

No. 25-365

IN THE
Supreme Court of the United States

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES,
ET AL.,

Petitioners,

v.

BARBARA ET AL.,

Respondents.

ON WRIT OF CERTIORARI BEFORE JUDGMENT TO THE
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

**BRIEF FOR UNITED STATES CONFERENCE OF
CATHOLIC BISHOPS AND CATHOLIC LEGAL
IMMIGRATION NETWORK, INC. AS AMICI CURIAE
IN SUPPORT OF RESPONDENTS**

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STATEMENT OF INTEREST OF AMICI CURIAE¹

The United States Conference of Catholic Bishops. The United States Conference of Catholic Bishops (the “Conference” or “USCCB”) is a nonprofit corporation whose members are the active Catholic Bishops in the United States in communion with Pope Leo XIV, the Bishop of Rome. The Conference advocates and promotes the pastoral teaching of the Catholic Bishops by coordinating and encouraging Catholic activities in the United States; protecting religious liberty; conducting religious, charitable and social welfare work at home and abroad; aiding in education; caring for immigrants; and generally furthering these goals through education, publication, and advocacy. When lawsuits touch upon central Catholic tenets, as this case does, the Conference files amicus curiae briefs to make its views known.

The Catholic Legal Immigration Network, Inc. The Catholic Legal Immigration Network, Inc. (“CLINIC”) is a national non-profit organization established in 1988 by the USCCB. Guided by the Gospel imperative to welcome the stranger, CLINIC protects the rights and promotes the dignity of immigrants through a network of over 415 Catholic and community-based legal immigration programs across 49 states and the District of Columbia. CLINIC provides legal training, technical assistance, and advocacy in support of its network of approximately 3,000 legal professionals who collectively provide immigration services to nearly 500,000 immigrants each year, many of

¹ No counsel for a party authored this brief in whole or in part, and no entity or person, other than amici curiae and their counsel, made a monetary contribution intended to fund the preparation or submission of this brief. *See* Sup. Ct. R. 37.6.

whom serve mixed-status families and U.S. citizen children.

CLINIC has a substantial interest in this case, which concerns the scope and meaning of the Citizenship Clause of the Fourteenth Amendment. For decades, CLINIC and its affiliate organizations have represented and advised families for whom birthright citizenship is not an abstract constitutional principle, but a foundational safeguard of legal status, family unity, and equal participation in civic life. Any effort to narrow or depart from the settled understanding of birthright citizenship would introduce widespread uncertainty, destabilize families, and undermine uniform national rules of citizenship that have long been recognized by this Court.

Amici are motivated by the teachings of the Catholic Church (the “Church”), including the central belief that every person is imbued with an inviolable dignity, and that all human life, created in the image and likeness of God, is sacred. It is through this lens that the Church stands for “treating people humanely, treating people with the dignity that they have.” Pope Leo XIV, *Interview at Castel Gandolfo* (Nov. 19, 2025). These teachings extend to immigrants in the United States without legal status and their American children who were born in the United States.

Pope Leo XIV has consistently spoken out about how the dignity of all people—including immigrants and children—must be respected. Amici urge a comprehensive and humane approach to migration that ensures the God-given dignity of all persons is respected. See USCCB, *Catholic Elements of Immigration Reform* (Jan. 2025), <https://tinyurl.com/3xnh7592>.

SUMMARY OF ARGUMENT

Since the adoption and ratification of the Fourteenth Amendment, “all persons born or naturalized in the United States, and subject to the jurisdiction thereof” have been entitled to United States citizenship. U.S. Const. amend. XIV, §1. Not only is the principle of birthright citizenship woven into our Nation’s history and Western tradition, but it is also consistent with Catholic teaching. Birthright citizenship aligns with the Church’s teaching that humans were created as social beings and that political authority is morally bound to affirm and protect the inherent dignity of every human person in the community. In turn, birthright citizenship reflects the Catholic principle of subsidiarity by recognizing persons as members of the community from birth, thereby enabling their participation in civic life and ensuring that state power serves the human person as a social being.

