

New Executive Orders on Birthright Citizenship

Prelims: Current events of national and international importance | International Affairs

Why in News?

Recently, the U.S. President signed two executive orders to restrict birthright citizenship and curb birth tourism, despite the Supreme Court reaffirming constitutional citizenship rights weeks earlier.

Background

- **Fourteenth Amendment (1868)** – Grants citizenship to all persons born or naturalised in the U.S., including former slaves.
- **Supreme Court Ruling** – Reaffirmed that nearly all born in the U.S. are citizens; struck down Trump's earlier order.

Key Provisions of the New Orders

- **Targeting Birth Tourism** - Denies entry to people engaging in commercial arrangements to give birth in the U.S. for automatic citizenship.
- **Expanded Ineligibility** - Children of:
 - Foreign citizens lobbying for foreign governments.
 - Members of terrorist groups.
 - Foreign government employees.
 - Those born in U.S. territories where citizenship is not conferred by federal statute.

Government's Argument

- Birth tourism exploits the system, giving children automatic welfare, voting rights, and privileges.
- Businesses built around birth tourism undermine the intent of the **Fourteenth Amendment**.

Criticism

- Immigration experts say the orders are unconstitutional and violate the **Fourteenth Amendment**.
- The term **commercial transaction** is vague and unconstitutional.
- **American Civil Liberties Union (ACLU)** asserts any executive order attacking birthright citizenship will be struck down.

Reference

[The Hindu | US Birthright](#)

