

# 3 Things You Should Know About the Trump Birthright Citizenship Executive Order

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Birthright citizenship is the legal principle that guarantees that almost anyone born in the United States is granted U.S. citizenship regardless of the immigration status of their parents. A lot of information is floating around about the Trump administration's attempt to end birthright citizenship.

## Here's what you need to know:

### #1 Birthright citizenship derives from the Constitution.

An Executive Order cannot eliminate the U.S. Constitution's 14th Amendment guarantee of birthright citizenship. There have been previous efforts to limit birthright citizenship, including by trying to deny citizenship to children of Chinese immigrants, which were struck down as unconstitutional, as long ago as 1898 in *United States v. Wong Kim Ark*.

### #2 The executive order (EO) has not yet taken effect.

Multiple lawsuits have been filed – including one led by Advancing Justice | AAJC. The Supreme Court's recent ruling was on nationwide injunctions, not on the government's arguments around birthright citizenship. The ongoing litigation has prevented the executive order from taking effect while the case moves through the courts.

### #3 Actions like these are intended to sow fear and chaos.

Be wary of misinformation surrounding these orders and continue to access health services as needed, including prenatal care. A lot remains unclear, and Advancing Justice | AAJC will keep the community updated as we receive more information.

### The idea that citizenship can be taken away based on the whims of a single person weakens citizenship for everyone.

This EO explicitly targets those without immigration status and those here on a temporary visa, but the EO is dangerous for everyone. The President does not and should not have the power to unilaterally determine who gets to be a citizen by birth.