



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**REPEALING BIRTHRIGHT CITIZENSHIP COULD EXACERBATE HEALTH
DISPARITIES AND CONTRIBUTE TO DISABILITY**

A briefing was held by the American Constitution Society at the Center for American Progress on the “Impact of Repealing Birthright Citizenship”. Presenters at the forum were a civil rights leader, constitutional scholars and representatives for minority groups affected by immigration.

Summary

The 14th Amendment provision of the U. S. Constitution states that “All persons born or naturalized in the U.S. and subject to the jurisdiction thereof are citizens of the U.S.”. The 14th amendment has long been understood to guarantee automatic citizenship for all of those born on American soil and is a great equalizer for people in America. However, some state and federal lawmakers have proposed changing the law to exclude children born to undocumented immigrants from birthright citizenship. If this were to happen, parents would have to prove citizenship, which is difficult. The consequence would be a huge increase of undocumented immigrants. This would create a big problem for military members, who when on duty in foreign countries, have children born in foreign countries. Overturning the 14th amendment would be difficult. However, efforts are underway to seek a change in interpretation of the 14th amendment. For instance, states are challenging birthright provision of the 14th amendment through State compacts which would circumvent changing the constitution. Changing birthright status of the constitution has little relevance to solving the immigration problem.

Disability Prevention Issue

Overturning birthright citizenship would create a permanent underclass caste system with a vicious cycle that would be difficult to break. Provisions have already been implemented into Medicaid law where verification of citizenship is a prerequisite for health care service. In addition, a five year waiting period for Medicaid services for immigrants was part of welfare reform. The underclass of indigent people finds it difficult to pay for healthcare. Health disparities play a major part in the U.S. being at the bottom of morbidity and mortality measures when compared to other countries. Overturning the birthright provision would further exacerbate health disparities in the U.S. which is a major contributor to diminished population based health and disability

Activity

There is ongoing study of the implication of health disparities associated with immigration that is related to diminished health and disability

Principle

Children born in America should have the birthright of an American citizen.