

CLASP Statement for the Record

House Committee on the Judiciary, Subcommittee on the Constitution and Limited Government

Subcommittee Hearing: 'Subject to the Jurisdiction Thereof': Birthright Citizenship and the Fourteenth Amendment

March 7, 2025

Chairman Jordan, Ranking Member Raskin, Subcommittee Chair Roy, and Subcommittee Ranking Member Scanlon, we thank you for the opportunity to submit a statement for the record. On February 25, 2025, the House Judiciary Subcommittee on the Constitution and Limited Government held a hearing titled, “‘Subject to the Jurisdiction Thereof’: Birthright Citizenship and the Fourteenth Amendment,” which examined the meaning of the Citizenship Clause of the Fourteenth Amendment to the U.S. Constitution and President Trump’s recent Executive Order on birthright citizenship. This statement for the record focuses on the policy implications of denying birthright citizenship to babies as well as its consequence on families and communities.

The Center for Law and Social Policy (CLASP) is a national, nonpartisan nonprofit advancing anti-poverty policy solutions that disrupt structural and systemic racism and sexism and remove barriers blocking people from economic security and opportunity. We work at the federal and state levels, supporting policy and practice that makes a difference in the lives of people experiencing conditions of poverty. CLASP works to develop and implement federal, state, and local policies (in legislation, regulation, and implementation) that reduce poverty, improve the lives of people with low incomes, and create pathways to economic security for everyone. That includes directly addressing the barriers people face because of race, ethnicity, gender, disability, and immigration status. CLASP conducts research on the impact of immigration policies on children and families and advocates for federal and state policies that mitigate the harm of immigration enforcement and strengthen immigrant families. As experts at the intersection of child development and immigration, we oppose efforts to deny the children of immigrants their constitutional right to citizenship.

Nationally, in 2022 alone, there were approximately 255,000 births of citizen children to non-citizen mothers without lawful status (undocumented) and approximately 153,000 births to two undocumented parents. Revoking birthright citizenship would additionally impact children born to parents who are not citizens or Legal Permanent Residents (LPRs), such as those with DACA or temporary visas.¹ Further, if the thousands of babies born to two parents who are undocumented lose access to U.S. citizenship, overtime this harm will only worsen as researchers project that denying a generation’s citizenship would

¹State of Washington v. Trump, 2:25-cv-00127, (W.D. Wash.)

<https://agportal-s3bucket.s3.us-west-2.amazonaws.com/Birthright%20Citizenship%20Complaint.pdf?VersionId=4KAKiC521vtZnAh181w81Be.hjauvPLS>

set in motion a growing and self-perpetuating undocumented, stateless population excluded from society.² Across generations, researchers estimate that millions more would become undocumented.³

President Trump's Executive Order is Unconstitutional

On January 20th, Trump signed an Executive Order (EO) titled “Protecting the Meaning and Value of American Citizenship,” which seeks to deny birthright citizenship to babies if they are born without at least one parent who is a U.S. citizen or LPR.⁴ The EO has been rejected by every federal court that has addressed it over the last month and is blocked from going into effect.⁵ The first ruling came from Judge Coughenour, who was nominated to the bench by President Reagan in 1981. In describing the EO, he said, “I have been on the bench for over four decades. I can't remember another case where the question presented is as clear as it is here. This is a blatantly unconstitutional order.”⁶ In the weeks that followed, other federal courts also blocked President Trump's EO.

Denying Birthright Citizenship to Babies Would Harm Children, Families, and Communities

Birthright citizenship has long been a constitutional right of every child born in the United States. The Citizenship Clause of the Fourteenth Amendment overturned the *Dred Scott* decision that had denied the U.S.-born children of African-Americans the right to U.S. citizenship. For more than a century, the Fourteenth Amendment has ensured that every child born in the U.S. is guaranteed the rights and protections of U.S. citizenship regardless of race, color, or ancestry. The 1898 *Wong Kim Ark* decision also confirmed that the right to U.S. citizenship also applies to children of immigrants born in the U.S. The enshrinement of birthright citizenship in our Constitution has helped to ensure our youngest children are protected from the prejudices of the day, including the xenophobic, anti-immigrant agenda of certain policymakers in this current moment.

