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'Anchor Babies' on Trial

A federal case moving to trial in Texas could provide a means to stop the practice of extending automatic U.S. citizenship to children born to illegal aliens. Republican presidential candidate Donald Trump recently called for legislation to end that unpopular practice, which polls show Americans oppose by more than 2 to 1, and even Jeb Bush admitted that it's perfectly legitimate to call those children "anchor babies."

The Pew Research Center estimated that 340,000 children are born annually to citizens of Mexico and other foreign countries who are living illegally in the United States, and that doesn't include children born to "birth tourists," primarily from Asian countries, which the Center for Immigration Studies estimates could be as high as 36,000. These children are called "anchor babies" because their presumed citizenship enables their parents to access a variety of benefit programs intended for U.S. citizens, and makes it so much easier for the entire family to continue living here illegally.

The Texas case is still in its pretrial stage, but an explosive document filed there on August 24 by the government of Mexico adds fuel to the national debate that Trump touched off. The legal brief, which includes a sworn affidavit by Mexico's consul general for Texas, Carlos Gonzalez Gutierrez, openly admits that Mexico's official policy is to encourage its poor people to migrate here illegally in order to access our generous welfare system.

The brief begins by declaring that "Mexico is responsible to protect its nationals wherever they may be residing," and a footnote clarifies that under the Mexican Constitution, "Mexican nationality is granted to children born abroad of a Mexican born parent." In other words, anchor babies born in this country retain their parents' nationality, which means their citizenship belongs there, not here.

Liberals claim that our own Constitution guarantees automatic U.S. citizenship to all children born on American soil, and it's true that the Fourteenth Amendment begins with the words "All persons born or naturalized in the United States . . . are citizens of the United States." But behind those three little dots is an important qualification: "and subject to the jurisdiction thereof."

What that forgotten phrase means is that when someone born here is "subject to the jurisdiction" of another nation, that child does not become a U.S. citizen unless the laws passed by Congress so provide (and they don't). By filing its legal brief and submitting sworn testimony in the Texas case, Mexico is officially declaring that children born to its citizens living illegally in the United States remain "subject to the jurisdiction" of Mexico.

The Mexican consul, in his sworn testimony, says that "My responsibilities in this position include protecting the rights and promoting the interests of my fellow Mexican nationals" and "The main responsibility of consulates is to provide services, assistance, and protection to nationals abroad." Mexico's assertion of continuing jurisdiction over its "nationals abroad" is inconsistent with any claim to automatic U.S. citizenship merely by reason of birth on U.S. soil.

The Texas case was filed on behalf of about two dozen mothers who admit they are citizens of Mexico living illegally in Texas. The women complain that without proper ID they cannot get birth certificates for their Texas-born children, and that without birth certificates they can't enroll in Medicaid, food stamps, Section 8 housing, and other U.S. taxpayer-provided benefits.

Like other states, Texas issues a birth certificate to a close relative only upon presentation of a valid ID issued by a U.S. federal or state agency. These restrictions were adopted to combat the growing epidemic of identity theft, whose main cause is the widespread use of forged or fake documents by illegal aliens.

In order to assist its citizens living here illegally who cannot get the required ID, Mexican consulates issue an official-looking document called the *matricula consular* which includes a laminated photo. Of course, Texas rightly refuses to accept such foreign identity documents which it

has no way to verify.

The basic allegation of the lawsuit is that by refusing to accept the *matricula consular* as proper ID for obtaining a birth certificate, Texas is somehow violating the Fourteenth Amendment by depriving anchor babies of U.S. citizenship. On the contrary, their reliance on a foreign identity document proves they are "subject to the jurisdiction" of a foreign power and thus not eligible for automatic U.S. citizenship.

The Texas lawsuit was concocted by a group called the South Texas Civil Rights Project, which was founded in 1972 as a spin-off of the ACLU. It was assisted by another leftwing legal outfit, Texas RioGrande Legal Aid, whose largest supporter, the Legal Services Corporation, collected $375 million of U.S. taxpayer funds in the current fiscal year.

Detaching the Anchor from Anchor Babies

It's long overdue for Congress to stop the racket of bringing pregnant women into this country to give birth, receive free medical care, and then call their babies U.S. citizens entitled to all American rights and privileges plus generous handouts. Between 300,000 and 400,000 babies are born to illegal aliens in the United States every year, at least 10 percent of all births.

We have tolerated an entire industry called "birth tourism," offering "birth packages" costing thousands of dollars, to import pregnant women from all over the world, Korea to Turkey (12,000 U.S.-born Turkish babies have been arranged since 2003). An electronic billboard in Mexico, advertising the services of an American doctor, proclaims, "Do you want to have your baby in the U.S.?"

The advantages of birthright citizenship are immense. The babies get Medicaid (including birth costs), Temporary Assistance to Needy Families, and food stamps. Obviously, the baby shares his goodies with his family. As soon as the child becomes an adult, he can legalize his parents, and bring into the U.S. a foreign-born spouse and any foreign-born siblings. They all can then bring in their own extended families, a policy called chain migration.

