

National Latina Institute for Reproductive Health

Testimony to the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Immigration and Border Security

April 29, 2015

Dear Subcommittee Chairman Gowdy, Ranking Member Lofgren and all members of the Subcommittee on Immigration and Border Security:

On behalf of the National Latina Institute for Reproductive Health (NLIRH), I write to express our strong opposition to the premise of today's Subcommittee Hearing which will misguidedly question the role of birthright citizenship in our nation's constitutional democracy. NLIRH has consistently opposed proposals to abandon our country's most sacred values and Constitutional principles by altering how citizenship is granted to those born in the United States. As an organization that advances reproductive justice for the 26 million Latinas in the United States and for their families and communities, we view proposals to undermine birthright citizenship as thinly-veiled attacks on the reproductive health and decision-making of immigrant women. As such, we urge all members of this Subcommittee to reject any proposal that would undermine birthright citizenship – such as Representative Steve King's H.R. 140 – as an affront to our constitutional democracy and to respect immigrant women's bodily autonomy and reproductive healthcare decision-making.

Immigrant women make tremendous contributions to our nation's families, communities, and economy and are part of the social, cultural, economic, and intellectual fabric of our nation. Immigrant women make tremendous sacrifices in order to migrate to the United States and are motivated to provide a better life for themselves and for their children.¹ Others flee interpersonal and state violence, abuse, persecution in their home countries. Regardless of their individual circumstance, all immigrant women are survivors who have arrived with the goal of overcoming obstacles and living independently as productive leaders in their families and society. They have already shown promise and ambition through their journeys and arrivals. Yet, today's hearing contemplating changes to birthright citizenship offends the contributions of immigrant women to our communities and society because false allegations about immigrant women's reproductive decision will be on display.

In previous efforts by certain members of Congress to erode birthright citizenship, attacks on the reproductive healthcare decision-making of immigrant women, such as terms like "anchor babies," served as the core of these misguided efforts. Dehumanizing and demeaning accusations that children born to immigrant mothers are "anchor babies" are not only false, they have no place in our nation's civil discourse. Under current immigration laws, children are only able to petition for their parents through the family visa system at the age of 21 or older. Additionally, immigrant women in the United States face many harmful legal and policy barriers to the healthcare they need on the sole basis of their immigration status. NLIRH has long opposed these barriers to healthcare for immigrant women and families. These barriers were first enacted as part of welfare reform in 1996 and now encompass a number of confusing, complex, and incredibly harmful restrictions on programs like Medicaid, Children's Health Insurance Program (CHIP) and the Affordable Care Act (ACA) despite the



fact that immigrants contribute billions of dollars to the federal, state, and local tax base each and every year. Finally, language questioning women's reasons for migrating to the United States and for having children perpetuates misinformation and creates a culture of hostility toward immigrant women, who are the backbones of their families and communities.

The resulting policy proposals seeking to undermine birthright citizenship represent an unprecedented and unacceptable attack on the rights of all Americans by seeking to limit citizenship by birth to only those individuals who are children of U.S. citizens or nationals, lawful permanent residents, or immigrants in active-duty military service. Such proposals would deny citizenship to the children of undocumented immigrants, as well as lawfully present individuals, such as certain survivors of domestic violence, or individuals with student or employment visas.

Citizenship based on place of birth is a fundamental right inextricably tied to our liberty and equal rights. In the United States, each person is born equal with no disadvantage arising from the circumstance of their parentage. Civil rights leaders representing a broad and diverse coalition have unequivocally opposed these proposals as an unprecedented and unacceptable attack on the rights of all. Placing limits on citizenship rights would re-establish the very same discriminatory exclusion that the 14th Amendment was intended to remedy.

Finally, we urge members of today's Subcommittee to abandon the attacks on the health and rights of immigrant women and instead work toward humane, just, and comprehensive reforms to our nation's immigration laws to reflect our national values of fairness, justice, and equality of opportunity. Removing political interference and restoring immigrants' access to the healthcare programs their tax-dollars support must be part of any comprehensive solution to our nation's immigration laws so that immigrant women can fully contribute to and participate in our nation's shared prosperity.

Thank you for your time and consideration of these concerns. Should you have any additional questions, please do not hesitate to contact me at AnnMarie@LatinaInstitute.org or (202) 621-1435.

Sincerely,

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National Latina Institute for Reproductive Health

ⁱ New American Media. Women Immigrants: Stewards of the 21st Century Family. February 2009. Available at <http://media.namx.org/images/communications/immwomenexecsummary.pdf>. Accessed on January 13, 2013.