

**Floor Amendment No. 1972 (1463) to HR 1735**

**SESSIONS AMENDMENT SA 1972**

**TEXT OF AMENDMENT**

**SA 1972.** Mr. SESSIONS (for Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1085. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS BORN IN THE UNITED STATES.**

(a) In General.—Section 301 of the Immigration and Nationality Act (8 U.S.C. 1401) is amended—

(1) by inserting “(a) IN GENERAL.—” before “The following”;

(2) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting such paragraphs, as redesignated, an additional 2 ems to the right; and

(3) by adding at the end the following:

“(b) Definition.—Acknowledging the right of birthright citizenship established by section 1 of the 14th Amendment to the Constitution of the United States, a person born in the United States shall be considered ‘subject to the jurisdiction’ of the United States for purposes of subsection (a)(1) only if the person is born in the United States and at least 1 of the person’s parents is—

“(1) a citizen or national of the United States;

“(2) an alien lawfully admitted for permanent residence in the United States whose residence is in the United States; or

“(3) an alien performing active service in the armed forces (as defined in section 101 of title 10, United States Code).”.

(b) Applicability.—The amendment made by subsection (a)(3) may not be construed to affect the citizenship or nationality status of any person born before the date of the enactment of this Act.

(c) Severability.—If any provision of this section or any amendment made by this section, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.