

To the office of U.S. Representative Clay Fuller

Re: HJRES 172 (119th Congress), Proposing an amendment to the Constitution of the United States to protect United States citizenship. • Latest action (2026-05-04): Referred to the House Committee on the Judiciary.

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Office of record (Congress.gov): 2201 Rayburn House Office Building, Washington, DC • (202) 225-5211

Joint Resolution Proposing Amendment to Clarify and Protect Birthright Citizenship

The measure, as described from the official record: Propose a constitutional amendment to the Fourteenth Amendment clarifying that birthright citizenship is granted only to those born in the US to at least one citizen or lawful permanent resident parent, thereby protecting the integrity of US citizenship.

THE PROPOSAL

This joint resolution proposes an amendment to Section 1 of the Fourteenth Amendment to the Constitution, stating: '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. A person born in the United States is not a citizen at birth unless born to at least one parent who is a citizen of the United States or who is a lawful permanent resident at the time of birth.'

The amendment applies prospectively to births after ratification and does not affect existing citizens. It aims to end automatic citizenship for children of non-citizens, including undocumented immigrants, while preserving citizenship for children of citizens or green card holders.

Upon passage by two-thirds vote in both the House and Senate, the amendment is sent to the states for ratification by three-fourths of state legislatures. States have seven years to ratify.

Congress provides no new enforcement powers; citizenship determinations follow existing processes by the State Department and USCIS, now guided by the clarified constitutional text.

The Archivist of the United States certifies ratification and publishes the amendment upon achieving the required state approvals.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	Existing House and Senate operations budgets (no new appropriations)
Funding Amount	\$0 additional (budget neutral; minor printing costs covered by current allocations)
Sunset Years	7 years
Oversight Body	House and Senate Judiciary Committees
Enforcement Mechanism	Ratification by legislatures of three-fourths of states; certification by Archivist of the United States

Effective Date Immediately upon ratification by three-fourths of states

CONSTITUTIONAL BASIS

- Article V
 - Fourteenth Amendment Section 1
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Honors Republican priorities on strict immigration enforcement, border security, and limiting incentives for illegal immigration; does not directly honor Democratic priorities on comprehensive immigration reform or expansive birthright citizenship, relying primarily on Republican votes.

Values for America is a nonpartisan, constitution-first SI think tank. This brief is informational. It is a policy proposal, not law, and it does not support or oppose any candidate or party. Full analysis and sources:

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