Executive Order 14,160 (the “Executive Order”) purports to deny citizenship to children whose mother is “unlawfully present” or has “temporary” status, and whose father is not a U.S. citizen or lawful permanent resident. 90 Fed. Reg. 8449, 8449 (Jan. 29, 2025). Amici’s opposition to the Executive Order is motivated by their firmly held belief that each person is endowed by God with an inherent dignity that confers certain “universal, inviolable, and inalienable” rights. Pope John XXIII, *Pacem in Terris* ¶145 (Apr. 11, 1963). The intended and unintended effects of the Executive Order are immoral and contrary to the Catholic Church’s fundamental beliefs and teachings regarding the life and dignity of human persons, the treatment of vulnerable people—particularly migrants and children—and family unity.

As Catholics, amici are guided by the compassion of Our Lord Jesus Christ. Our concern for our neighbors proceeds from God’s command to love others as he loved us. John 13:35. The Conference is saddened by the “climate of fear and anxiety” and the “vilification of immigrants” that is all too common in the rhetoric concerning immigration policy. United States Conference of Catholic Bishops, *U.S. Bishops Issue a “Special Message” on Immigration from Plenary Assembly in Baltimore* (Nov. 12, 2025), <https://tinyurl.com/39dyf57b>. Thankfully, obstacles and prejudices over past generations have not prevented those generations of immigrants from making enormous contributions to the development of our great nation. But to protect God-given human dignity, which is inherent in the judicial task of rendering just judgments, this Court should hold that the Executive Order is unconstitutional and violative of 8 U.S.C. §1401(a).

ARGUMENT

I. WESTERN TRADITION, THE CONSTITUTION, AND THE TEACHINGS OF THE CATHOLIC CHURCH SUPPORT BIRTHRIGHT CITIZENSHIP BECAUSE IT RECOGNIZES THE EQUAL DIGNITY OF EVERY HUMAN PERSON

A. To Dismantle The Principle Of Birthright Citizenship Would Undermine Both The Legal And Moral Foundations of American Society

The Constitution and Western tradition both affirm the established understanding of birthright citizenship. The United States Constitution states that “[a]ll persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States” U.S. Const. amend. XIV, §1

(emphasis added). This is not a new or even uniquely American idea.

The Western tradition of birthright citizenship stems from the Roman law of *jus soli*, or citizenship by place of birth. See *United States v. Wong Kim Ark*, 169 U.S. 649, 667 (1898). As early as 1608, courts of England declared that birth in a territory was sufficient to establish citizenship therein. *Calvin's Case*, 7 Coke Rep. 1, 18b (1608). While originally a property dispute, *Calvin's Case* considered whether Robert Calvin was a natural-born English subject or if instead he was “alien born, and consequently disabled to bring any real or personal...action for any lands within the realm of England.” *Id.* Chief Justice Edward Coke ruled that those “born under the obedience, power, faith, ligealty, or ligeance of the King, are natural subjects, and no aliens.” *Id.* One form of obedience owed to the King was “local obedience, that is, so long as he was within the King’s protection; which local obedience, being but momentary and uncertain, is yet strong enough to make a natural subject, for if he hath issue here, that issue is a natural born subject.” *Id.* at 6a.

The foundation for the principle of *jus soli* that was laid in part by *Calvin's Case* and confirmed in early Supreme Court decisions later influenced the Fourteenth Amendment’s recognition of birthright citizenship. See *Murray v. Schooner Charming Betsy*, 6 U.S. (2 Cranch) 64, 119–120 (1804); Price, *Natural Law and Birthright Citizenship in Calvin's Case (1608)*, 9 Yale J.L. & Human. 73, 74–75 (1997). The Fourteenth Amendment established that children born within the physical territory and subject to the jurisdiction of the United States are citizens of the United States. U.S. Const. amend. XIV, §1.

