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NEWS FOR IMMEDIATE RELEASE

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Gov. Evers, AG Kaul Join Coalition of States Challenging Unconstitutional Order Attempting to End Citizenship for Certain Kids Born in America

Wisconsin joins multi-state coalition to defend Americans' constitutional rights

MADISON, Wis. – Gov. Tony Evers and Attorney General Josh Kaul today announced Wisconsin is joining a coalition of states [challenging](#) an unconstitutional executive order issued yesterday that attempts to end citizenship for certain kids born in America, violating Americans' constitutional rights to which all kids born in the United States have long been entitled.

“Attempting to deny citizenship to kids who were born in the United States of America is as egregious and wrong-headed as it is unconstitutional,” said Gov. Evers. “We must defend Americans’ constitutional rights, including the rights of kids who are born on U.S. soil, and that is exactly what we are doing today.”

“The Constitution, federal law, and Supreme Court precedent all make clear that the children who would be impacted by this executive order are United States citizens,” said Attorney General Kaul. “This attempt to deny them citizenship in blatant violation of the Constitution should be rejected.”

President Trump yesterday issued an executive order attempting to end birthright citizenship, in violation of the Fourteenth Amendment of the United States Constitution and Section 1401 of the Immigration and Nationality Act.

To stop the President’s unlawful action, Wisconsin and 19 other states and cities are filing suit in the U.S. District Court for the District of Massachusetts, seeking to

invalidate the executive order and to enjoin any actions taken to implement it. The states request immediate relief to prevent the President's Order from taking effect through both a Temporary Restraining Order and a Preliminary Injunction.

As today's filing explains, birthright citizenship dates back to pre-Civil War America. Although the U.S. Supreme Court's decision in *Dred Scott* denied birthright citizenship to the descendants of slaves, the post-Civil War United States adopted the Fourteenth Amendment to protect citizenship for children born in the country. As set forth in the lawsuit, the U.S. Supreme Court has twice upheld birthright citizenship, regardless of the immigration status of the baby's parents.

Individuals who are stripped of their United States citizenship lose their most basic rights and will be forced to live under the threat of deportation. These individuals will lose eligibility for a wide range of federal benefits programs. They will lose their ability obtain a Social Security number and, as they age, to work lawfully. And they will lose their right to vote, serve on juries, and run for certain offices. Despite the Constitution's guarantee of citizenship, large numbers of children would lose their ability to fully be a part of American society and enjoy the full benefits of citizenship.

In addition, the executive order will cause the States to lose federal funding to programs that they administer, such as Medicaid, the Children's Health Insurance Program, and foster care and adoption assistance programs, which all turn at least in part on the immigration status of the resident being served. States will also be required to begin modifying their operation and administration of benefits programs to account for this change, which will create new burdens for multiple agencies that operate programs for the benefit of the States' residents. The States' filing explains that they should not have to bear these dramatic costs while their case proceeds because the executive order plainly violates the Constitution, the Immigration and Nationality Act, and two U.S. Supreme Court decisions.

States and cities joining Wisconsin in today's filing include New Jersey, Massachusetts, California, New York, Connecticut, Rhode Island, Michigan, Colorado, Delaware, Nevada, Hawaii, Maryland, Maine, Minnesota, New Mexico, Vermont, North Carolina, the District of Columbia, and the City of San Francisco.