

ABC News Live
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DIANE MACEDO: James, this decision rejects the claims that these kind of policies violate equal protection. The dissent argues that the Court ignored key scientific disputes. So, walk into how the Justices reached this ruling.

JAMES SAMPLE: Well, Diane, there are 27 states around the country that have bans similar to the bans at issue here. And as we're just processing this very extensive decision with very in-depth reasoning, I want to be careful and make sure we get things right. But the — the Court said — the majority said that safety concerns and competitive fairness are the touchstones and that states that have chosen to have these bans are allowed to make that decision, which is to say that states are allowed to limit girls sports and women's sports to those who were biologically biological females at birth, and at competitive fairness and safety considerations are the touchstones. The dissenters argue that these are sex-based classifications and that they are — that the bans are inconsistent with aspects of sex-based classifications and other contexts. But for now, the — the — the main ruling is that states are free to have bans on transgender girls and women in girls and women's sports.

MACEDO: In this decision, Kavanaugh says trans athletes desire to compete should be respected and that no one on either side of the issue deserves to be ostracized or vilified. So, what impact will this ruling have now?

SAMPLE: Well, it will certainly have an impact that certain transgender girls and women won't in these particular states, won't be able to compete on girls and women's teams. Justice Kavanaugh, who is himself an addition to a Supreme Court Justice, a sports coach of his own, coaches, daughters in girls basketball, for example, is trying to be, I think, respectful there and certainly pointing out that no one deserves to be ostracized. But there will be some exclusion that will occur as a result of this, and that is, to some extent an unavoidable consequence of the ruling.

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ABC News Special
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5 minutes and 53 seconds

KYRA PHILLIPS: We're coming on the air because the Supreme Court has just released its ruling on the future of birthright citizenship here in the United States. That right has long been guaranteed under the 14th Amendment. But President Trump has been waging a battle to limit birthright citizenship to children of U.S. citizens or permanent residents. Let's get straight to ABC's senior Washington correspondent Devin Dwyer, who covers the Supreme Court for us.

Devin, for more than 100 years, the rule has been simple. If you're born in America, you are an American. And it looks like that won't change.

DEVIN DWYER: That still stands Kyra after this landmark decision. Chief Justice John Roberts, writing for the majority of the Court that the 14th Amendment means what it says. The text of that amendment passed after the Civil War to extend citizenship to former slaves and their descendants, is still the law of the land. If you're born on U.S. soil, you are a U.S. citizen. A major rebuke to President Trump, who had pushed for this executive order to take effect. It has come before the Court twice. He attended oral arguments in person to look those Justices in the eyes. And today, Chief Justice John Roberts, leaning into that opinion from over 100 years ago, 1898, the last time the Supreme Court looked at this issue, and he said that precedent is still our precedent, and it is the law of the land. Kyra a big win for the immigrant advocates, we should note, who had fought this case, the ACLU, who led the way, Cecilia Wang, herself a birthright citizen, arguing this case before the Supreme Court. And today, they have a big victory. 255,000 children are born in the United States each year to non-citizens who would have been affected by Trump's order, and those kids today and going forward will get U.S. citizenship. Kyra.

PHILLIPS: Let's bring in our ABC News legal contributor, James Sample. James, does this signal that there is a line that the Court can't cross?

JAMES SAMPLE: It absolutely does, Kyra. This is a ruling that was an issue that was never a close question. Every single court that looked at this executive order said it was unconstitutional. Today's ruling is not just a victory for birthright citizenship. It's a victory for the principle that you cannot rewrite the 14th Amendment with the stroke of executive pen.

PHILLIPS: Let's bring in our chief White House correspondent, Mary Bruce. Mary, as Devin just mentioned, this is going to be a huge relief to millions of people, but not the President.

MARY BRUCE: No, Kyra, this is a huge blow to one of President Trump's signature immigration promises. In fact, on the very first day of his second term, the President signed this executive order unilaterally declaring that only newborns whose parents have permanent legal status are eligible to be citizens. Despite what the 14th Amendment says, the President often argues this is not how birthright citizenship was intended to be used. He often argues that it was meant for the children of enslaved people, not for those born of migrants who illegally crossed the border. The Supreme Court today firmly disagreeing, backing the 14th Amendment and the right to birthright citizenship. No response yet from the White House. The President, though certainly not likely to be happy, though it is likely he did see this coming. Of course, he did attend in person portions of the oral arguments on this case. That was a first for a sitting President, Kyra.

PHILLIPS: Well, the Supreme Court also issued a critical ruling on the future of transgender athletes here in the United States, and whether states can ban transgender girls from participating in girls sports leagues under Title IX and the Equal Protection Clause. Devin, you had the exclusive interview with Becky Pepper Jackson, the transgender athlete at the center of the West

Virginia case. She will no longer be able to participate on her track and field team.

