
HOUSE 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

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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 House of Representatives of the
30 Twenty-sixth Legislature of the State of Hawaii, Regular Session
31 of 2011, the Senate concurring, that the United States Congress



1 is urged to uphold the longstanding right of citizenship,
2 provided for in the Fourteenth Amendment of the United States
3 Constitution, to all persons born in the United States; and
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5 BE IT FURTHER RESOLVED that certified copies of this
6 Concurrent Resolution be transmitted to the Majority Leader of
7 the United States Senate, the Speaker of the United States House
8 of Representatives, and to members of Hawaii's congressional
9 delegation.
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