The principles behind the policy are rooted in the belief that every child deserves the rights and protections necessary to grow and thrive from birth.⁷ Denying citizenship to newborns of undocumented or other noncitizen parents would have profound negative consequences on children, their families, and communities. For example, children who are born to undocumented immigrants would be stripped from their ability to obtain a passport to travel freely and, later in life, work lawfully, limiting their lifetime earnings and access to good jobs. A repeal of birthright citizenship would also disproportionately affect children of color, particularly Latino children, putting them a step behind their peers from the moment they are born and exacerbating racial disparities in child outcomes. Further, all parents welcoming a newborn would also be affected as they would be required to provide documentation to prove their citizenship. Families with low-incomes and single-parent households would often face the greatest challenges in navigating this bureaucratic burden and providing the documentation needed to prove a

² Jennifer Hook and Michael Fix, “The Demographic Impacts of Repealing Birthright Citizenship” Migration Policy Institute, September 2010, <https://www.migrationpolicy.org/sites/default/files/publications/BirthrightInsight-2010.pdf>.

³ Michael Fix, “Repealing Birthright Citizenship: The Unintended Consequences” Migration Policy Institute, October 30, 2018, <https://www.migrationpolicy.org/news/repealing-birthright-citizenship-unintended-consequences>.

⁴ Executive Order 14160, January 20, 2025, Protecting the Meaning and Value of American Citizenship, Federal Register 90, no.18. January 20, 2025. <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-meaning-and-value-of-american-citizenship/>.

⁵ Nate Raymond, “US appeals court rejects Trump's emergency bid to curtail birthright citizenship,” Reuters, February 20, 2025, <https://www.reuters.com/legal/us-appeals-court-rejects-trumps-bid-curtail-birthright-citizenship-2025-02-20/>.

⁶ Peter Charalambous and Laura Romero, “Judge to Consider Challenge to Trump's Executive Order Ending Birthright Citizenship,” ABC News, January 23, 2025, <https://abcnews.go.com/US/judge-challenge-trumps-executive-order-ending-birthright-citizenship/story?id=118005855>. <https://abcnews.go.com/US/judge-challenge-trumps-executive-order-ending-birthright-citizenship/story?id=118005855>.

⁷ Wendy Cervantes, “Birthright Citizenship: A Fundamental Right for America's Children,” First Focus, September 2015, <https://firstfocus.org/wp-content/uploads/2015/08/Birthright-Citizenship-A-Fundamental-Right-for-Americas-Children.pdf>.

child's citizenship. Denying citizenship to newborns also puts babies at risk of becoming subject to immigration enforcement as well as not having their basic needs met.

Outside the United States, research on children and birthright citizenship document similar trends. Children of immigrants born in nations without birthright citizenship face limited access to healthcare, education, and social exclusion in their country of birth, and can even become stateless if their parents are from countries that deny citizenship to children born abroad.⁸ In contrast, a study that examined the impact of Germany's expansion of birthright citizenship in 2000 found substantial benefits of the policy on children's educational and developmental outcomes as well as social integration comparable to educational interventions at a much lower cost.⁹

The sections that follow focus on the policy implications on all children and families, the impact of an increased risk of immigration enforcement on children who would be forced to grow up undocumented, and the harmful impact on child development and well-being due to lack of access to essential programs.

Denying citizenship to babies harms all children and families

For the first time, all parents in the U.S. would be required to produce documentation to prove their U.S. citizenship or legal permanent resident status in order to establish their newborn's citizenship. This will lead to more red tape for hospitals and families at a substantial cost to taxpayers. Families with low-incomes and single-parent households would often face the greatest challenges in proving a child's citizenship, with a disproportionate impact on families of color, in particular Latino families.¹⁰

Currently, a U.S. birth certificate is sufficient proof of one's citizenship. Since the U.S. does not have a national registry of citizens, all American families would be required to navigate complex laws in order to establish their child's citizenship. This would likely be a cumbersome process for millions of Americans who cannot easily produce the required documentation.¹¹ In fact, a nationwide survey by the Brennan Center in 2006 found that 7% of all adult-aged citizens did not possess documents that would prove their citizenship.¹² This rate applied to the voting age population in 2023 translates to more than 18 million citizens who do not possess the documents needed to prove their citizenship.¹³

Denying citizenship to babies increases the risk of being subject to detention and deportation

Denying citizenship to newborns of undocumented parents puts babies at risk of becoming stateless and subject to detention and deportation. This section outlines some of the available research documenting the harm of increased risk of detention and deportation on children in immigrant families.¹⁴

⁸ Lucia Félix Beltrán et al., "Born into Uncertainty: The Health and Social Costs of Ending Birthright Citizenship," Latino Policy & Politics Institute, February 13, 2025, https://latino.ucla.edu/research/ending-birthright-citizenship/#_edn12.