DWYER: That's right, a 15 year old, the only known openly transgender student and athlete in the state of West Virginia, bravely brought this case to the Supreme Court, insisting that she had an equal right to play with the girls. But the Supreme Court today, 6-to-3 decision written by Justice Brett Kavanaugh, said states school districts can draw lines based on biological sex when it comes to sports teams and schools. And so, that is a setback for Becky. 29 states that have similar laws as west Virginia will continue to stand. And I will note, Kyra, that 21 states don't have bans on transgender athletes. Those are unaffected by this decision, but certainly a blow to that transgender community and student athletes on this last day of Pride Month. Kyra.

PHILLIPS: I want to bring in our legal analyst, Sarah Isgur, on this one. The next test here, Sarah, the must ban question.

SARAH ISGUR: Yeah. This is a case about whether states may ban transgender athletes from women's sports. But the next time around, the case is percolating for the next term are whether those 21 states that do not currently ban transgender athletes from women's sports, in fact, must ban transgender athletes because of Title IX, which guarantees women the ability to participate fully in educational experiences, including sports.

PHILLIPS: Let's take it back to the White House. Mary, you have mentioned this a number of times. There is not a speech that goes by where the President does not talk about transgender athletes. This is clearly a big win for him today.

BRUCE: Yeah, Kyra, rarely does a day go by here at the White House when the President doesn't rail against the participation of transgender female athletes in girls and women's sports, the President really leaning in to this national debate. He feels this is a winning issue for him politically, and this is a win for him. The White House, in fact, has already taken to social media, posting in their words, "from now on, women's sports will only be for women," Kyra.

PHILLIPS: Team, I appreciate each and one of you. We are going to return all of you now to your regular programing. For some of you, that's *Good Morning America*. Our coverage, however, will continue on ABC News Live and ABCNews.com. I'm Kyra Phillips here in Washington. I'll see you back over on the channel.

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ABC News Live

06/30/26

10:42:44 a.m.

9 minutes and 26 seconds

MACEDO: We have more coverage there of the Supreme Court's major decision upholding birthright citizenship. In a 6-to-3 decision, the Justices rejected President Trump's attempt to end birthright citizenship by executive order, reaffirming more than a century of legal precedent that

babies born on American soil are automatically citizens. Chief Justice Roberts writes of birthright citizenship: “The framers of the 14th amendment extended that promise to every free person born in this land. We keep that promise today.” The Court is also upholding state laws banning transgender athletes from participating in girls sports and rolling back limits on campaign spending limits. Senior Washington reporter Devin Dwyer and ABC News contributor James Sample are here for more. Devin, let’s talk about this birthright citizenship ruling. How significant is this for the court to stand by this legal precedent?

DWYER: You know, it’s not a particularly big surprise, Diane. This is something that every lower court that has looked at it has struck down or sided against President Trump. So in that sense, it’s not that monumental, but it is significant given the political significance to President Trump and what he has put into this case, lobbying the Justices on social media, attending those arguments in person, certainly today, a big disappointment to him and a movement that has been going on in the shadows, really for decades to try to reinterpret the 14th Amendment and crack down on citizenship to certain non-citizen parents. But what Chief Justice John Roberts did today was focus on the text of the 14th Amendment, saying that it means what it says that all persons born in the United States are citizens thereof, and also leaning into a precedent from 1898. Of course, this is not the first time the Supreme Court has looked at this issue, pointing back to that case, saying they got it right back then. It still stands today. And what that means is this order will not be allowed to take effect. A huge relief for a lot in the a lot of people in the immigrant community, particularly asylum seekers, Diane, who have fled to this country, are here legally, and many of them have wanted to start families here.

MACEDO: James, this decision came down 6-to-3. What do you make of the dissent?

SAMPLE: Well, Diane, the fact that there is a dissent speaks to exactly what Devin was just referring to, that this is remarkable in the sense that it is surprising at all, which is to say that a rule that has been the rule since 1868, a Supreme Court precedent that has been on the books since 1898, was a question at all, says a lot about the degree to which, you know, often the formalists use the phrase the Overton Window. You can just say the level of expectation in America has shifted significantly when a question that is that settled, that had been the status quo for 127 years was nonetheless an open question, and the idea that there’s a dissent when we’re talking about an amendment, in essence, to the 14th Amendment, there’s a process to amend the constitution. And that process is not via an executive order. So, the fact that there is a dissent is, I think, telling as to just how far the court and the country has moved.

MACEDO: And I want to bring in our chief White House correspondent, Mary Bruce, because, Mary, this was a priority for President Trump. How do you expect him to respond to this ruling?

