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Second U.S. Appeals Court Signals Likely Block of Trump Birthright Citizenship Order

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A second federal appeals court appears ready to strike down President Donald Trump's executive order aimed at restricting birthright citizenship, raising further constitutional challenges to the administration's immigration policy. During a hearing on August 1, judges from the 1st U.S. Circuit Court of Appeals in Boston expressed strong doubts about the

legality of denying citizenship to children born in the United States to non-citizen parents.

The executive order, signed on January 20, directed federal agencies to deny automatic citizenship to children born on U.S. soil whose parents are neither citizens nor lawful permanent residents. Several lower courts, including those in Massachusetts and New Hampshire, have already issued injunctions halting enforcement of the directive, citing violations of the 14th Amendment.

Central to the appeals court's scrutiny is the 1898 Supreme Court decision in *United States v. Wong Kim Ark*, which established that nearly all individuals born on U.S. soil are granted citizenship regardless of their parents' immigration status. During the session, Chief Judge David Barron stressed that the longstanding precedent could not be ignored or narrowly reinterpreted to suit executive discretion.

Justice Department attorney Eric McArthur argued the 14th Amendment's Citizenship Clause was not intended to apply to children of undocumented or temporary immigrants. However, the panel showed little receptiveness to that position, aligning with previous rulings that reaffirm the constitutional guarantee of birthright citizenship.

This case follows a separate ruling from the Ninth Circuit Court of Appeals, which upheld a nationwide block on the order in a 2-1 decision. Judges there also concluded that limiting the injunction would fail to provide full legal protection to all affected individuals and states. The Justice Department is expected to either seek a rehearing or appeal directly to the Supreme Court.

Legal observers anticipate that the issue will ultimately require a definitive ruling from the high court, as multiple circuits continue to reject the administration's interpretation. If the Supreme Court takes up the case, it could result in a landmark decision redefining the scope of the 14th Amendment and the limits of presidential authority on citizenship.