



COMMUNITY EXPLAINER

PRESIDENT TRUMP'S EXECUTIVE ORDER ON BIRTHRIGHT CITIZENSHIP

Update as of 1/23/2025: A federal judge in Seattle blocked the [administration](#) from implementing an executive order for 14 days.

On Monday, January 20, 2025, President Trump signed a new executive order, "[Protecting the Meaning and Value of American Citizenship](#)," which orders the federal government to deny federal documents recognizing U.S. citizenship (such as social security cards and U.S. passports) to children born in the United States to certain nonimmigrant parents. The order is set to take effect on February 18, 2025, and is not retroactive.

This executive order aims to strip millions of children of their eligibility for U.S. citizenship based on the immigration status of their parents. Specifically, this order **affects children born after February 18, 2025, who don't have at least one biological parent who is a Lawful Permanent Resident (LPR) or a U.S. citizen.**

While this attempt to end birthright citizenship is widely viewed as unlawful and likely to fail, it has already created significant fear and confusion within immigrant communities.

KEY POINTS:

Scope of the Executive Order

- The order primarily tasks federal agencies with enforcing these restrictions and directs the agencies to provide guidance on implementation while coordinating efforts across departments.
- If implemented, these agencies would cease to issue passports and social security cards to children born in the United States.

Who Is Not Affected

- Children born to at least one parent with lawful permanent residence or U.S. citizenship are U.S. citizens, thus are not affected by this order.

Legal Challenges Are Likely to Succeed

- The U.S. Constitution guarantees the right of citizenship to any individual born in the United States and the Constitution cannot be altered through Executive Order. As such, legal experts believe that this order will not go into effect because it is unconstitutional.
- Multiple lawsuits have already been filed, and there is a strong likelihood that courts will issue an injunction to temporarily stop the order from being enforced.
- The ultimate legality of this order will likely be decided by the Supreme Court. However, this process could take years to conclude.

Stay Informed and Prepared

- **For parents who are U.S. citizens or LPRs:** Ensure you keep all paperwork that demonstrates your status (e.g., naturalization certificates, green cards, U.S. passports).
- **For those without U.S. citizenship or LPR status:** Consult a trusted immigration service provider for guidance on how this order might affect your family. Visit ILRC's [family preparedness plan](#), Immigration Advocates Network [legal services directory](#), and NAC's [news and updates page](#).
- **Embassy and Consulate Contact:** Know the contact information for your country of origin's nearest embassy or consulate in the U.S. If your country recognizes citizenship for children born abroad, they may issue passports and identification for your child.
- **Access to Education:** Undocumented children maintain the right to attend schools in the United States. Consult an attorney if your child's school system is resistant to enrolling them based on immigration status.

Confusion and delays are likely as the legal challenges unfold. But community members should remain hopeful that courts will provide clarity and protections while these lawsuits progress. Continue to check back with NAC and ILRC for up-to-date information.