

MAR 10 2011

## SENATE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS TO UPHOLD THE CITIZENSHIP  
CLAUSE OF THE FOURTEENTH AMENDMENT OF THE UNITED STATES  
CONSTITUTION.

1           WHEREAS, section 1, clause 1, of the Fourteenth Amendment  
2 of the United States Constitution, commonly referred to as the  
3 citizenship clause, provides that "[a]ll persons born or  
4 naturalized in the United States, and subject to the  
5 jurisdiction thereof, are citizens of the States and of the  
6 State wherein they reside"; and  
7

8           WHEREAS, the citizenship clause of the Fourteenth  
9 Amendment, which was ratified in 1868, was in response to the  
10 United States Supreme Court's infamous *Dred Scott* decision (*Dred*  
11 *Scott v. Sandford* 60 U.S. 393 (1857)) that denied citizenship to  
12 people of African American descent who were born in the United  
13 States; however, because the amendment was drafted broadly, it  
14 guarantees citizenship to virtually everyone born in the United  
15 States; and  
16

17           WHEREAS, we are a nation of immigrants, and generations of  
18 Americans have understood that children born in the United  
19 States are entitled to United States citizenship, regardless of  
20 the nationality of their parents; and  
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22           WHEREAS, the idea of eliminating automatic citizenship for  
23 the children of unlawful immigrants is gaining traction as a  
24 method of curbing illegal immigration, despite several United  
25 States Supreme Court decisions affirming the fundamental right  
26 of citizenship for all people born within the United States;  
27 now, therefore,  
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29           BE IT RESOLVED by the Senate of the Twenty-sixth  
30 Legislature of the State of Hawaii, Regular Session of 2011, the  
31 House of Representatives concurring, that the United States



# S.C.R. NO. 63

1 Congress is urged to uphold the longstanding right of  
2 citizenship, provided for in the Fourteenth Amendment of the  
3 United States Constitution, to all persons born in the United  
4 States; and

5  
6 BE IT FURTHER RESOLVED that certified copies of this  
7 Concurrent Resolution be transmitted to the Majority Leader of  
8 the United States Senate, the Speaker of the United States House  
9 of Representatives, and to members of Hawaii's congressional  
10 delegation.

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OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'M. L. L.', written over a horizontal line.