



MRN: [25 STATE 15576](#)  
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From: SECSTATE WASHDC  
Action: ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE *Immediate*  
E.O: 13526  
TAGS: CVIS, CMGT  
Captions: SENSITIVE  
Reference: A) [25 STATE 11402](#)  
B) [25 STATE 5914](#)  
Subject: Guidance for Visa Adjudicators on Executive Order 14201 "Keeping Men Out of Women's Sports"

1. (SBU) **SUMMARY:** On February 5, 2025, the President issued Executive Order (E.O.) 14201 on “Keeping Men out of Women’s Sports” with provisions regarding visa adjudication procedures. All visa-issuing posts should carefully review and follow this guidance effective immediately. Talking points for use with affected applicants are in paragraph 7. **END SUMMARY.**
2. (U) The E.O. states that, “It shall...be the policy of the United States to oppose male competitive participation in women’s sports” and that, “the Secretary of State...shall review and adjust, as needed, policies permitting admission to the United States of males seeking to participate in women’s sports, and shall issue guidance with an objective of preventing such entry to the extent permitted by law....”
3. (SBU) Additionally, the E.O. requires a range of actions by the Executive Branch to protect opportunities for women and girls to compete in safe and fair sports. The Bureau of Educational and Cultural Affairs (ECA), which serves as the Department’s Coordinator for International Athletics, will address these additional actions in a separate forthcoming ALDAC. These changes will preclude biologically male athletes from participating in women’s sporting events, including sports exchanges, in the United States;” therefore, visa applications related to this purpose of travel under any visa class warrant additional scrutiny. Adjudicators should refer to previous guidance regarding sex markers, which states that a visa must bear the applicant’s sex at birth ([Ref A](#)).
4. (SBU) In assessing an applicant’s qualifications for a visa, you must be convinced the purpose of travel is legitimate and consistent with the visa classification being sought. In the case of an athlete applying for any classification of visa for the purpose of participating in a sports competition, you should confirm that the sponsoring organization permits participation by members of the applicant’s sex as defined by E.O. 14168, particularly in light of the directives to rescind federal funding for programs that contravene the E.O. (**Note:** As a case in point, on February 6, 2025, the NCAA announced an updated participation policy for student-athletes which limits competition in women’s sports to student-athletes who are female at birth. **End note.**)
5. (SBU) As with all cases, the burden is on the visa applicant to establish his or her visa eligibility to the satisfaction of the consular officer. For all visa classifications in which an applicant’s primary purpose of travel is to participate in an athletic activity or program, this includes demonstrating that his or her participation will be permitted by the organizer. If the applicant is otherwise eligible for the visa but you are not satisfied that such participation is permissible, you may refuse the application under INA section 221(g) and request additional evidence. Like all applicants, if the applicant’s stated purpose of travel or responses to questions regarding his or her intended activity casts doubt on credibility or qualification for the visa, you should refuse the applicant under INA section 214(b) if applicable to the visa classification.
6. (SBU) As explained in Ref A, both immigrant and nonimmigrant visa applications request that an applicant identify their sex as either male or female. Moreover, all visas must reflect an applicant’s sex at birth. To verify an applicant’s sex, you should generally rely upon the documents provided by the applicant (including passport or birth certificate). If there is a discrepancy either in the applicant’s documents or in electronic consular records, or if other evidence casts reasonable doubt on the applicant’s sex, you should refuse the case under 221(g) and request additional evidence to demonstrate sex at birth. Typically, a timely-registered birth certificate with a sex marker will suffice for this purpose.

7. (SBU) In cases where applicants are suspected of misrepresenting their purpose of travel or sex, you should consider whether the misrepresentation is material such that it supports an ineligibility finding under INA section 212(a)(6)(C)(i). There are four elements required to find an individual ineligible for a visa under INA 212(a)(6)(C)(i). See [9 FAM 302.9-4\(B\)\(1\)](#):

- (1) The applicant made an affirmative act of misrepresentation;
- (2) The misrepresentation was willfully made;
- (3) The fact misrepresented is material; and
- (4) The applicant by using fraud or misrepresentation seeks to procure, has sought to procure, or has procured a visa, other documentation, admission into the United States, or other benefit provided under the INA.

Some common scenarios that may raise questions about an applicant's ineligibility under [INA 212\(a\)\(6\)\(C\)\(i\)](#) involve intentional, material misrepresentations related to an applicant's sex or purpose of travel at the time of any visa application and/or at the time admission to the United States is sought. For an applicant traveling to the United States for an athletic competition, for example, misrepresentation of sex may be material if it cut off a line of inquiry regarding whether the applicant is permitted to participate in the competition. You should consider such misrepresentations in accordance with guidance on INA section 212(a)(6)(C)(i) in 9 FAM 302.9-4, and may request an advisory opinion (AO) from L/CA/V/AL with questions regarding application of this ground in a given case.

8. (SBU) Case Notes: Posts are instructed to include the following text in the case notes in all cases refused 221(g), 214(b), or (6)(C)(i) or pending an AO pursuant to this E.O.: #sws25 – please enter the text exactly without additional punctuation or spaces entered to allow for text searches. CA will also add the hot string “sws25” to the standard NIV Line AutoHotkey script.

9. (SBU) Talking Points: Posts should use only the below cleared talking points with affected applicants:

- According to the February 5, 2025, E.O. 14201, “Keeping Men Out of Women’s Sports,” it is the policy of the United States to oppose male competitive participation in women’s sports.
- Per the January 20, 2025, E.O. 14168, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” it is the policy of the United States to recognize two sexes, male and female. These sexes are immutable from birth.
- These E.O.s express the United States’ policy position that only biological women should participate in women’s sports.

10. (U) Additional guidance and contacts: Executive Orders and related guidance can be found on [CAWeb](#). State Department personnel can also join the [CA/VO Transition Coordination Team](#) to review official guidance and submit questions to VO subject matter experts regarding the E.O.

11. (SBU) Inquiries: Posts must refer any U.S. media inquiries regarding E.O.s to [CA-Press@state.gov](mailto:CA-Press@state.gov), and congressional inquiries regarding the E.O. to [ConsularOnTheHill@state.gov](mailto:ConsularOnTheHill@state.gov). Posts may respond to requests from international media regarding E.O.s using CA's cleared press guidance located on [CA Web](#), copying [CA-Press@state.gov](mailto:CA-Press@state.gov). Questions on this topic without a consular nexus may be directed to [sportsdiplomacy@state.gov](mailto:sportsdiplomacy@state.gov).

12. Minimize considered.