruling to the Court of Appeals for the 4th Circuit on February 11, the second such appeal in cases related to the executive order after the appeal in *State of Washington v. Trump*.<sup>[17]</sup>

### *New Hampshire Indonesian Community Support v. Trump*

The executive order was challenged in court by the American Civil Liberties Union and the Asian Law Caucus in the case *New Hampshire Indonesian Community Support v. Trump*.<sup>[18]</sup> On February 10, Judge Joseph N. Laplante of the U.S. District Court of New Hampshire became the third federal judge to issue an injunction blocking the order.<sup>[19]</sup>

## ***State of New Jersey v. Trump***

On January 21, a lawsuit challenging the order was filed in the United States District Court for the District of Massachusetts by eighteen state attorneys general and the cities of San Francisco and Washington, D.C., led by Attorney General of New Jersey Matthew J. Platkin.<sup>[10]</sup> On February 13, U.S. district judge Leo Sorokin became the fourth federal judge to block the executive order, issuing a nationwide preliminary injunction.<sup>[20]</sup> In the ruling, he wrote that the Constitution "confers birthright citizenship broadly, including to persons within the categories described" by the executive order.<sup>[21]</sup>

## **Supreme Court**

The Supreme Court granted *certiorari* to the three cases involving CASA, Inc., Washington, and New Jersey on April 17, 2025, consolidating them for oral arguments on May 15, 2025. The Supreme Court declined to stay any of the current orders from the lower courts in accepting the case. The case is expected to be limited to the jurisdiction of the federal district courts in placing nationwide injunctions, rather than on the question of the constitutionality of the executive order.<sup>[22]</sup> C-SPAN requested that the Supreme Court allow it to televise the proceedings,<sup>[23]</sup> which has never been allowed before;<sup>[24]</sup> the Court did not do so. On June 27, the Supreme Court ruled that the lower courts could not use injunctions to block the implementation of the orders nationwide so long as court cases regarding the orders remained ongoing, but could only use these injunctions to shield the specific plaintiffs involved in the cases.<sup>[25][26]</sup>

## ***Barbara v. Trump***

Seeing class actions as the best means to challenge the order after the Supreme Court's ruling, the ACLU filed a lawsuit asking the U.S District Court for the District of New Hampshire to grant a class-wide injunction blocking enforcement upon those who would not qualify for birthright citizenship under the executive order. CASA de Maryland filed a similar motion as well. <sup>[27]</sup>

On July 10, 2025, Judge Joseph Laplante granted the ACLU's request, certified a class of born and unborn babies who would be deprived of their citizenship per the administration's policy, and issued a preliminary injunction blocking the order from being enforced upon that class.<sup>[3]</sup>

On November 21, the Supreme Court held a private meeting to decide whether to hear the Trump administration's appeals of the lower court rulings that blocked the executive order.<sup>[28]</sup> On December 5, the Court agreed to hear the administration's appeals.<sup>[29]</sup> Oral arguments were heard on April 1, 2026.

## **See also**

---

---

- List of executive orders in the second presidency of Donald Trump
- *United States v. Wong Kim Ark* (1898)

## **References**

---

---

1. Miroff, Nick; Sacchetti, Maria (January 20, 2025). "Trump executive order will attempt to end birthright citizenship" (<https://www.washingtonpost.com/immigration/2025/01/20/trump-immigration-executive-orders/>). *The Washington Post*. Retrieved January 20, 2025.