The Fourteenth Amendment’s citizenship clause was adopted to rectify the horrors of the decision in *Dred Scott v. Sandford*, 60 U.S. 393 (1857), and thus to ensure citizenship for everyone born in the United States, regardless of race. Rierson, *From Dred Scott to Anchor Babies: White Supremacy and the Contemporary Assault on Birthright Citizenship*, 38 Geo. Immigr. L.J. 1, 4 (2023). In *Dred Scott*, the Court had held that Black people, due to their race, could never be citizens of this country, thus effectively and retroactively adopting a test of inherited citizenship, or *jus sanguinis*, in the United States for Black persons. Chief Justice Roger Taney reasoned that all Black people in the United States failed this test since they were all enslaved or descended from enslaved people. 60 U.S. at 407 (“In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration of Independence, show, that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people ...”). Congress and the states expressly rejected this decision, one of the most infamous in American legal history, when they adopted the Fourteenth Amendment granting citizenship to “[a]ll persons born or naturalized in the United States,” regardless of race, national origin, or other characteristic. U.S. Const. amend. XIV, §1 (emphasis added).

The Fourteenth Amendment’s recognition of citizenship grounded in the common law principle of *jus soli* was rightly re-affirmed in subsequent caselaw. It was the basis for the Supreme Court’s ruling in *Wong Kim Ark*, in which the Court explicitly held that the children of immigrants are entitled to United States citizenship. 169 U.S. at 693 (“The Fourteenth

Amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance and under the protection of the country, including all children here born of resident aliens”). There was no equivocation. The Court explained that the only exceptions to birthright citizenship were those recognized by the common law of England, namely for children born to alien enemies during a hostile military occupation, children born to foreign diplomats or diplomatic representatives, and a distinct exception for children of members of Native American tribes who occupied a unique political relationship with the federal government “unknown to the common law.” *Id.* at 682. Congress later codified this interpretation at 8 U.S.C. §1401.

This history demonstrates that birthright citizenship is neither an innovation nor an aberration, but a deeply rooted principle of the Western legal tradition—one that the United States consciously embraced and constitutionalized in the wake of grave moral and legal failure. Price, 9 *Yale J.L. & Human.* at 73. By grounding citizenship in the simple and objective fact of birth within the community, the Constitution affirms that membership in the political order does not depend on race or national origin—or that of one’s parent—but rather only on being a human person born in the jurisdiction of the United States.

B. Birthright Citizenship Is Consistent With The Church’s Fundamental Teaching Regarding Every Human Person’s Inherent Dignity

While the Church recognizes the legitimate authority of sovereign nations to regulate immigration and secure their borders, the Church also teaches that this authority includes a corresponding duty to protect

the God-given dignity of every human person. USCCB, *Catechism of the Catholic Church* ¶¶2237, 2241 (Liberia Editrice Vaticana 2d ed. 1997); USCCB, *Strangers No Longer: Together on the Journey of Hope* ¶¶39, 67 (Jan. 22, 2003), <https://tinyurl.com/3m7ctht>. “The Church sees in men and women, in every person, the living image of God himself.” See Pontifical Council for Just. & Peace, *Compendium of the Social Teaching of the Church* ¶105 (Liberia Editrice Vaticana 2d ed 2005). This is a fundamental teaching of Sacred Scripture. See, e.g., Psalms 139:13-16; 1 Corinthians 3:16. Because every human person is created in the “image and likeness of God,” every person possesses inherent and equal human dignity. *Catechism of the Catholic Church* ¶1700.

The Church also teaches that political authority is a sharing in the authority of God. *Catechism of the Catholic Church* ¶2238; see Pope Pius XII, *Radio Message of His Holiness to the People of the Entire World* (Dec. 24, 1944) (“[T]he dignity of man is the dignity of the moral community willed by God, the dignity of political authority is the dignity deriving from its sharing in the authority of God.”). It follows that the exercise of that authority is bound by the natural law to protect the dignity of humans (as God’s image-bearers) and to promote God’s justice. *Catechism of the Catholic Church* ¶¶1907–1909, 1912, 2236. Thus, the Church calls upon the government to ensure fairness and equity for all people, particularly for the most vulnerable. See *id.* ¶¶1907, 2241; Pope Leo XIII, *Rerum Novarum* ¶¶32-33 (May 15, 1891) (“As regards the State, the interests of all, whether high or low, are equal.”).

