



**For Immediate Release**

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## **Immigrant Advocacy Groups File Amicus Brief in Landmark Supreme Court Case Challenging Executive Order on Birthright Citizenship**

*Amicus brief argues Birthright Citizenship Executive Order is unconstitutional and would inflict widespread harm on millions of American families*

**WASHINGTON, D.C.** — Today, a group of national immigrant rights' organizations - including the [Asylum Seeker Advocacy Project \(ASAP\)](#), [We Are CASA](#), [Make the Road New York \(MRNY\)](#), [LULAC](#), and [OCA-Asian Pacific American Advocates \(OCA\)](#) - filed an amicus curiae brief urging the United States Supreme Court to strike down President Trump's Executive Order limiting birthright citizenship, which purports to end the constitutional right of birthright citizenship for children born on U.S. soil provided for in the U.S. Constitution. Each of these organizations has served as a plaintiff in separate lawsuits challenging the Executive Order.

"My first child was born here. My next baby will be, too. This is the only home they will ever know," **said We Are CASA member "Jessica," a DACA recipient whose story appears in the brief.** "The Constitution is clear that my children are citizens because they were born here. The idea that the government could strip them of that birthright breaks my heart and threatens everything our family has built. Families like mine work hard, pay taxes and raise our children in our communities. This Executive Order ignores the Constitution just to send the message that we will never fully belong. No parent should have to fear that their newborn could be denied citizenship in their own country."

"This Executive Order is unconstitutional, full stop," **said Shana Khader, We Are CASA's Deputy Legal Director.** "The Fourteenth Amendment guarantees birthright citizenship. No President can override that constitutional guarantee through executive action. If the Supreme Court does not affirm the nationwide injunction blocking this executive order, children born on the same day could be citizens in one state and treated as noncitizens in another. That kind of patchwork system would plunge millions of families into chaos and inject uncertainty into every corner of American life."

The brief argues that the Executive Order targets immigrants who have lived in the United States for years, raised families here, established careers here, and have become vital members of their communities. By denying birthright citizenship to the children of these immigrants, the Executive Order will inflict harm on countless people and create untold chaos. Millions of noncitizens, including recipients of Deferred Action for Childhood Arrivals (DACA) and Temporary Protective Status (TPS), work and study visa holders, and asylum applicants, live and work in the country with the federal government's authorization and are lawfully present.

"As an asylum seeker and a new mother, I have felt a lot of uncertainty since the executive order attempting to limit U.S. citizenship for babies like my son was signed last year," **said Monica, an ASAP member from Venezuela and plaintiff in the CASA v. Trump lawsuit filed by ASAP.** "I am hopeful that the Supreme Court upholds the U.S. Constitution, and that the final outcome of this case can finally bring clarity and stability for families like mine."

"The United States has long been a nation that welcomes immigrants fleeing persecution and their children, born in the U.S., have always been U.S. citizens," **said Conchita Cruz, co-executive director at ASAP.** "The Executive Order limiting birthright citizenship seeks to rewrite this well-established principle, and worst, will leave so many children of asylum seekers without a country to call home. If allowed to stand, this Executive Order would create chaos for expecting families, tear children away from their parents, and inflict profound harm on millions of immigrant families who have built their lives in the United States."

The brief emphasizes that the consequences of upholding the Executive Order would be far-reaching and severe. Stripping birthright citizenship from children born to noncitizens with longstanding ties to the United States would undermine foundational assumptions of the American immigration system, create generations of stateless individuals, and separate families.

"As the child of Vietnamese refugees born in the United States, this country is the only home I have ever known," said **Thu Nguyen, Executive Director of OCA - Asian Pacific American Advocates.** "The attempt to dismantle birthright citizenship is not just unconstitutional—it is deeply personal for families like mine. Since its founding, people have come to this country seeking safety and opportunity, working hard to build lives and contribute to this nation's innovation, prosperity, and success. Their children are born here, raised here, and carry that legacy forward. Birthright citizenship embodies the fundamental American promise that while our heritage shapes who we are, it does not determine our destiny. Undermining that promise would create chaos, deny children equal protection under the law, and inflict lasting harm on immigrant families and AAPI communities nationwide."