Rep. Steve King (R-IA) has stepped up to this challenge and already has 27 co-sponsors for his bill, H.R. 140, to define citizenship. It states that the "subject to the jurisdiction" phrase in the Fourteenth Amendment means a baby born in the United States only if at least one parent is a U.S. citizen, or a lawfully-admitted resident alien, or an alien on active duty in the U.S. armed services.

Rep. King is not trying to amend the Constitution. He is simply using the Fourteenth Amendment's Section 5, which gives Congress (not the judiciary, not the executive branch), the power to enforce the citizenship clause.

In 1993, Sen. Harry Reid (D-NV) introduced similar legislation. Bills to limit birthright citizenship to children of U.S. citizens and of aliens who are legal residents have been introduced by other members of Congress every year since.

The amnesty crowd tries to tell us that the Fourteenth Amendment makes automatic citizens out of "all persons" born in the United States, but they conveniently ignore the rest of the sentence. It's not enough to be "born" in the U.S.; you can claim citizenship only if you are "subject to the jurisdiction thereof."

The Fourteenth Amendment, ratified in 1868, overruled the *Dred Scott* decision wherein the U.S. Supreme Court declared that African Americans could not be citizens. Those who support court-made law should forever be reminded of Abraham Lincoln's warning that if we accept the supremacy of judges, "the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal."

The Fourteenth Amendment denied citizenship to American Indians, even though they obviously were "born" in the U.S., because they were "subject to the jurisdiction" of their tribal governments. Congress did not grant citizenship to American Indians on reservations until 1924, 56 years later.

Babies born in the U.S. to illegal aliens are clearly citizens of their mother's country, so granting U.S. citizenship creates the possibility of dual citizenship, which the United States does not officially recognize. To become a U.S. citizen, immigrants are required by our law not only to swear allegiance to the United States but also to absolutely renounce any and all allegiance to the nation from which they came.

There is no ambiguity about the solemn oath that all naturalized Americans must take. "I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen . . . so help me God."

Any naturalized U.S. citizen who claims dual citizenship with his native country betrays his solemn oath. If anchor babies have citizenship in their parents' country, they should not have U.S. citizenship.

Terminating the anchor baby racket is very popular with the American people. A 2011 Rasmussen poll found that 65 percent of likely voters oppose the practice, while only 29 percent favor it.

Women Still Don't Belong in Combat

Unexpected events reveal uncomfortable truths about human nature, as demonstrated by two nearly simultaneous events on opposite sides of the world on August 21. In Fort Benning, Georgia, a large press contingent turned out to applaud and photograph the first two women ever to complete Ranger School, the Army's toughest training course, which even most men are unable to finish.

That same afternoon in Belgium, aboard a high-speed train traveling from Amsterdam to Paris at 186 miles per hour, three young Americans on vacation together vividly demonstrated why combat is no place for women. The three young men, who included a National Guard soldier recently returned from Afghanistan and an active duty airman on leave, rushed and tackled a heavily armed terrorist who was about to commit mayhem on their fellow passengers.

Witnesses said a Moroccan man ducked into the bathroom where he retrieved a Kalashnikov AK-47 machine gun, Luger pistol and knife from his backpack, then assumed a position, apparently intending to massacre everyone on the train. In the split second when the terrorist's gun clicked without firing, 22-year-old Alek Skarlatos said "Let's go; get him" and his buddy, 23-year-old Airman Spencer Stone, barreled down the aisle towards the terrorist with Alek and their friend Anthony Sadler right behind.

The three Americans managed to disarm, disable and hogtie the terrorist before he could carry out his planned jihad, though not before Spencer Stone was severely wounded by the terrorist's box cutter as other passengers crouched behind their seats and the train's crew locked themselves inside the engine room. The Americans were unarmed, of course, because European trains are a gun-free zone.

The young Americans had become fast friends at Freedom Christian School in Carmichael, California, and their friendship deepened while one attended college and the others were deployed separately. Spencer Stone, the most powerful athlete of the three, was first to advance to the gunman and received the most serious injuries, while his friends helped subdue the enemy.

For all of recorded human history, combat has been a profession for young men who bond together in small groups — a phenomenon known as unit cohesion. There is no nation, anywhere in the world, that has successfully introduced women into combat units, which this incident proves are still needed, even in the era of push-button drone warfare.

With all due respect to the two (out of 19) women who proved their mettle by surviving Ranger School, no one ever doubted that women can serve with honor and distinction in our armed services. That does not make them suitable for combat.

There's a reason why no woman has ever won our nation's highest award for valor. The Medal of Honor recognizes a willingness to charge toward danger, to seek out and remove a threat, while everyone else is running away.

On September 11, 2001, as thousands of office workers (male and female) rushed down the steps of the burning World Trade Center, 343 brave firefighters marched up the stairs in search of victims to rescue. All 343 fireMEN perished when the Twin Towers collapsed.

On that same day aboard United flight 93 from Newark to San Francisco, as 33 unsuspecting passengers realized that four Muslim men had hijacked the plane for a suicide mission, four passengers, all men in their 30s, formed an impromptu combat team. On the signal "Let's roll," they fought the hijackers to take control of the plane and thereby prevented its intended suicide mission.

