



Written by [Warren Mass](#) on August 26, 2015

## Birthright Citizenship Creates Burdensome Economic Consequences

As the concept of birthright citizenship becomes a much-talked-about issue in the 2016 presidential campaign, media pundits have discussed several aspects of the practice, including its economic costs, which are impacted by the higher-than-average birthrates of the women involved.



An August 2010 analysis of the U.S. Census Bureau's March 2009 Current Population Survey by the Pew Hispanic Center, a project of the Pew Research Center, noted:

Unauthorized immigrants comprise slightly more than 4% of the adult population of the U.S., but because they are relatively young and have high birthrates, their children make up a much larger share of both the newborn population (8%) and the child population (7% of those younger than age 18) in this country.

The ... analysis finds that nearly four-in-five (79%) of the 5.1 million children (younger than age 18) of unauthorized immigrants were born in this country and therefore are U.S. citizens. In total, 4 million U.S.-born children of unauthorized immigrant parents resided in this country in 2009, alongside 1.1 million foreign-born children of unauthorized immigrant parents.

In an online article on this topic for *National Review* posted on August 21, journalist Ian Tuttle stated the obvious: "The cost of this is not negligible."

Tuttle cited inflation-adjusted figures from the U.S. Department of Agriculture projecting that a child born in 2013 would cost his parents \$304,480 from birth to his 18th birthday. Continuing, he noted:

Given that illegal-alien households are normally low-income households (three out of five illegal aliens and their U.S.-born children live at or near the poverty line), one would expect that a significant portion of that cost [of raising the child] will fall on the government. And that's exactly what's happening. According to CIS [Center for Immigration Studies], 71 percent of illegal-alien headed households with children received some sort of welfare in 2009, compared with 39 percent of native-headed houses with children. Illegal immigrants generally access welfare programs through their U.S.-born children, to whom government assistance is guaranteed. Additionally, U.S.-born children of illegal aliens are entitled to American public schools, health care, and more, even though illegal-alien households rarely pay taxes.

Tuttle also cited an article, "Illegal Aliens and American Medicine," published in the spring 2005 *Journal of American Physicians and Surgeons*. The author of that article, Madeleine Perner Cosman, Ph.D., Esq., mentioned the effects of "anchor babies" on the medical care provided by American hospitals a full decade before presidential candidate Donald Trump turned the phenomenon into a national debate by calling for ending birthright citizenship when he revealed his immigration plan on August 16. As Cosman noted in her article:



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American hospitals welcome “anchor babies.” Illegal alien women come to the hospital in labor and drop their little anchors, each of whom pulls its illegal alien mother, father, and siblings into permanent residency simply by being born within our borders. Anchor babies are citizens, and instantly qualify for public welfare aid.

Cosman continued:

In 2003 in Stockton, California, 70 percent of the 2,300 babies born in San Joaquin General Hospital’s maternity ward were anchor babies, and 45 percent of Stockton children under age six are Latino (up from 30 percent in 1993). In 1994, 74,987 anchor babies in California hospital maternity units cost \$215 million and constituted 36 percent of all Medi-Cal [Medicaid] births. Now they account for substantially more than half.

Because California has received a far larger number of illegal aliens than any other state (an estimated three million, or about 25 percent of the national total), it naturally has shouldered a disproportionate share of the economic burden. Considering that there are an estimated 11.5 million illegal aliens in this country, the total national cost is staggering. Considering just one statistical example, in 2013, the conservative think tank Heritage Foundation released a study indicating that as of 2010, the average illegal alien household creates a net deficit (benefits received minus taxes paid) of \$14,387.

A major factor that encourages this illegal immigration is our government’s policy granting automatic citizenship to all U.S.-born children of illegal immigrants. This birthright citizenship is based upon what many constitutional scholars maintain is a flawed interpretation of the 14th Amendment. Section 1 of that amendment, upon which claims defending birthright citizenship are based, states in part: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

In an article in the *New York Times* for August 24 explaining the original intent of the members of the Congress who drafted the 14th Amendment, John Eastman, the former dean at Chapman University’s Fowler School of Law, focused on often-overlooked words of the amendment, “*subject to the jurisdiction thereof.*” Eastman noted that the drafters of the clause modeled it on the 1866 Civil Rights Act, which grants citizenship to “all persons born in the United States and not subject to any foreign power.”

Chapman noted that Senator Jacob Howard, who introduced the language of the clause on the floor of the Senate, contended that it should be interpreted in the same way as the requirement of the 1866 Civil Rights Act, which afforded citizenship to “all persons born in the United States and not subject to any foreign power.”

Since illegal aliens are subject to the jurisdiction of the country from which they emigrated, their children — whether born in the United States or elsewhere — would also be subject to that jurisdiction, just as the children of U.S. military members born overseas are still U.S. citizens subject to the authority of the United States.

As Chapman wisely concludes:

The misunderstood policy of birthright citizenship provides a powerful magnet for people to violate our immigration laws and undermines the plenary power over naturalization that the Constitution explicitly gives to Congress. It is long past time to clarify that the 14th Amendment does not grant U.S. citizenship to the children of anyone just because they can manage to give birth on U.S. soil.



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The economic consequences of using this misinterpretation of the 14th Amendment to grant birthright citizenship to “anchor babies” is just part of the problem. An even greater principle is at stake: our national sovereignty, which presumes maintaining control over who is, and who is not, a U.S. citizen.

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