



Written by [Luis Miguel](#) on November 22, 2020

## Trump Administration to Reignite Fight Against Birthright Citizenship

The Trump administration is rekindling the possibility of taking action against birthright citizenship, a practice that destabilizes the country, encourages illegal immigration and chain migration, and favors the Democrat Party.

Throughout his first term, President Trump spoke regularly about ending the practice. An executive order for doing so has been circulating in draft form for some time, and [sources say](#) there is internal discussion in the White House about putting it into effect in the final days of this term as uncertainty remains about whether the president or Joe Biden will ultimately prevail in the election.



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Sources familiar with the plan say the administration anticipates challenges in court but hope they could ultimately pull off a legal win, as the issue has not been definitively ruled on in the judicial branch.

“Since taking office, President Trump has never shied away from using his lawful executive authority to advance bold policies and fulfill the promises he made to the American people, but I won’t speculate or comment on potential executive action,” White House deputy press secretary Judd Deere said in a statement.

The White House has reportedly consulted with the Justice Department about a possible birthright citizenship order as the DOJ would be tasked with handling the new policy’s implications.

The concept of birthright citizenship, the idea that a child is a U.S. citizen so long as he is born within the borders of the United States (even if his parents are not citizens or are even here illegally) has led to the explosion of so-called birth tourism — pregnant women from abroad coming to America, often on tourist visas, for the sole purpose of giving birth to a U.S. citizen child.

Proponents of expansive immigration policy typically use the 14th Amendment to the Constitution to argue that anyone born within the United States is a citizen, as the text states, “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.”

But the 14th Amendment, ratified in 1868, was not meant to confer citizenship upon everyone and anyone born in the United States. It even features the exclusionary language “subject to the jurisdiction thereof,” which illegal aliens and foreign tourists are not. It’s why the children of foreign ambassadors born in America are not granted U.S. citizenship, a policy that has never been ruled a violation of the 14th Amendment.

The Amendment was written after the Civil War to secure the citizenship status of former slaves. It was



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a response to the infamous Dred Scott Supreme Court decision, which had ruled 11 years earlier that the Constitution was not written to include citizenship for blacks.

Ultimately, the 14th Amendment establishes the baseline for who should be granted citizenship. Anything more inclusive than that is not compulsory, but a preference of those currently in power. If the government wants to make the children of illegals citizens, it can do so but is not legally obligated to, and can cease to do so when it pleases.

Action must be taken swiftly lest the major demographic upheavals caused by birthright citizenship cause irreversible damage to the nation, resulting in masses of people who do not assimilate due to their sheer numbers, people who favor federal assistance programs over limited government and who rely on such programs extensively, driving up taxes and the national debt.

Not only the Trump administration has taken the offensive on the issue; lawmakers such as Senators Marsha Blackburn (R-Tenn.) and Kelly Loeffler (R-Ga.) have sponsored legislation to tackle birth tourism in order to reduce the number of children born to non-citizens being granted birthright citizenship.

The Hill [notes](#) of the president's crusade against birthright citizenship:

The president first proposed ending the practice that grants citizenship to those born in the United States during his 2016 presidential campaign. He revived the idea in 2018 during an Axios interview, saying he would sign an executive order to enact the change.

Trump in August 2019 again said his administration was "very seriously" considering a measure to end birthright citizenship.

And birthright citizenship is only one of the issues the White House wants to tackle before the president's term expires. Other programs in the works include additional reforms to the H-1B visa program, regulatory reforms, and measures targeting China. The president earlier Friday announced two major actions aimed at lowering the price of prescription drugs.

All of that may be moot, however, if Joe Biden succeeds in making it into the White House. A Biden presidency, which would be pro-amnesty and open borders, would mark an end to any hope of a sane immigration policy.



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