GOVERNOR GREG ABBOTT

July 21, 2026

FILED IN THE OFFICE OF THE
TEXAS SECRETARY OF STATE
11:00 AM O'CLOCK
JUL 21 2026
Secretary of State

The Honorable Robert S. Howden
Secretary of State
State Capitol, Room 1E.8
Austin, Texas 78701

Dear Secretary Howden:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

> Executive Order No. GA-57 relating to coordinated efforts to eliminate unlawful birth tourism schemes in Texas.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 21, 2026

EXECUTIVE ORDER
GA-57

Relating to coordinated efforts to eliminate unlawful birth tourism schemes in Texas.

WHEREAS, for four years, the Biden-Harris Administration adopted open-border policies that invited mass illegal entry into Texas and other states, including by ignoring laws that require the federal government to secure the border, construct barrier infrastructure, detain illegal aliens, vet would-be entrants, and swiftly remove aliens pressing frivolous asylum claims; and

WHEREAS, the surge of individuals crossing the southern border resulted in roughly 12 million people—a number larger than the population of 43 different states—entering this country illegally in less than four years; and

WHEREAS, this unprecedented entry into the country forced the state to shoulder numerous costs associated with illegal immigration, including costs associated with strengthening law enforcement and defense measures and providing medical care, public education, and other public resources to individuals not lawfully present in the United States, predictably straining resources and increasing costs for all Texans; and

WHEREAS, this unprecedented entry also facilitated the movement of hostile non-state actors like violent criminals, gang members, and known terrorists, as predicted by former Federal Bureau of Investigation (FBI) officials who warned that "the surge in numbers of single, military-aged males" from hostile nations and regions "appears to be an accelerated and strategic penetration, a soft invasion, designed to gain internal access to" the United States and "inflict catastrophic damage" on this country, Letter from Former FBI Officials to Members of U.S. Congress (Jan. 17, 2024); and

WHEREAS, I, Greg Abbott, Governor of Texas, launched Operation Lone Star, consistent with Article I, Section 10, Clause 3 of the U.S. Constitution, to defend the people of Texas against a hostile invasion by employing strategies to deter efforts to violate Texas' territorial sovereignty, deny efforts to enter illegally, and detain illegal immigrants; and

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, entities doing business in the State of Texas, including hospitals, have sought to profit from the ongoing effects of this disaster by incentivizing "birth tourism" schemes—the practice of non-citizen aliens exploiting our laws by traveling to the United States illegally or under false pretenses solely to give birth and secure citizenship for their child; and

WHEREAS, a narrow majority of the Supreme Court of the United States recently held that the U.S. Constitution automatically entitles children of illegal aliens and temporary birth tourists to

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U.S. citizenship if they are born in the United States, *Trump v. Barbara*, No. 25-365, slip op. at 12 (U.S. June 30, 2026); and

WHEREAS, that decision is not only inconsistent with centuries of practice excluding the children of non-citizen aliens who are temporarily present or who owe loyalty to a different sovereign from acquiring citizenship, *Trump*, slip op. at 9 (Kavanaugh, J., concurring in judgment and dissenting in part); *Trump*, slip op. at 2 (Gorsuch, J., dissenting), but also would bestow citizenship on the child "of a foreign spy" or "a strategic adversary or enemy of the United States," *Trump*, slip op. at 56 (Thomas, J., dissenting); *Trump*, slip op. at 38 (Alito, J., dissenting); and

WHEREAS, the same day the Supreme Court issued this decision, the U.S. Department of Justice (DOJ) issued a memorandum "directing all United States Attorneys and the Criminal Division to work with the Department of Homeland Security to prioritize the investigation and prosecution of birth tourism schemes," Memorandum from Colin M. McDonald, Assistant Attorney General, U.S. Department of Justice, National Fraud Enforcement Division (June 30, 2026); and

WHEREAS, the DOJ memorandum detailed how such schemes frequently involve "lies about the purpose or duration of one's travel to the United States" and could run afoul of numerous federal criminal laws, including laws prohibiting visa fraud, wire fraud, money laundering, misuse of identification, identity theft, and health care fraud, *see* Memorandum from Colin M. McDonald (citing 18 U.S.C. §§ 1028, 1028A, 1343, 1347, 1349, 1546, 1956); and

