

## **Papers Please: Eliminating Birthright Citizenship Would Affect Everyone**

Attacks on birthright citizenship at the federal and state level are bound to take many forms—from outright repeal of the Fourteenth Amendment to refusal by states to issue birth certificates to children of undocumented immigrants. Whatever the tactic, attacks on birthright citizenship hurt everyone. **Eliminating birthright citizenship would impose a significant burden on all Americans, who would no longer have an easy and inexpensive way to prove their citizenship.**

- **We have a simple, easy-to-use system.** Throughout its history, the U.S. has had a simple, straight-forward way to determine citizenship. Anyone who is born on U.S. soil (with very few exceptions) is a U.S. citizen. The Fourteenth Amendment affirmed that this definition of citizenship could not be denied based on race, nationality, or family history. Our birth certificates are proof of our citizenship. If birthright citizenship were eliminated, U.S. citizens could no longer use their birth certificates as proof of citizenship.
- **Everyone is affected.** If birthright citizenship was eliminated, **all** American parents—not just immigrants—would have to determine the citizenship of their children. For some parents, this would be relatively simple. For others, it would be extremely cumbersome.
- **Proving a child’s citizenship can be difficult.** Establishing U.S. citizenship other than by birth in the U.S. is complex. Americans would have to prove that their children derive U.S. citizenship through one or both of their parents—a process that can be difficult for even experienced immigration attorneys. U.S. law with regard to derivative citizenship is extremely complex.
- **Derivative Citizenship laws are complex.** Proving a child’s citizenship would be similar to the process used for children born abroad to military parents, missionaries, or employees of international companies. Whether or not a child born abroad is a U.S. citizen depends on the year the child was born, whether one or both of the parents were U.S. citizens, and whether the parents were married or unmarried at the time of one’s birth. Some children would immediately acquire U.S. citizenship, but others might have to naturalize to become citizens.
- **Assessing citizenship is an arduous and expensive process.** Currently, the State Department and the Department of Homeland Security (DHS) charge a substantial fee to make derivative citizenship assessments. The current DHS fee is \$460. Depending on the case, the process can take weeks or even years, and can require the production of numerous documents, including old historical records.
- **Americans could be denied citizenship because of a mistake.** Government agents and others at the state and local level responsible for issuing birth certificates would not have expertise in complicated citizenship laws and in the complexities of determining the immigration status of the parents. Many Americans could be denied citizenship due to a mistake or misunderstanding of the law. The implications of erroneously being denied citizenship would be huge.
- **Big government “solutions” would be expensive.** The U.S. government would have to create a large new bureaucracy responsible for determining the citizenship of all children born in the U.S., and would have to create a national registry of citizens and some sort of identification document to be used as proof of citizenship. This would be expensive.

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