



March 11, 2015

Dear Senators:

On behalf of Asian Americans Advancing Justice | AAJC and Asian Americans Advancing Justice | Los Angeles, we write to urge you to oppose Vitter Amendment 274 to S. 178, the “Justice for Victims of Trafficking Act of 2015”. This Amendment would rewrite the 14th Amendment of the Constitution to limit birth citizenship to only three categories of people: children of U.S. citizens or nationals, children of permanent residents, and children of non-citizens in active-duty military service. This would fundamentally alter the Citizenship Clause in the 14th Amendment and would overturn Supreme Court precedent.

Founded in 1991, Advancing Justice | AAJC is a national non-profit, non-partisan organization that works to advance the human and civil rights of Asian Americans through advocacy, public policy, public education, and litigation. Founded in 1983, Advancing Justice | Los Angeles is the nation’s largest Asian American legal and civil rights organization and serves more than 15,000 individuals and organizations every year.

The Citizenship Clause’s guarantee of birthright citizenship has been profoundly beneficial for our nation. It has served as a cornerstone of the movement to secure civil rights for all Americans, including the right to vote. And it has played an important role in unifying America’s great cultural diversity, which serves as a role model for the rest of the world. Repealing constitutional citizenship subverts the intent of our nation’s founding fathers. The guarantee of constitutional citizenship was intended to put U.S. citizenship above the preferences and prejudices of any politician or era.

The Citizenship Clause and its benefits have particular resonance for the Asian American community. It was in 1898 when the meaning of the Citizenship Clause in the Constitution was conclusively determined in *U.S. v. Wong Kim Ark* (169 U.S. 649 (1898)). In *Wong Kim Ark*, the United States Supreme Court rejected arguments that the son of a Chinese national – who was forbidden under the Chinese Exclusion Act from ever becoming U.S. citizens – should be deprived of citizenship because of his parents’ status. In America, every child is born with the same rights as every other U.S. citizen. This principle has remained settled law of the land for more than a century, and has helped to integrate new generations of immigrants into U.S. society. The alternative is fundamentally unjust and un-American: to create a permanent sub-caste and undermine the promise engraved on the front of the United States Supreme Court Building – “equal justice under law.”

For these reasons, we strongly urge to reject Vitter Amendment 274. Thank you.

Sincerely,

Mee Moua  
President & Executive Director

Stewart Kwoh  
President & Executive Director