Birthright citizenship accords with the Church’s teachings concerning the State’s obligation to uphold and protect human dignity because it treats birth within a community as a sufficient and objective basis for

political belonging. See USCCB, *The Catholic Church's Position on Birthright Citizenship*, <https://tinyurl.com/4h73cr5c> (visited Feb. 25, 2026); see also *Wong Kim Ark*, 169 U.S. at 655–657. The Church teaches that equal human dignity is inherent in the mere fact of personhood and does not depend on citizenship, immigration status, or parentage. USCCB, Comm. on Migration, *Human Dignity Is Not Dependent on a Person's Citizenship or Immigration Status* (Jan. 23, 2025), <https://tinyurl.com/2s4mysef>.

By recognizing children as members of a particular political community, birthright citizenship acknowledges the intrinsic value of every human person. See USCCB, *Human Dignity Is Not Dependent on a Person's Citizenship or Immigration Status*. In this way, it embodies the Church's teaching that public authorities must, to be morally legitimate, affirm and protect human dignity. See *Compendium of the Social Teaching of the Church* ¶¶397–398; USCCB, Comm. on Migration, *Executive Actions Will Subject Vulnerable Families and Children to Grave Danger, says Bishop Seitz* (Jan. 22, 2025), <https://tinyurl.com/2emry46b>.

C. Birthright Citizenship Is Consistent With The Catholic Teaching Of Subsidiarity

The principle of subsidiarity teaches that larger social institutions must not overwhelm or displace smaller, more immediate communities, particularly the family, which the Church recognizes as “the first and vital cell of society.” Pope John Paul II, *Familiaris Consortio* ¶42 (Nov. 22, 1981); see also Pope Pius XI, *Quadragesimo Anno* ¶79 (May 15, 1931). Subsidiarity thus places limits on the reach of political and social institutions, “protect[ing] people from abuses by higher-

level social authority.” *Compendium of the Social Teaching of the Church* ¶187.

But subsidiarity does not stand for the proposition that political and social institutions should never intervene in small communities. *Compendium of the Social Teaching of the Church* ¶¶185–188. To the contrary, subsidiarity imposes an affirmative obligation on social organizations to “adopt attitudes of help”—“subsidium”—towards lower-order societies when necessary to protect their dignity and enable their flourishing. *See id.* ¶¶185–187 (emphases omitted); *see also* Pope Pius XI, *Quadragesimo Anno* ¶79. A political system that strips families of legal recognition or stability, or that denies them the protections necessary to secure their children’s ability to participate in society, fails in this duty of assistance. Pope Pius XI, *Quadragesimo Anno* ¶79 (“For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them.”).

The principle of subsidiarity flows from human dignity. Pope Benedict XVI, *Caritas in Veritate* ¶57 (2009). To be human is to be a social being, as seen, for example, in God’s creative observation that it was not good that the man he had created in his image should be alone. Genesis 2:18. Thus, the Church emphasizes that human dignity is recognized and expressed in human society. *Compendium of the Social Teaching of the Church* ¶106 (“All of social life is an expression of its unmistakable protagonist: the human person.”). Accordingly, Church teaching demands that social structures be ordered such that human persons and families are not treated as passive objects of governance. *Id.* Subsidiarity thus safeguards human dignity by ensuring that authority remains oriented toward the person as a social being, rather than subordinating the

person to the state. *Catechism of the Catholic Church* ¶1912 (“The common good is always oriented towards the progress of persons.”); Pope Paul VI, *Gaudium et Spes* ¶26 (Dec. 7, 1965).

Implicit in the notion of subsidiarity is social participation rooted in human dignity. Every member of a civil community, “either as an individual or in association with others, whether directly or through representation, contributes to the cultural, economic, political and social life of the civil community to which he belongs.” See *Compendium of the Social Teaching of the Church* ¶189. Through this lens, social participation is not a discretionary benefit conferred by the state, but a fundamental right inherent in the very fact of being human. Pope John Paul II, *Centesimus Annus* ¶46 (May 1, 1991); USCCB, *Pastoral Letter: Forming Conscience for Faithful Citizenship* ¶13 (Nov. 2007), (“[P]articipation in political life is a moral obligation.”), <https://tinyurl.com/ym7mpy7n>.