The unscientific belief in the interchangeability of the sexes is why the New York Fire Department recently accepted a female applicant who failed six times to finish the Functional Skills Test within the allotted time. In Chicago, which is still scarred by the Great Fire of 1871, the Fire Department agreed to reconsider or pay damages to 187 female applicants who failed the physical ability test.

The Obama administration, which recently announced plans to shrink the Army by 40,000 soldiers, remains determined to admit women to Special Forces (including the Army Rangers and Navy SEALs) before he leaves office. Putting "diversity metrics" ahead of military necessity, Joint Chiefs Chairman Martin Dempsey said in 2013, "if a particular standard is so high that a woman couldn't make it, the burden is on the service to explain: Why does it really have to be that high?"

Now that Hillary Clinton is less likely to become the first woman president, the *New York Times* just launched a campaign for the first woman secretary general of the United Nations, quoting the Colombian ambassador: "Gender equality is one of the world's most serious challenges, an unfulfilled goal that remains critical to advance towards an inclusive and sustainable future."

The world can probably survive a woman as UN secretary general, but not the emasculation of America's elite combat units. Don't let them get away with it.

The Iran Deal Betrays America

As Americans learn the dangerous details of President Obama's deal with Iran, Republican leaders should admit their mistake in passing Senator Bob Corker's (R-TN) bill that reversed the process for treaty ratification. Instead of a treaty requiring approval from two-thirds of the Senate, the Corker bill allows the Iran deal to be disapproved by a simple majority in both houses — subject to a certain presidential veto, which requires two-thirds of both houses to override.

Under the Corker procedure, Obama can make a nuclear arms treaty involving Iran with the concurrence of just one-third of each house of Congress, instead of two-thirds of Senators as the Constitution specifies. As Senator Tom Cotton (R-AR) said when he voted against the Corker bill, "A nuclear-arms agreement with any adversary — especially the terror-sponsoring, Islamist Iranian regime — should be submitted as a treaty and obtain a two-thirds majority vote in the Senate as required by the Constitution."

To quote Ronald Reagan's famous 1980 debate line, "there you go again." Obama has littered the floor with torn shreds of the U.S. Constitution in so many areas, but Republican leaders keep letting him get by with it.

The power to make treaties is one of the most important powers of a sovereign government, and the U.S. Constitution is very specific about who can exercise that power. As clearly set forth in Article 2, Section 2, treaties may be made by the President only with the advice and consent of the Senate, "provided two-thirds of the Senators present concur."

Obama thinks he can exercise this power unilaterally, and the Council on Foreign Relations has been on record for years as saying that the treaty clause is the part of our Constitution they would most like to change. Let's recall some of the mischievous treaties that the American people fortunately rejected because the globalists failed to get two-thirds of Senators to sign on.

The **Convention (Treaty) on the Law of the Sea** would have given up our control of the world's oceans covering seven-tenths of the earth's surface and transfer the ocean floor with all its mineral riches to the International Seabed Authority (ISA) headquartered on the Caribbean island of Jamaica.

The **Convention (Treaty) on the Rights of the Child**, which was championed by Hillary Clinton when she lived in the White House as her husband's "presidential partner," would have given children the right to hire lawyers to challenge parental authority on such matters as which church to attend and which TV shows may be watched.

The treaty about women, which the feminists call **CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women)**, would have given a foreign tribunal the authority to do the damage that Americans rejected when we refused to ratify the so-called Equal Rights Amendment. CEDAW was signed by Jimmy Carter in 1980, but Senator Jesse Helms kept it from being ratified for the next two decades.

The **Convention on the Rights of Persons with Disabilities** (CRPD) was rejected by the Senate in December 2012, but the Obama administration has promised to try, try again. The **Arms Trade Treaty**, a global gun grab imposing worldwide gun control, was approved by the UN with the support of Hillary Clinton when she was Secretary of State, but Obama hasn't yet dared submit it to the Senate.

We can thank our Founding Fathers for setting a high bar for ratification by the U.S. Senate, so that all those five dangerous treaties were rejected. All would have taken powers away from "we the people" and given pieces of U.S. sovereignty to foreign (and probably anti-American) busybodies.

In addition to Obama's Iran deal disobeying the rules in the U.S. Constitution about treaty ratification, and in addition to the dangerous and unacceptable risk that Iran might develop a nuclear weapon, the deal gives Iran plenty of money to challenge the United States in missiles and space weapons. Iran has already launched four satellites into space capable of carrying a nuclear weapon.

Ambassador Henry F. Cooper, who was in charge of missile defense and space arms control in the Reagan and first Bush administrations, has warned that Iran's satellites were launched over the South Pole, which means they approach the United States from the undefended direction of our south. Cooper warns that a nuclear explosion in space could produce an electromagnetic pulse (EMP) which could cause the North American electric-power grid, which sustains human life as we know it, to shut down for an indefinite period of time.

The Corker bill, which essentially rewrote our Constitution's treaty clause, puts America in a more dangerous position than ever before. It's clear that we should never let Obama loose on the world stage because he betrays American security.

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http://www.eagleforum.org **eagle@eagleforum.org**