



U.S. Department of Justice

Office of the Deputy Attorney General

Washington, D.C. 20530

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MEMORANDUM FOR ALL DEPARTMENT OF JUSTICE EMPLOYEES

FROM: Colin M. McDonald *Colin McDonald*  
Office of the Deputy Attorney General

SUBJECT: Prosecution of Fraudulent Birth Tourism Schemes

The benefits of United States citizenship require little explanation. Unlike most countries in the world, the United States extends this extraordinary privilege to almost anyone born within its borders and territories. Regrettably, the American system is exploited each year by thousands of foreigners who travel to the United States under false pretenses to give birth and secure citizenship for their child.

The criminal laws of the United States already prohibit conduct inherent to many of these so-called “birth tourism” schemes. For example, many such schemes start with a false visa application—with lies about the purpose or duration of one’s travel to the United States—in violation of 18 U.S.C. § 1546.

Some recent examples crystallize these schemes. In 2024, a husband and wife, Michael Wei Yueh Liu and Jing Dong, were each sentenced to 41 months’ imprisonment for operating a birth tourism scheme with a business named “USA Happy Baby Inc.” that charged Chinese clients tens of thousands of dollars to help them give birth in the United States. Liu and Dong assisted customers with obtaining fraudulent visas to enter the United States, and provided customs entry guidance, housing, and transportation in the United States. As part of the scheme, Liu and Dong coached their customers on how to hide their pregnancies from immigration authorities.

Similarly, in 2022, Ibrahim Aksakal was sentenced to 27 months’ imprisonment for conspiring to commit health care and wire fraud in connection with a birth tourism scheme that Aksakal operated in New York. Aksakal and his co-conspirators advertised a birth tourism scheme on two Turkish-language social media pages. As part of the scheme, Aksakal and his co-conspirators instructed the women to conceal their pregnancies from immigration authorities. In addition to the prison term, Aksakal was ordered to pay restitution in the amount of \$1,039,723.63, and forfeiture in the amount of \$397,500.

Finally, in 2020, fugitive Chao “Edwin” Chen was sentenced to 37 months’ imprisonment for participating in a large-scale birth tourism scheme. Chen operated a business named “You Win USA,” advertising that its 100-person team in China and the U.S. had served more than 500 Chinese birth tourism customers. Chen, who helped coach his customers to misrepresent the true intentions of their visits to United States at ports of entry, charged each customer between \$40,000 to \$80,000. Chen received \$3 million in international wire transfers from China in just two years.

As these examples make clear, birth tourism schemes exploit our immigration system and violate criminal law.

The Department of Justice will investigate and hold accountable those who engage in this unlawful conduct, as well as those who solicit and sell these criminal services to others. I am 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.

While many of these cases are prosecuted as visa fraud under 18 U.S.C. § 1546, prosecutors should consider whether other federal statutes are violated as part of such schemes, including but not limited to:

- Wire Fraud and Conspiracy to Commit Wire Fraud, 18 U.S.C. §§ 1343, 1349
- Money Laundering and Conspiracy to Commit Money Laundering, 18 U.S.C. § 1956
- Unlawful Use of Means of Identification, 18 U.S.C. § 1028(a)(7)
- Aggravated Identity Theft, 18 U.S.C. § 1028A(a)(1)
- Conspiracy to Commit Health Care Fraud, 18 U.S.C. § 1347<sup>1</sup>

The Executive Office for United States Attorneys will provide U.S. Attorneys’ Offices additional information to identify these matters and cases in CaseView and will also identify resources to assist with these investigations and prosecutions.

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The Department of Justice will zealously protect the sanctity of United States citizenship by investigating and prosecuting those who fraudulently exploit our immigration system. Together, we will bring illegal birth tourism to an end and those responsible to justice.

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<sup>1</sup> Prosecutors should also assess the possibility of criminal forfeiture under 18 U.S.C. §§ 982(a)(1), 982(a)(6)(A), 982(a)(7), 982(b)(1).