WHEREAS, the Texas Attorney General has likewise taken steps to combat illegal birth tourism schemes, including suing a Houston-area facility that claims to have facilitated birth tourism for "1,000+" foreign nationals and allegedly coached customers to mislead or deceive federal immigration officials about the purpose of their visits to the United States, in violation of state laws, *see* TEX. PENAL CODE §§ 20.05(a)(2), 37.10, 71.02; TEX. CIV. PRAC. & REM. CODE § 125.062; TEX. BUS. & COMM. CODE § 17.46(a), (b)(2), (3), (5), (9), (12); and

WHEREAS, I, Greg Abbott, Governor of Texas, directed the Texas Health and Human Services Commission (HHSC) on July 7, 2026, to launch an immediate investigation into reports that Texas hospitals were advertising birth tourism packages to individuals in foreign countries and to refer any violations of state law to the Office of the Attorney General for civil enforcement and to the appropriate District or County Attorney for criminal prosecution; and

WHEREAS, HHSC acted swiftly in referring to the Texas Attorney General two Texas hospitals that allegedly placed billboards in a foreign country advertising "birth packages" in South Texas for fixed prices starting as low as $3,950, and directed viewers to a website soliciting patients to engage in medical birthing services; and

WHEREAS, no person may establish or operate a hospital, birthing center, freestanding emergency medical care facility, or any other facility authorized to conduct births in Texas without a license issued by the State of Texas, *see* TEX. HEALTH & SAFETY CODE §§ 241.021, 244.003, 254.051; and

WHEREAS, HHSC is responsible for promulgating the rules and minimum standards for hospitals and other health care providers and ensuring the efficient use of state and local health-related resources and monitoring Medicaid and other federal funding programs supporting health care services, *see* TEX. GOV'T CODE §§ 523.0001, 523.0002, 524.0001, 524.0151; TEX. HEALTH & SAFETY CODE §§ 62.051, 241.026; TEX. HUM. RES. CODE § 32.021; and

WHEREAS, the Texas Department of State Health Services (DSHS) administers the registration of vital statistics and licensing and regulates birthing facilities in Texas, *see* TEX. HEALTH & SAFETY CODE §§ 191.002, 192.002, 244.003, 311.032, 311.033; and

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WHEREAS, the Office of Inspector General (OIG) of HHSC is tasked with preventing, detecting, auditing, inspecting, and investigating fraud, waste, and abuse in the provision and delivery of all health and human services in this State, *see* TEX. GOV'T CODE § 544.0103; and

WHEREAS, the Texas Medical Board (TMB) is tasked with regulating the practice of medicine, issuing, suspending, or revoking medical licenses, and promulgating rules concerning false or misleading advertising or other deceptive practices by a person licensed to practice medicine, *see* TEX. OCC. CODE §§ 152.001, 153.001, 153.002, 155.002, 155.212; and

WHEREAS, the Texas Board of Nursing (BON) is tasked with regulating the practice of professional nursing and vocational nursing, including by promulgating rules regarding specialized training, prescribing standards of professional conduct, and prohibiting false or misleading advertising or other deceptive practices, *see* TEX. OCC. CODE §§ 301.151, 301.152, 301.153; and

WHEREAS, the Texas Department of Licensing and Regulation (TDLR) is tasked with regulating the practice of midwifery, including by issuing, suspending, or revoking midwifery licenses, and promulgating rules prescribing the standards for the practice of midwifery, *see* TEX. OCC. CODE §§ 203.151, 203.251, 203.404;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of Texas, do hereby direct the following actions:

(1) DSHS, HHSC, OIG, TMB, BON, and TDLR must investigate claims of birth tourism schemes in Texas' healthcare industry and take action against licensed or regulated individuals and entities advertising, soliciting, engaging in, assisting with, providing, or otherwise participating in such activities, including by revoking or suspending licensure, prohibiting participation in state contracts, denying state benefits, or taking other enforcement action; and

(2) DSHS, HHSC, OIG, TMB, BON, and TDLR may, subject to approval by the Governor consistent with Article IV, Section 10 of the Texas Constitution, partner with federal prosecutors to identify and combat birth tourism schemes in Texas' healthcare industry, including by sharing information or resources and referring potential violations of federal law.

This executive order supersedes all previous orders in conflict or inconsistent with its terms and shall remain in effect and in full force until modified, amended, rescinded, or superseded by the Governor.

Given under my hand this the
21st day of July, 2026.

GREG ABBOTT
Governor

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ATTESTED BY:

ROBERT S. HOWDEN
Secretary of State

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