Birthright citizenship is consonant with this view. By recognizing citizenship at the place of someone’s birth, the state justly acknowledges that a child is already embedded in a community—family, neighborhood, parish, and school—and empowers the child to participate in that community. See Pope Francis, *Fratelli Tutti* ¶87 (Oct. 3, 2020). Birthright citizenship thus allows individuals and families to participate in communal, social, and political life, while the government acts as a protector of the agency and freedom that subsidiarity aims to safeguard. See Pope Francis, *Evangelii Gaudium* ¶220 (Nov. 24, 2013).

II. THE EXECUTIVE ORDER IS IMMORAL

A. Ending Birthright Citizenship Denies The Innate Dignity And Freedom Of The Person

Because every person is created in the image and likeness of God, the Church rejects the notion that some people are considered “others” and do not possess intrinsic God-given human dignity. USCCB, *Human Dignity Is Not Dependent on a Person’s Citizenship or Immigration Status*. As Pope Francis explained, every person “reflects something of God’s glory.” Pope Francis, *Evangelii Gaudium* ¶274.

The Executive Order is antithetical to the import of the Church’s teachings because it deprives people whose parents were not born here, or whose mother has temporary status, of the legal rights necessary to participate in the society of their birth. The Church acknowledges that leading a “life truly human” requires more than food and clothing—it requires freedom and agency, including “the right to choose a state of life freely and to found a family, the right to education, to employment, to a good reputation, to respect, to appropriate information, to activity in accord with the upright norm of one’s own conscience, to protection of privacy and rightful freedom even in matters religious.” See Pope Paul VI, *Gaudium et Spes* ¶26. When a person is excluded from the legal and political structures that govern his life, he or she is prevented from exercising agency and participating in community, to his or her detriment and that of the nation. See Pope John Paul II, *Centesimus Annus* ¶46; cf. 1 Aquinas, *Commentary on Aristotle’s Politics* ¶39, Lesson 1 (Ernest L. Fortin & Peter D. O’Neil eds.) (“[J]ust as a hand or a foot cannot exist without a man, so too one man cannot live self-sufficiently by himself when separated from the city.”).

Beyond this, and of utmost importance to the Church, is the concern that stripping a person of his or her dignity by depriving him or her of membership in their community of birth harms the foundation of his or her spiritual life. Code of Canon Law §1752 (the salvation of souls is the supreme law in the Church); *see* Pope Leo XIII, *Rerum Novarum* ¶40 (“The working man, too, has interests in which he should be protected by the State; and first of all, there are the interests of his soul.”). Amici are troubled that people may fear participating in spiritual life and community due to a lack of citizenship status in their country of birth and related threats against the sanctity of houses of worship. USCCB, *U.S. Bishops Issue a “Special Message” on Immigration from Plenary Assembly in Baltimore*.

Furthermore, it is the mission of the Church to spread the word of God. *See* Pope Francis, *Evangelii Gaudium* ¶¶19–20. To continue these efforts, it is critical that people are not fearful of leaving their homes and participating in the sacraments. As Pope Francis explained, “our church doors should always be open, so that if someone, moved by the Spirit, comes there looking for God, he or she will not find a closed door.” *Id.* ¶¶46–67. The Church’s mission to serve all members of our community and proclaim God’s word is undermined by the Executive Order, which discourages people from participating in Church life and seeking spiritual guidance.

B. Ending Birthright Citizenship Inflicts Harm On Vulnerable People

Scripture tells us that the truest measure of morality lies in how the most vulnerable amongst us are treated. *See* Isaiah 1:17 (“[L]earn to do good. Make justice your aim; redress the wronged, hear the orphan’s

plea, defend the widow.”); Matthew 25:34–40 (“[W]hatever you did for one of these least brothers of mine, you did for me.”); Galatians 5:14 (“The whole law is fulfilled in one statement, namely: ‘You shall love your neighbor as yourself.’”). The Bible calls us to give special care to vulnerable people, including migrants and children, both of whom are affected by this Executive Order. *See* Leviticus 19:33–34 (“You shall treat the alien who resides with you no differently than the natives born among you; you shall love the alien as yourself; for you too were once aliens in the Land of Egypt.”); Zechariah 7:9–10 (“Thus says the Lord of hosts: Judge with true justice, and show kindness and compassion toward each other. Do not oppress the widow or the orphan, the resident alien or the poor; do not plot evil against one another in your hearts.”); Matthew 18:5 (“And whoever receives one child such as this in my name receives me.”).

