

113TH CONGRESS  
1ST SESSION

# S. 301

To amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2013

Mr. VITTER (for himself, Mr. LEE, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth.

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 “Birthright Citizenship  
5 Act of 2013”.

1 **SEC. 2. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS**  
2 **BORN IN THE UNITED STATES.**

3 (a) IN GENERAL.—Section 301 of the Immigration  
4 and Nationality Act (8 U.S.C. 1401) is amended—

5 (1) by inserting “(a) IN GENERAL.—” before  
6 “The following”;

7 (2) by redesignating subsections (a) through (h)  
8 as paragraphs (1) through (8), respectively, and in-  
9 denting such paragraphs, as redesignated, an addi-  
10 tional 2 ems to the right; and

11 (3) by adding at the end the following:

12 “(b) DEFINITION.—Acknowledging the right of birth-  
13 right citizenship established by section 1 of the 14th  
14 Amendment to the Constitution of the United States, a  
15 person born in the United States shall be considered ‘sub-  
16 ject to the jurisdiction’ of the United States for purposes  
17 of subsection (a)(1) only if the person is born in the  
18 United States and at least 1 of the person’s parents is—

19 “(1) a citizen or national of the United States;

20 “(2) an alien lawfully admitted for permanent  
21 residence in the United States whose residence is in  
22 the United States; or

23 “(3) an alien performing active service in the  
24 armed forces (as defined in section 101 of title 10,  
25 United States Code).”.

1           (b) APPLICABILITY.—The amendment made by sub-  
2 section (a)(3) may not be construed to affect the citizen-  
3 ship or nationality status of any person born before the  
4 date of the enactment of this Act.

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