2. "Protecting the Meaning and Value of American Citizenship (<https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-meaning-and-value-of-american-citizenship/>)". *The White House*. January 20, 2025.
3. Lee, Ella (July 10, 2025). "Judge blocks Trump birthright citizenship order after Supreme Court ruling" (<https://thehill.com/regulation/court-battles/5394339-judge-blocks-trump-order-birthright-citizenship/amp/>). *The Hill*. Retrieved July 10, 2025.
4. Lee, Ella (February 6, 2025). "DOJ appeals block of birthright citizenship executive order" (<https://thehill.com/regulation/court-battles/5131881-doj-appeals-block-birthright-citizenship/>). *The Hill*.
5. Casey, Michael; Catalini, Mike (February 13, 2025). "Fourth federal judge blocks Trump's birthright citizenship order" (<https://apnews.com/article/trump-birthright-citizenship-ruling-boston-3e442a97de8398dc4faf691857ea48ea>). *AP News*. Retrieved February 14, 2025.
6. Raymond, Nate (February 6, 2025). "US judge accuses Trump of ignoring rule of law to curb birthright citizenship" (<https://www.reuters.com/world/us/us-judge-accuses-trump-ignoring-rule-law-curb-birthright-citizenship-2025-02-06/>). *Reuters*.
7. Sherman, Mark; Whitehurst, Lindsay (March 13, 2025). "Trump Administration Asks Supreme Court To Partly Allow Birthright Citizenship Restrictions" ([https://www.huffpost.com/entry/trump-birthright-citizenship-supreme-court\\_n\\_67d32bd0e4b0756a721aab16](https://www.huffpost.com/entry/trump-birthright-citizenship-supreme-court_n_67d32bd0e4b0756a721aab16)). *HuffPost*. Retrieved March 14, 2025.
8. Fritze, John (March 13, 2025). "Trump asks Supreme Court to allow him to end birthright citizenship" (<https://edition.cnn.com/2025/03/13/politics/birthright-citizenship-trump-supreme-court/index.html>). *CNN*. Retrieved March 14, 2025.
9. "SCOTUS To Hear Oral Arguments On Trump's Plan To End Birthright Citizenship" ([https://www.huffpost.com/entry/supreme-court-birthright-citizenship\\_n\\_6801446de4b027910a161216](https://www.huffpost.com/entry/supreme-court-birthright-citizenship_n_6801446de4b027910a161216)). *HuffPost*. Associated Press. April 17, 2025. Retrieved April 17, 2025.
10. Schwartz, Matthias (January 21, 2025). "22 States Sue to Stop Trump's Birthright Citizenship Order" (<https://www.nytimes.com/2025/01/21/us/trump-birthright-citizenship.html>). *The New York Times*. Retrieved January 21, 2025.
11. Santos, Melissa; Clarridge, Christine (January 21, 2025). "Washington sues to block Trump's birthright citizenship order" (<https://www.axios.com/local/seattle/2025/01/21/washington-lawsuit-birthright-citizenship-trump>). *Axios*. Retrieved February 8, 2025.
12. Catalini, Mike (January 23, 2025). "A federal judge temporarily blocks Trump's executive order ending birthright citizenship" (<https://apnews.com/article/birthright-citizenship-donald-trump-lawsuit-immigration-9ac27b234c854a68a9b9f8c0d6cd8a1c>). Associated Press. Retrieved January 23, 2025.
13. Baker, Mike; Schwartz, Matthias (January 23, 2025). "Judge Blocks Trump's Effort to Restrict Birthright Citizenship" (<https://www.nytimes.com/live/2025/01/23/us/trump-news?searchResultPosition=1#judge-blocks-birthright-citizenship>). *The New York Times*. Retrieved January 23, 2025.
14. Sneed, Tierney (February 19, 2025). "Appeals court leaves block on Trump's birthright citizenship order in place, setting up Supreme Court showdown" ([https://www.cnn.com/2025/02/19/politics/trump-cant-end-birthright-citizenship-appeals-court-says?cid=ios\\_app](https://www.cnn.com/2025/02/19/politics/trump-cant-end-birthright-citizenship-appeals-court-says?cid=ios_app)). *CNN*. Retrieved February 20, 2025.
15. Valera, Dennis (January 22, 2025). "Immigrant groups file lawsuit in Maryland over Trump's order on birthright citizenship" (<https://www.cbsnews.com/baltimore/news/immigrant-maryland-birthright-citizenship-lawsuit-trump/>). *CBS News*. Retrieved January 23, 2025.
16. Cole, Devan (February 5, 2025). "Federal judge blocks Trump's executive order to end birthright citizenship" (<https://www.cnn.com/2025/02/05/politics/judge-blocks-birthright-citizenship-executive-order/index.html>). *CNN*. Retrieved February 5, 2025.
17. Catalini, Mike (February 11, 2025). "Trump administration appeals Maryland judge's ruling blocking birthright citizenship order" (<https://apnews.com/article/immigration-birthright-citizenship-trump-administration-maryland-528bc8ba083ff046fdd6f9c8a3ac07e5>). *AP News*. Retrieved February 15, 2025.

