



FIRST FOCUS

MAKING CHILDREN & FAMILIES THE PRIORITY

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July 20, 2015

The Honorable Loretta Lynch
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Madam Attorney General:

On behalf of First Focus, a bipartisan advocacy organization dedicated to making children and families a priority in federal policy and budget decisions, we urge the Department of Justice to investigate recent claims made against the Texas Department of Health Services alleging the denial of birth certificates to U.S. citizen children born to immigrant parents. The State of Texas must be held accountable for violating the constitutional rights of U.S. citizen children and actions must be taken to rectify this injustice as swiftly as possible to ensure that these children have access to the benefits and privileges U.S. citizenship guarantees them.

Affording every child born in the United States the basic rights of citizenship has long been enshrined as a fundamental constitutional right. The first section of the Fourteenth Amendment explicitly 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." Birth certificates are vital documents in proving citizenship and must be provided to the child. Thus, denying children born in the United States birth certificates that verify their U.S. citizenship is a direct constitutional violation.

A birth certificate is often the primary means for children and youth to demonstrate U.S. citizenship and without this documentation their health and well-being can be placed in jeopardy. Lack of documentation can limit, delay, or eliminate access to health care, food assistance programs and other basic services that are critical in the early years of life. Without access to preventative care and other nutritious supports children are at risk for a lifetime of health problems. It can also prevent children from enrolling in schools, putting them at an academic disadvantage compared to their peers. Furthermore, without proof of U.S. citizenship, these children are essentially "stateless," as many cannot claim citizenship in any other country, including their parent's country of origin.

The lawsuit filed in Texas District Court argues that Texas officials are no longer accepting documents that were once sufficient to provide proof of a mother's identity, which is creating a different standard within families. Older siblings have been able to obtain birth certificates using the same identification documents that now are being denied. This policy is arbitrary and contrary to the immigration and naturalization laws of the United States. We respectfully ask you that you direct the Department of Justice to investigate these allegations and ensure that barriers are removed that are preventing U.S. citizen children from obtaining birth certificates.

Sincerely,

Bruce Lesley
President