The Church teaches therefore that one must welcome the stranger and the migrant, as the experience of migration accompanies the history of the people of God. Pope Leo XIV, *Dilexi Te* ¶¶73–75 (Oct. 4, 2025). Migrants often flee war and persecution seeking a better life for their families. Pope Francis, *Fratelli Tutti* ¶¶37–41. It is critical that we treat our suffering neighbors not with indifference, apathy, or bias, but instead with the same type of mercy as depicted in the story of the Good Samaritan, whose love transcended the most strident ethnic division of that day. *See* Luke 10:33–37. Christ’s very point in framing a Samaritan as that story’s hero was to emphasize that our obligation to love our neighbors who are suffering is not bounded by regional or cultural borders. As Saint Augustine of Hippo put it, “[a]ll men are to be loved equally,” and we are to “pay special regard to those who, by the accidents of time, or

place, or circumstances, are brought into closer connection with [us].” 1 *On Christian Doctrine* ¶29, ch. 28 (A.D. 397).

The Executive Order forsakes the vulnerable among us—specifically the children of migrants, who, by matters of time, place, and circumstance beyond their control, are brought into closer connection with us—because it subjects them to further danger related to their lack of legal status: statelessness. Specifically, the Executive Order would, by 2045, increase by as many as 2.7 million the number of unauthorized residents in the United States and at the same time increase the risk that some people will be stateless. See Hook et al., *Repealing Birthright Citizenship Would Significantly Increase the Size of the U.S. Unauthorized Population*, Migration Pol’y Inst. (May 2025), <https://tinyurl.com/ywp3w75z>.

Statelessness occurs when people are not recognized as nationals by any country under the operation of its laws. Convention Relating to the Status of Stateless Persons art. 1(1), Sept. 28, 1954, 360 U.N.T.S. 117. Stateless people lack legal protections. Reverends Mark J. Seitz & A. Elias Zaidan, USCCB Committees on Migration & International Justice & Peace, *Letter to Congress on the Stateless Prevention Act* (July 22, 2024), <https://tinyurl.com/52pcx758>. Stateless people lack access to basic services necessary for integration into society, such as education, employment, health care, documentation, and financial support. United Nations High Commissioner for Refugees, *Ending Statelessness: #IBelong Campaign* (“Stateless people are often denied a birth certificate and aren’t able to go to school, see a doctor, get a job, open a bank account, buy a house, or even get married. Stateless people are often denied the dignity of a death certificate.”), <https://tinyurl.com/4ftce4hz> (visited Feb. 25, 2026). And stateless people are

at increased risk of social and economic marginalization. United Nations High Commissioner for Refugees, *The #IBelong: A Decade of Action to End Statelessness, 2014-2024*, at 11 (2024) <https://tinyurl.com/4ev58yfk>; see Kerwin et al., *Statelessness in the United States: A Study to Estimate and Profile the US Stateless Population* 70–72, Center for Immigration Studies (Jan. 23, 2020), <https://tinyurl.com/27574puw>. They experience significant social exclusion, and their lack of legal status makes them heightened targets for violence, human trafficking, forced displacement, and labor exploitation. See United Nations High Commissioner for Refugees, *Statelessness Explained* (Aug. 22, 2023), <https://tinyurl.com/4rutv947>.

Children do nothing wrong by being born in the United States. Yet, this Executive Order renders them stateless. Depriving an innocent child of his citizenship based upon his parents' immigration status would be an especially outrageous punishment—one that this Court has rejected as punishment even for people who have been proven guilty. *Trop v. Dulles*, 356 U.S. 86, 101 (1958). And in the case of children born to undocumented immigrants, they will be faced with an impossible decision: forever being an underclass citizen, with limited access to the necessities of life, such as healthcare, education, housing, and the right to vote, or being forced to migrate to a country that they have never known and in which they may not be welcome. See Kerwin, *Statelessness in the United States: A Study to Estimate and Profile the US Stateless Population* 68.

