

119TH CONGRESS
2D SESSION

H. RES. 1434

Supporting the efforts of the Trump Administration to obtain a rehearing of the decision of the Supreme Court of the United States in Trump v. Barbara, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2026

Mr. FULLER submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Supporting the efforts of the Trump Administration to obtain a rehearing of the decision of the Supreme Court of the United States in Trump v. Barbara, and for other purposes.

Whereas the Fourteenth Amendment to the Constitution provides that “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside”;

Whereas, on January 20, 2025, President Donald J. Trump signed Executive Order 14160, entitled “Protecting the Meaning and Value of American Citizenship,” directing Federal agencies not to recognize automatic citizenship for children born in the United States to parents who are

unlawfully present in the United States or whose presence in the United States, while lawful, is temporary;

Whereas the United States District Court for the District of New Hampshire entered a class-wide injunction against enforcement of Executive Order 14160, and the United States Court of Appeals for the First Circuit affirmed that injunction;

Whereas, on December 5, 2025, the Supreme Court of the United States granted a petition for a writ of certiorari before judgment in *Trump v. Barbara* (No. 25-365) to determine whether children born in the United States to parents who are unlawfully or only temporarily present are “subject to the jurisdiction” of the United States within the meaning of the Citizenship Clause of the Fourteenth Amendment;

Whereas, on June 30, 2026, the Supreme Court issued its decision in *Trump v. Barbara*, holding by a vote of 5 to 4 that such children are “subject to the jurisdiction” of the United States and are citizens at birth, thereby invalidating Executive Order 14160;

Whereas in the weeks following that decision, reports emerged of billboards and advertisements near the southern border of the United States marketing so-called “birth tourism” packages guaranteeing United States citizenship for children born on American soil, with fees reported to begin at \$4,000;

Whereas such advertised schemes raise serious concerns that the decision in *Trump v. Barbara* will be exploited by individuals and organized networks to circumvent the immigration laws of the United States for commercial gain;

Whereas President Trump has announced his intention to seek a rehearing of the decision in *Trump v. Barbara* pursuant to Rule 44 of the Rules of the Supreme Court of the United States;

Whereas Rule 44 of the Rules of the Supreme Court of the United States permits any party to petition for rehearing of a decision, provided that the petition is filed within 25 days of the entry of judgment and states with particularity the grounds warranting reconsideration, and such relief is rarely granted in argued cases;

Whereas the House of Representatives has an independent and continuing interest in the proper interpretation of the Citizenship Clause of the Fourteenth Amendment and in ensuring that the immigration and citizenship laws of the United States are not subject to circumvention or abuse; and

Whereas it is in the interest of the United States for the Supreme Court to have the opportunity to fully consider the ramifications of its decision in *Trump v. Barbara*, including evidence regarding its exploitation through commercial “birth tourism” schemes, before that decision becomes the final and unreviewable law of the land: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the efforts of the Trump Adminis-
3 tration to obtain a rehearing of the decision of the
4 Supreme Court of the United States in *Trump v.*
5 *Barbara*, No. 25–365 (2026);

6 (2) urges the Solicitor General of the United
7 States to file, and the Supreme Court of the United

1 States to grant, a petition for rehearing in Trump
2 v. Barbara;

3 (3) affirms that the proper interpretation of the
4 Citizenship Clause of the Fourteenth Amendment,
5 and the prevention of its exploitation through com-
6 mercial “birth tourism” schemes, is a matter of pro-
7 found and continuing national importance; and

8 (4) calls on the Committee on the Judiciary of
9 the House of Representatives to closely monitor de-
10 velopments in Trump v. Barbara and to consider
11 such legislative or oversight action as may be nec-
12 essary to protect the integrity of the citizenship and
13 immigration laws of the United States.

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