

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 1038

Expressing the sense of the House of Representatives that the United States must recommit to defend and uphold the rights and protections guaranteed by the Fourteenth Amendment to the United States Constitution to ensure that our democracy works for all of us, not just a powerful few.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2026

Ms. TLAIB (for herself, Mr. COSTA, Ms. CRAIG, Mr. EVANS of Pennsylvania, Ms. LEE of Pennsylvania, Mr. LYNCH, Mr. MOULTON, Ms. OMAR, Mrs. RAMIREZ, Ms. STANSBURY, Ms. PRESSLEY, and Mr. CISNEROS) submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Expressing the sense of the House of Representatives that the United States must recommit to defend and uphold the rights and protections guaranteed by the Fourteenth Amendment to the United States Constitution to ensure that our democracy works for all of us, not just a powerful few.

Whereas Members of Congress swear an oath to support and defend the Constitution of the United States;

Whereas the Fourteenth Amendment is the bedrock of our multiracial democracy, establishing birthright citizenship,

due process of law, and equal protection under the law for all persons;

Whereas the Fourteenth Amendment was ratified in 1868 in the wake of the Civil War, the defeat of the Confederacy, and the abolition of slavery;

Whereas the Fourteenth Amendment, alongside the other Reconstruction Amendments, served as the United States “Second Founding”, marking our country’s first effort at true, multiracial democracy;

Whereas generations of everyday people have fought to secure the full promise of freedom and equality embodied in the Fourteenth Amendment, and that struggle continues today;

Whereas we are living in a critical moment of danger for our country that threatens our most fundamental rights and freedoms as Americans;

Whereas recent government actions and proposals, including efforts to undermine birthright citizenship, restrict access to the ballot, and erode due process protections for immigrants, threaten the constitutional guarantees of the Fourteenth Amendment;

Whereas the erosion of constitutional protections endangers fundamental freedoms for all people, regardless of race, background, belief, political affiliation, or place of residence, including freedom of expression, freedom from arbitrary detention, equal treatment under the law, and fair governance; and

Whereas the preservation of constitutional democracy requires vigilance and affirmative commitment by elected officials at every level of government: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2 representatives that—

3           (1) Congress affirm the Fourteenth Amendment  
4 as a cornerstone of American multiracial democracy  
5 and a guarantor of birthright citizenship, due proc-  
6 ess, and equal protection under the law;

7           (2) every branch of the Federal Government  
8 must act to defend and uphold the rights and pro-  
9 tections guaranteed by the Fourteenth Amendment;

10          (3) Congress must reject and oppose any legis-  
11 lation, executive action, or policy that seeks to dis-  
12 mantle, weaken, or circumvent the guarantees of  
13 birthright citizenship, due process, or equal protec-  
14 tion;

15          (4) Congress must preserve and protect birth-  
16 right citizenship for everyone born in the United  
17 States, as guaranteed by the Constitution;

18          (5) Congress pledges to work toward the full re-  
19 alization of equal protection and due process for all;

20          (6) Congress stands with individuals, commu-  
21 nities, organized workers, and civic groups working  
22 to ensure that American democracy works for all  
23 people and not solely for the benefit of a powerful,  
24 wealthy few; and

1           (7) Congress calls upon elected officials at every  
2           level of government to honor their constitutional ob-  
3           ligations and to actively defend the principles em-  
4           bodied in the Fourteenth Amendment.