⁹ Christina Felfe, Helmut Rainer, and Judith Saurer, "Why Birthright Citizenship Matters for Immigrant Children: Short- and Long-Run Impacts on Educational Integration," Journal of Labor Economics 38, no. 1, (January 2020): 143–82, <https://doi.org/10.1086/704570>.

¹⁰ Cervantes, "Birthright Citizenship."

¹¹ Cervantes, "Birthright Citizenship."

¹² Ian Vandewalker, "Analysis: The Effects of Requiring Documentary Proof of Citizenship to Register to Vote," Brennan Center, June 17, 2017, <https://www.brennancenter.org/sites/default/files/2021-09/Requiring%20Citizenship%20to%20Register%20to%20Vote.pdf>.

¹³ Federal Register, "Estimates of the Voting-Age Population for 2023," Federal Register, March 29, 2024, <https://www.federalregister.gov/documents/2024/03/29/2024-06666/estimates-of-the-voting-age-population-for-2023>.

¹⁴ Nicole Chávez, Suma Setty, Hannah Liu, and Wendy Cervantes, "Still at Risk: The Urgent Need to Address Immigration Enforcement's Harms to Children" Center for Law and Social Policy, June 13, 2023, <https://www.clasp.org/publications/report/brief/urgent-need-address-immigration-enforcement-harm-children/#:~:text=Home-,Still%20at%20Risk%3A%20The%20Urgent%20Need%20to%20Address%20Immigration%20Enforcement's,in%20immigrant%20families%20and%20communities>

Increased Risk of Immigration Enforcement Harms Children's Development, Health, and Emotional Well-Being

Aggressive immigration enforcement policies can heighten anxiety among undocumented parents and their children. Childhood—particularly the early years—is a critical period for determining life-long physical and emotional wellbeing.¹⁵ Immigration enforcement has also contributed to delayed and insufficient prenatal care among immigrant Latina mothers, leading to higher risks of low birth weight, increasing post-natal and long-term pediatric care costs.¹⁶ Children living in households with high levels of parental stress often have poor cognitive development, which can be seen as early as age two.¹⁷ Research also shows that persistent stress on children—commonly called “toxic stress”—can have long-term detrimental effects on brain development, particularly among young children.¹⁸ Children who themselves are potential targets of immigration enforcement—such as undocumented children—must endure the constant fear of being separated from family and deported.¹⁹

Threats to children's mental health have devastating consequences. More recently in Texas, news outlets reported the suicide of an 11-year old child on February 8, 2025 due to bullying at school about her family's immigration status, including threats from peers to call ICE on her family.²⁰ Following rumors about ICE coming to the school, the school district sent an email to parents that addressed President Trump's new immigration policies. Unfortunately, few mental health resources exist specifically for impacted children, and even fewer health resources overall that overcome language and cultural barriers.²¹ Research indicates, however, that providing access to legal status has a protective impact on children's mental health.²²

Increased Risk of Immigration Enforcement Harms Child Safety

All people living in a community deserve to feel safe attending school, going to work, shopping for groceries, and visiting the doctor. Many immigrants and children residing in high-enforcement areas, however, experience the opposite. They do not perceive police as allies in enhancing community safety, but instead as extensions of immigration enforcement authorities. In fact, immigrants who perceive more local law enforcement cooperation with ICE are less likely to report crimes they witness, less likely to report crimes when they are the victim, and less likely to use public services and participate in public events where police may be present.²³

Increased Risk of Immigration Enforcement Harms Housing Stability

Improved access to affordable housing and homeownership has proven to be an effective strategy to decrease income inequality and lift more immigrants out of poverty. Harmful immigration enforcement

¹⁵ Jack P. Shonkoff and Deborah A. Phillips, “From Neurons to Neighborhoods: The Science of Early Childhood Development,” PubMed, 2000, <https://pubmed.ncbi.nlm.nih.gov/25077268/>.

¹⁶ Lucía Félix Beltrán, et al., “Born into uncertainty.”