The brief urges the Supreme Court to affirm the injunction blocking the Executive Order from going into effect, as the Executive Order violates the Citizenship Clause of the United States Constitution and the Immigration Nationality Act.

"Every child born in this country is entitled to the same rights as every other; to deny the children of immigrants essential rights is an affront to basic values of fairness, equality, and inclusivity," said **Harold Solis, Co-Legal Director of Make the Road New York**.

The amicus brief was filed in *Barbara v Trump*, currently pending before the Supreme Court of the United States.

"Birthright citizenship is one of this nation's defining promises. That much is clear," said **Juan Proaño, chief executive officer of LULAC**. "Birthright citizenship is a cornerstone of American democracy. Strip it away, and you fracture the shared identity that binds us as Americans. Worse, it would rip families apart. The Trump administration is attacking immigrant communities and demonizing Brown and Black immigrants with this attack, in particular. LULAC is proud to join this amicus brief and to carry forward our long history of defending the constitutional rights of Latinos and all communities. We will never back down from that responsibility."

Collectively, the four organizations serve well over 1 million members who reside in every state across the country. Given the impacts this executive order would have on their members, the four organizations previously filed suit in 2025 challenging the Executive Order and two of the organizations, We Are CASA and ASAP, were respondents in [Trump v. CASA](#), which was on last year's Supreme Court shadow docket.

You can read the amicus brief, [HERE](#)

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*The Asylum Seeker Advocacy Project (ASAP) is a national membership organization of asylum seekers in the United States. ASAP's members represent more than 175 countries and reside in all 50 U.S. states and several U.S. territories. ASAP's mission is to help its members build a more welcoming United States. ASAP provides members with legal and community support, including time-sensitive updates about immigration policies, and opportunities to work together for nationwide systemic reform.*

*We Are CASA is a non-profit, membership-based immigrant rights organization based in Langley Park, Maryland. Founded in 1985, We Are CASA has more than 189,000 members across the United States, who are predominantly noncitizens holding a variety of immigration*

*statuses. We Are CASA's mission is to create a more just society by increasing the power of and improving the quality of life in working class Black, Latine, Afro-descendent, Indigenous, and immigrant communities. To advance this mission, We Are CASA offers a wide variety of social, health, job training, employment and legal services to immigrant communities. These services include counseling individuals who are seeking to become U.S. citizens, including through citizenship education, mentoring and interview preparation, application assistance, and post-naturalization support.*

*Make the Road New York (MRNY) builds the power of immigrant and working class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services. We have 30,000 members and operate five community centers in Bushwick, Brooklyn; Jackson Heights, Queens; Port Richmond, Staten Island; Brentwood, Long Island; and White Plains, Westchester County.*

*OCA – Asian Pacific American Advocates (OCA) is a nonprofit, membership-based organization in Washington, D.C. Founded in 1973, OCA is a national Asian American and Pacific Islander civil rights organization dedicated to advancing the sociopolitical and holistic well-being of all Asian Americans and Native Hawaiian/Pacific Islanders (AANHPIs). Since its founding, OCA and the Asian American community have been on the frontlines of the legal fight to affirm birthright citizenship. OCA provides services to and advocates for the immigration rights of its members and the broader AANHPI community to ensure that AANHPIs can fully participate in our democracy, live without fear, and access critical resources. OCA has 35 chapters across the United States.*

*The League of United Latin American Citizens (LULAC) is the nation's largest and oldest Hispanic civil rights organization. For nearly 100 years, LULAC has empowered Latino Americans through advocacy, education, and community programs, ensuring full access to the rights and responsibilities of citizenship.*