Additionally, the Church in her pastoral ministry has seen the harm that the Executive Order will inflict on migrants. Federal and state immigration policies affect the ability of the Church to provide Christian charity and pastoral care to people of all backgrounds

and faiths, which is a key tenet of our faith. Amici have already observed this. For example, threats and safety concerns related to immigration enforcement have caused parishioners to refrain from accessing social services provided by the Church and from sending their children to Catholic school. USCCB, *Annual Report on The State of Religious Liberty in the United States* 25 (Feb. 17, 2026), <https://tinyurl.com/4vdan4pj>. And five bishops have taken the extraordinary step of dispensing Catholics from their Sunday obligation if they fear that traveling to and from Mass puts them at risk of being detained. *Id.* Amici expect that the Executive Order would have a similar effect. Ending birthright citizenship would create a large number of people who are unauthorized to be in this country and excluded from essential services. Many of these individuals would turn to the Church for assistance. At the same time, the climate of fear created by the loss of birthright citizenship would deter many from seeking help at all, depriving them of essential services afforded by the Church’s corporal works of mercy. This would especially undermine the Church’s concerted efforts to accompany mothers and their children, through which the sanctity of human life is affirmed.

C. Ending Birthright Citizenship Weakens and Threatens The Family

Family unity is a foundational element of Catholic teaching. See Pope John Paul II, *Familiaris Consortio* ¶48. As Pope John Paul II explained, the family is the first fundamental structure of human life, where humans “learn[] what it means to love and to be loved, and thus what it actually means to be a person.” Pope John Paul II, *Centesimus Annus* ¶39. The family is also an embodiment of each family member’s God-given dignity—its members are “equal in dignity,” with

“manifold responsibilities, rights, and duties”—and it is the first place where a child comes to know his or her intrinsic dignity as a child of God. *Catechism of the Catholic Church* ¶2203.

Because the family is the foundational unit of society—the “original cell of social life”—Catholic teaching consistently rejects state actions that undermine family integrity. See *Catechism of the Catholic Church* ¶2207. Rather, the Church insists that public authorities have a “grave duty” to “honor the family.” See *id.* ¶¶2209–2211. The Church opposes government actions that weaken or supplant the family rather than supporting it. Governments must help families “contribute more effectively to social well-being and supplement their activity when the demands of justice exceed their capacities.” USCCB, *Economic Justice for All* 28 (1986), <https://tinyurl.com/3ubj7zrj>. As noted above, denying citizenship to children born in the United States places them at risk of being stateless. That statelessness places families at risk of separation and creates challenges for family reunification. Indeed, families removed from the United States with stateless children may not have a single country willing to receive them. And families whose individual members are removed may not have a single country in which they can reunite.

Church teaching also recognizes that parents are “by word and example...the first heralds of the faith with regard to their children.” USCCB, *Family* 2, <https://tinyurl.com/h6ff2ucc> (visited Feb. 25, 2026). Separating families, as well as the threat of separation, hinders the passage of faith from generation to generation. *Id.* Ending birthright citizenship directly interferes with the parental vocation the Church recognizes as central to both family life and religious

formation. In this way, family separation undermines not only family unity but also the spiritual and moral development of children, which Catholic teaching has recognized is a responsibility and privilege that belongs to foremost to parents. *See Catechism of the Catholic Church* ¶¶2223, 2225.

CONCLUSION

Ending birthright citizenship lacks historical, legal, and moral support. The principle of citizenship by birth is firmly rooted in Western legal tradition, enshrined in the Fourteenth Amendment, and reaffirmed by this Court's precedent. It is equally grounded in Church teachings, which affirms the inherent dignity of every human person, especially the innocent child. As Catholics, our faith compels us to protest laws that deny the dignity of the human person and harm innocent children, particularly when such laws resurrect the very injustices the Fourteenth Amendment was enacted to repudiate.

At its core, this case is not solely a question about citizenship status or the Fourteenth Amendment. It is a question of whether the law will affirm or deny the equal worth of those born within our common community—whether the law will protect the human dignity of all God's children.

For these reasons, amici respectfully urge the Court to reject the Executive Order and uphold the enduring constitutional and moral commitment to equal dignity for all persons born in the United States.

Respectfully submitted.

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