¹⁷ Hirokazu Yoshikawa, *Immigrants Raising Citizens: Undocumented Parents and Their Children*, Russell Sage Foundation, 2011, <https://www.jstor.org/stable/10.7758/9781610447072>.

¹⁸ Jack Shonkoff and Andrew Garner, “The Lifelong Effects of Early Childhood Adversity and Toxic Stress,” *PEDIATRICS* 129, no. 1, (December 26, 2012): 232–46, <https://doi.org/10.1542/peds.2011-2663>.

¹⁹ Roberto G. Gonzales, *Lives in Limbo: Undocumented and Coming of Age in America*, University of California Press, 2016, <https://www.jstor.org/stable/10.1525/j.ctv1xxt36>.

²⁰ Ashley Killough and Ed Lavendera, “Chatter and Rumors about ICE Went on for Days at School of Texas Girl Who Died by Suicide,” CNN, February 20, 2025, <https://www.cnn.com/2025/02/20/us/texas-ice-jocelynn-rojo-carranza/index.html>.

²¹ Megan Finno-Velasquez et al., “Effects of Parent Immigration Status on Mental Health Service Use among Latino Children Referred to Child Welfare,” *Psychiatric Services* 67, no. 2, (February 2016): 192–98, <https://doi.org/10.1176/appi.ps.201400444>.

²² Jens Hainmueller et al., “Protecting Unauthorized Immigrant Mothers Improves Their Children's Mental Health,” *Science* 357, no. 6355, August 31, 2017: 1041–44, <https://doi.org/10.1126/science.aan5893>.

²³ Tom Wong et al., “The Impact of Interior Immigration Enforcement on the Day-To-Day Behaviors of Undocumented Immigrants,” April 3, 2019, <https://usipce.ucsd.edu/publications/usipce-working-paper-1.pdf>.

policies, however, actively force families to move often and endure poorer housing conditions. A nationally representative 2020 survey demonstrated that over half of adults in immigrant families with low incomes worried about being able to pay rent or mortgage in the next month.²⁴ Despite the common understanding that access to stable and quality housing is foundational to child and family well-being, immigrant households are seldom afforded the resources and protections necessary to feel empowered in their financial and housing decisions. Immigrants are also at higher risk of being exploited by unscrupulous landlords. When these landlords threaten to call ICE on them, vulnerable tenants are often coerced into paying higher rent rates, agreeing to unfair lease terms, and being unlawfully evicted.²⁵

Increased Risk of Immigration Enforcement Harms Access to Early Care and Education

Education is an important stepping stone toward future success, but fear and anxiety about immigration enforcement often undermine student achievement and access to education, from early education through postsecondary education. Children with at least one undocumented parent made up 12% of the U.S. K-12 school enrollment in 2021.²⁶ Beyond setting students up for future economic security and socioemotional development, places of learning also act as important community hubs to help families access emotional or material support.²⁷ Numerous studies have shown that immigration enforcement actions reduce student engagement and increase absenteeism. For example, local immigration enforcement raids have been shown to decrease school engagement by increasing chronic student absenteeism and displacing students, disrupting learning, and threatening future achievement.²⁸

Increased Risk of Immigration Enforcement Harms Access to Essential Services

The threat of deportation and detention can also intimidate immigrant families and prevent them from seeking out essential services, including those available to everyone regardless of immigration status like emergency services and food pantries. Families may be misinformed and fear that their information will not be kept private, or worse, shared with immigration enforcement authorities, for simply using available essential services for themselves and/or their children to protect their wellbeing. The consequences are tangible and long-term when it comes to the well-being of children of immigrants. For example, the 2018 Tennessee raid also occurred at the same time as a community health event, resulting in Hispanic families missing out on vaccinations and other basic health needs and information offered to community members attending the event. Many Hispanic families subsequently stopped attending other

²⁴ Hamutal Bernstein, Dulce Gonzalez, and Michael Karpman, “Adults in Low-Income Immigrant Families Were Deeply Affected by the COVID-19 Crisis yet Avoided Safety Net Programs in 2020,” Urban Institute, May 25, 2021, <https://www.urban.org/research/publication/adults-low-income-immigrant-families-were-deeply-affected-covid-19-crisis-yet-avoided-safety-net-programs-2020>.