BRUCE: Yeah. Well, on the issue of birthright citizenship, he certainly is going to not be happy about any of this, Diane. This was a top priority for him in his immigration agenda. Of course, the President signing that issue, that executive order, day one back in office. We haven’t heard from him yet, but I do suspect that he saw this coming. He did, after all, attend in person the oral arguments. But of course, he also got a big win when it comes to the transgender ban. The President, the White House already responding to that, putting out a post on social media saying,

in their words, “from now on, women’s sports will only be for women” upholding the 14th amendment. Stay with me here, because my producer is handing me something, which means that the President has now himself responded to the issue, to the transgender ruling, the President saying, and I quote here: “BIG WIN: The United States Supreme Court just RULED AGAINST MEN PLAYING IN WOMEN’S SPORTS. Wow! That takes that ridiculous situation off the table!!!” Diane. Thank you, Emily.

MACEDO: Mary, with that breaking news breaking right before our eyes, James, I want to ask you more about that ruling on transgender athletes. The Court is upholding these bans in several states, saying Title IX and the Constitution allow for sex-based separation in athletics for fairness and safety. What sticks out to you about that decision?

SAMPLE: Well, I think you just said the two words that you just articulated, Diane, are the correct ones, which is to say that the majority emphasized the interest in safety and the interest in competitive fairness, in reaching the decision. They certainly tried to be respectful and say — and Justice Kavanaugh, going as far as to say, that no one should ever be ostracized based on who they are, and Justice Kavanaugh, famously, is a not just a Supreme Court Justice, but a girl’s basketball coach as well. But saying that the idea of competitive fairness and safety means that states are free. They don’t have to, but they are free to ban transgender girls and women from girls and women’s sports.

MACEDO: And Devin, earlier, we watched your story on Becky Pepper Jackson, who was at the center of one of these cases. Any reaction from the family yet?

DWYER: No reaction just yet, Diane, from the family. But no doubt they’re devastated. When I talked to Becky late last year, I asked her if she would continue to play with the boys if this law was allowed to take effect, and she said no, because she is not a boy. She’s never identified as a boy. She has identified as a girl since third grade and she’s never gone through male puberty. So, this is a big disappointment for her. 16 years old. She actually just won the state championship in West Virginia in — in shot put. But it isn’t necessarily an impact in 21 other states that don’t ban trans athletes. And that’s an important silver lining today for that community is that the Supreme Court today said while some states can ban trans girls from participating in girls sports, other states are free to do as they wish in 21 states do allow them to participate in competitive sports.

MACEDO: And Mary, we got your real time reaction from the President there celebrating this transgender athletes ruling. But he’s likely disappointed in this birthright citizenship ruling. How has this Court affected his policy priorities?

BRUCE: Yeah. Look, it’s really been a mixed bag from the Supreme Court, especially in just what we’ve seen over the last 48 hours. But this is a huge blow to his immigration agenda, a huge blow to one of his really top immigration priorities and something that the President often touts, especially as we head into the midterms, that he was hoping that the court would side on him, side with him on this issue. That said, even just having this national debate over birthright citizenship, I think, still allows him to try and notch some political points. You know, even a loss is something that he can continue to rail against as he is out there trying to rally his — his base.

So, I think the President still seeing some political opportunity in this, despite the fact that it is a huge blow to his immigration agenda. There's no — no doubt about that, and yes, as we saw, he is also eager to tout the wins where he has gotten them. And today, that was on the issue of transgender female athletes.

MACEDO: And Devin, the courts also rolling back limits on campaign spending. What impact could that have on the midterms?

DWYER: Yeah, these have stood in place for 25 years, Diane, enacted by Congress to prevent even the appearance of corruption in our elections, limiting the amount of money that political parties can spend directly on individual candidates, and those limits were meant to sort of keep in place the, you know, the guardrails of spending in our politics. So individuals who are only limited to donate so much can't give big fat checks to the political party, who in turn can then spend it on candidates. But today, the Supreme Court said that violates the first amendment and that parties should be able to spend as much as they want on individual candidates. And so those will now go away. The impact will likely mean more TV ads in our politics, Diane, because individual candidates get preferred rates with local TV stations. This decision now means that political parties who can coordinate with them can get those preferred rates as well. And so, with that added money from the parties, we'll see more ad spending, particularly as we get closer to the midterm elections this fall.

MACEDO: James, you've worked on several campaign finance cases. What's your reaction to this ruling?

SAMPLE: Well, Diane, the federal campaign finance regime that started with *Buckley v. Valeo*, which is the case that said that, in essence, money in the campaign context operates like speech, and therefore that First Amendment considerations are at the forefront, has changed so much over the last quarter century that these particular limits may that losing these limits may not have a huge impact, because they really only operated effectively in conjunction with other limits that have long since been struck down. So, I think that while we like to have quick takes on this one, it may not be a hugely consequential decision in isolation so much as only in combination.

MACEDO: Devin Dwyer, Mary Bruce, James, thank you all.