18. "Immigrants' Rights Advocates Sue Trump Administration Over Birthright Citizenship Executive Order" (<https://www.aclu.org/press-releases/immigrants-rights-advocates-sue-trump-administratio-n-over-birthright-citizenship-executive-order>). *ACLU*. January 20, 2025. Retrieved January 21, 2025.
19. Russell, Jenna (February 10, 2025). "A Third Federal Judge Blocks Trump's Birthright Citizenship Order" (<https://www.nytimes.com/2025/02/10/us/politics/judge-new-hampshire-trump-birthright-citizenship-injunction.html>). *The New York Times*. ISSN 0362-4331 (<https://search.worldcat.org/issn/0362-4331>). Retrieved February 16, 2025.
20. Raymond, Nate (February 13, 2025). "Trump's order curtailing US birthright citizenship blocked by 4th judge" (<https://www.reuters.com/legal/government/trumps-order-curtailing-us-birthright-citizenship-blocked-by-4th-judge-2025-02-13/>). *Reuters*. Retrieved February 15, 2025.
21. Casey, Michael; Catalini, Mike (February 13, 2025). "Fourth federal judge blocks Trump's birthright citizenship order" (<https://apnews.com/article/trump-birthright-citizenship-ruling-boston-3e442a97de8398dc4faf691857ea48ea>). *AP News*. Retrieved February 16, 2025.
22. VanSickle, Abbie (April 17, 2025). "Supreme Court to Hear Arguments on Trump Plan to End Birthright Citizenship" (<https://www.nytimes.com/2025/04/17/us/politics/supreme-court-birthright-citizenship.html>). *The New York Times*. Retrieved April 17, 2025.
23. Feist, Sam (April 23, 2025). "Letter" (<https://static.c-spanvideo.org/files/pressCenter/Request%20to%20Televise%20Birthright%20Citizenship%20Oral%20Argument.pdf>) (PDF). *c-spanvideo.org*. Retrieved May 7, 2025.
24. Demianyk, Graeme (May 7, 2025). "C-SPAN Asks Supreme Court To Televise Birthright Citizenship Arguments" ([https://www.huffpost.com/entry/c-span-supreme-court-birthright-citizenship\\_n\\_681ba7f5e4b0a7eb6002046c](https://www.huffpost.com/entry/c-span-supreme-court-birthright-citizenship_n_681ba7f5e4b0a7eb6002046c)). *HuffPost*. Retrieved May 8, 2025.
25. "TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. v. CASA, INC., ET AL. ON APPLICATION FOR PARTIAL STAY, No. 24A884" ([https://www.supremecourt.gov/opinions/24pdf/24a884\\_8n59.pdf](https://www.supremecourt.gov/opinions/24pdf/24a884_8n59.pdf)) (PDF). Supreme Court. June 27, 2025. Retrieved June 27, 2025.
26. Clark, Lesley; Farah, Niina H. (June 27, 2025). "Supreme Court takes aim at nationwide injunctions" (<https://www.eenews.net/articles/supreme-court-takes-aim-at-nationwide-injunctions/>). *E&E News by POLITICO*. Retrieved June 27, 2025.
27. *New push to block Trump's birthright citizenship restrictions filed - The Hill* (<https://thehill.com/regulation/court-battles/5373544-birthright-citizenship-class-action-supreme-court/>)
28. Sherman, Mark (November 21, 2025). "Supreme Court meets to weigh Trump's birthright citizenship restrictions, blocked by lower courts" (<https://apnews.com/article/supreme-court-immigration-trump-birthright-citizenship-83f70d58636219c0ff98c7d765ab2b4d>). Associated Press. Retrieved November 21, 2025.
29. Sherman, Mark (December 5, 2025). "The Supreme Court will decide whether Trump's birthright citizenship order violates the Constitution" (<https://apnews.com/article/supreme-court-trump-birthright-citizenship-14th-amendment-873a45bc58de9e92773f554bf5bba9a0>). Associated Press. Retrieved December 5, 2025.

## External links

---

- Full text of the executive order (<https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-meaning-and-value-of-american-citizenship/>) via *whitehouse.gov*
- Full text of the executive order (<https://www.federalregister.gov/documents/2025/01/29/2025-02007/protecting-the-meaning-and-value-of-american-citizenship>) in the *Federal Register*

Retrieved from "[https://en.wikipedia.org/w/index.php?title=Executive\\_Order\\_14160&oldid=1346662831](https://en.wikipedia.org/w/index.php?title=Executive_Order_14160&oldid=1346662831)"