

119TH CONGRESS
1ST SESSION

H. R. 3368

To prohibit the use of Federal funds to carry out Executive Order 14160.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2025

Mrs. RAMIREZ (for herself, Mr. ESPAILLAT, Ms. MENG, Ms. CLARKE of New York, Mr. RASKIN, Mr. TRAN, Mr. KRISHNAMOORTHY, Ms. NORTON, Mr. VARGAS, Mr. THANEDAR, Ms. TLAIB, Mr. JOHNSON of Georgia, Ms. CROCKETT, Ms. OCASIO-CORTEZ, Ms. SÁNCHEZ, Ms. BALINT, Mr. GARCÍA of Illinois, Ms. DEAN of Pennsylvania, Ms. WILLIAMS of Georgia, Mr. CARSON, Ms. SIMON, Mr. MCGOVERN, Ms. GARCIA of Texas, Mr. TORRES of New York, Mr. JACKSON of Illinois, Ms. VELÁZQUEZ, Ms. SCANLON, Mrs. CHERFILUS-MCCORMICK, Ms. ANSARI, Mr. GARCIA of California, Mrs. WATSON COLEMAN, Mr. GOLDMAN of New York, Mr. FROST, Mr. TONKO, Mr. SOTO, Mr. MIN, Mr. POCAN, Mr. THOMPSON of Mississippi, Ms. SALINAS, Ms. KAMLAGER-DOVE, Mrs. MCIVER, Ms. JAYAPAL, Ms. TITUS, Ms. OMAR, Mr. AMO, Mr. GARAMENDI, Ms. MCBRIDE, Ms. BARRAGÁN, Mr. LYNCH, Ms. CRAIG, Ms. LEE of Pennsylvania, Mr. CASAR, Ms. SCHAKOWSKY, Ms. PINGREE, Mr. CISNEROS, Ms. DEXTER, Ms. TOKUDA, Mr. CARBAJAL, Mr. CLEAVER, Mr. COHEN, Mr. MEEKS, Ms. RIVAS, Mr. SHERMAN, Mr. BELL, Mr. BOYLE of Pennsylvania, Ms. PRESSLEY, Ms. KELLY of Illinois, Ms. WILSON of Florida, Mr. KHANNA, Mr. KENNEDY of New York, Mr. CARTER of Louisiana, Ms. LOFGREN, Mr. GOTTHEIMER, Mr. VASQUEZ, Mr. LIEU, Mr. MENENDEZ, Ms. BROWN, Ms. JACOBS, Ms. MCCLELLAN, Mr. MULLIN, Mr. STANTON, Ms. ESCOBAR, Ms. JOHNSON of Texas, Ms. PETTERSEN, Ms. BYNUM, Ms. SHERRILL, Ms. LEGER FERNANDEZ, Mr. TAKANO, Mr. IVEY, Mr. NADLER, Mr. HERNÁNDEZ, Mr. LICCARDO, Mr. HUFFMAN, Mr. SWALWELL, Mr. GREEN of Texas, Mr. RUIZ, Mr. CASTRO of Texas, Ms. RANDALL, Ms. CHU, Mr. DAVIS of Illinois, Mrs. FOUSHEE, Ms. UNDERWOOD, Mrs. DINGELL, Ms. SEWELL, Ms. FRIEDMAN, Ms. MCCOLLUM, Mr. MCGARVEY, and Ms. BROWNLEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit the use of Federal funds to carry out Executive Order 14160.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Born in the USA Act
5 of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On January 20, 2025, President Trump
9 issued the flagrantly and clearly unconstitutional
10 Executive Order 14160 (90 Fed. Reg. 8449), enti-
11 tled “Protecting the Meaning and Value of American
12 Citizenship”, to prohibit the departments and agen-
13 cies of the United States Government from recog-
14 nizing the citizenship of certain children born in the
15 United States.

16 (2) The 14th Amendment to the Constitution of
17 the United States unambiguously states: “All per-
18 sons born or naturalized in the United States, and
19 subject to the jurisdiction thereof, are citizens of the
20 United States and of the State wherein they re-
21 side.”.

1 (3) In 1898, the Supreme Court of the United
2 States issued a decision *United States v. Wong Kim*
3 *Ark*, 169 U.S. 649 (1898) interpreting the birth-
4 right citizenship clause of the 14th Amendment to
5 the Constitution of the United States.

6 (4) In *United States v. Wong Kim Ark*, 169
7 U.S. 649 (1898), the Supreme Court of the United
8 States concludes that—

9 (A) “[t]he Fourteenth Amendment affirms
10 the ancient and fundamental rule of citizenship
11 by birth within the territory, in the allegiance
12 and under the protection of the country, includ-
13 ing all children here born of resident aliens”;
14 and

15 (B) “[i]t can hardly be denied that an
16 alien is completely subject to the political juris-
17 diction of the country in which he resides . . .
18 it is well known that, by the public law, an
19 alien, or a stranger born, for so long a time as
20 he continues within the dominions of a foreign
21 government, owes obedience to the laws of that
22 government”.

23 (5) Federal courts around the country have
24 weighed in against the constitutionality of Executive
25 Order 14160 (90 Fed. Reg. 8449).

1 (6) Birthright citizenship is a right guaranteed
2 by the Constitution of the United States and further
3 enshrined in Federal law in title III of the Immigra-
4 tion and Nationality Act (8 U.S.C. 1401 et seq.);
5 therefore, birthright citizenship cannot be rescinded
6 by Executive order or by an Act of Congress.

7 **SEC. 3. PROHIBITION ON USE OF FUNDS.**

8 No Federal funds may be appropriated or otherwise
9 made available to carry out Executive Order 14160 (90
10 Fed. Reg. 8449; relating to protecting the meaning and
11 value of American citizenship) (or any successor Executive
12 order, regulation, or policy).

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