

State Legislators Attack Fundamental Constitutional Values

State Legislators Attempt to Turn Back Clock to Pre-Civil War Era

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Washington, D.C. - Today, State Legislators for Legal Immigration (SLLI), a coalition of state legislators, revealed their plan to challenge the 14th Amendment and the Constitutional definition of citizenship. Claiming that they need to correct a "monumental misapplication of the 14th Amendment" and protect their states from the "illegal alien invasion," the legislators proposed model legislation intended to spark a new Supreme Court ruling to reinterpret the 14th Amendment.

The model legislation attempts to create a new definition of "state citizenship" and narrow the categories of people who would be citizens at birth: only children born to at least one parent who is a U.S. citizen, national, or legal permanent resident would be considered citizens. The bill would also create a "state compact" requiring states to issue two different types of birth certificates: one for those considered "natural-born U.S. citizens" and another singling out those whom the state does not consider a citizen.

The following is a statement from Benjamin Johnson, Executive Director of the American Immigration Council:

"The proposal presented today is clearly unconstitutional and an embarrassing distraction from the need to reform our nation's immigration laws. It constitutes a vicious assault on the U.S. Constitution and flies in the face of generations of efforts to expand civil rights. Moreover, it is an attack on innocent children born in the U.S. who would be confined to a new second-class citizenship and vulnerable to abuse and discrimination. While claiming to uphold the Constitution, these legislators have taken a clear stance against American values and principles. In the U.S. we have confirmed a tradition of liberty, equality and justice, where we are no more able to punish children for the actions of their parents than we are to pass titles of nobility down from one generation to the next.

"Denying citizenship to certain children born in the U.S. would not decrease unauthorized immigration; in fact it would increase the number of people in the U.S. without legal immigration status. Moreover, the impact of this misguided effort would be felt well beyond the undocumented population. Every American parent would have to prove the citizenship status of their children, requiring new documentation and a large government bureaucracy to sort through historical records, immigration documents, and international citizenship laws at taxpayer expense.

"We acknowledge that our immigration laws are badly broken, and we recognize that state and local legislators are frustrated by Congress's unwillingness to reform our immigration system. However, attacking constitutional citizenship is simply another distraction that moves us further away from addressing the real problems with our broken immigration system. Rather than challenging Congress to reinterpret the 14th amendment, we need to redouble the effort to reform our immigration laws."

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