²⁵ Heather Koball and Suma Setty, “A Qualitative Study of the Social and Economic Needs of Low-Income Immigrants on Long Island,” National Center for Children in Poverty, June 2019, https://www.nccp.org/wp-content/uploads/2019/06/NCCP_Year-2-CARECEN_FINAL-for-website-with-authors.pdf; Kriston Capps, “California Landlords Threaten Immigrant Tenants with Deportations,” Bloomberg, April 5, 2017, <https://www.bloomberg.com/news/articles/2017-04-05/california-landlords-threaten-immigrant-tenants-with-deportations>.

²⁶ UnidosUS, “Beyond the Border: Family Separation in the Trump Era,” UnidosUS, 2019, https://unidosus.org/wp-content/uploads/2021/07/unidosus_beyondtheborder_executivesummary.pdf; National Center for Education Statistics, “Digest of Education Statistics, 2022,” nces.ed.gov, n.d., https://nces.ed.gov/programs/digest/d22/tables/dt22_203.20.asp.

²⁷ Michael Horn, Julia Freeland, and Stuart Butler, “Managing Population Health: The Role of the Hospital” Brookings Institution, September 2015, <https://www.brookings.edu/wp-content/uploads/2016/06/Horn-Freeland-Paper-FINAL.pdf>.

²⁸ Laura Bellows, “Immigration Enforcement and Student Achievement in the Wake of Secure Communities,” AERA Open 5, no. 4 (October 29, 2019), <https://doi.org/10.1177/2332858419884891>; J. Jacob Kirksey and Carolyn Sattin-Bajaj, “Immigration Arrests and Educational Impacts: Linking ICE Arrests to Declines in Achievement, Attendance, and School Climate and Safety in California,” AERA Open 7 (October 4, 2021), <https://doi.org/10.1177/23328584211039787>; Thomas S. Dee and Mark Murphy, “Vanished Classmates: The Effects of Local Immigration Enforcement on School Enrollment,” American Educational Research Journal 57, no. 2 (April 2020): 694-727, <https://doi.org/10.3102/0002831219860816>; Carolyn Heinrich, Mónica Hernández, and Mason Shero, “Repercussions of a Raid: Health and Education Outcomes of Children Entangled in Immigration Enforcement,” Journal of Policy Analysis and Management, December 2022, <https://doi.org/10.1002/pam.22443>

health care related appointments with their children altogether.²⁹

Denying citizenship and babies' access to essential programs harms their short-and long-run outcomes

Denying citizenship to newborns also puts babies at increased risk of poor short- and long-term outcomes with little or no access to essential services. Access to citizenship ensures that babies have access to critical health care from the moment they are born. Undocumented immigrants are ineligible for the vast majority of federal programs, and even lawfully present immigrants face significant restrictions. There is extensive evidence of how participation in essential services, such as nutrition, health, and housing supports, positively influence outcomes in both the short- and long-term.

Harms of Losing Access to Nutrition Assistance

Children of immigrants who participate in the Supplemental Nutrition Assistance Program (SNAP, formerly food stamps) are more likely to be in good or excellent health, be food secure, and reside in stable housing. Compared to children in immigrant families without SNAP, families with children who participate in the program have more resources to afford medical care and prescription medications.³⁰ An additional year of SNAP eligibility for young children with immigrant parents is associated with significant health benefits in later childhood and adolescence.³¹

Conversely, children living in food insecure households are more likely to suffer from poor health and frequent illness and to be hospitalized more frequently.³² Specifically, child food insecurity is associated with chronic diseases and health conditions, including asthma, behavioral and social-emotional problems (e.g., hyperactivity), birth defects, mental health problems (such as depression and anxiety), frequent colds and stomach aches, and oral care problems.³³ Not having enough to eat also affects children's ability to perform in school. Food insecurity is associated with lower scores on reading and math

²⁹ Nicole Chávez et al., "Still at Risk: The Urgent Need to Address Immigration Enforcement's Harms to Children," September 11, 2023, https://www.clasp.org/wp-content/uploads/2023/06/Still-at-risk_Full-report_v4.pdf.

³⁰ Children's Health Watch, "Report Card on Food Insecurity and Immigration: Helping Our Youngest First-Generation Americans to Thrive," Children's Health Watch, February 22, 2018, <https://childrenshealthwatch.org/publication-snapfirstgeneration/>.

³¹ Chloe East, "The Effect of Food Stamps on Children's Health: Evidence from Immigrants' Changing Eligibility," 2017, http://www.chloeeast.com/uploads/8/9/9/7/8997263/east_fskids_r_r.pdf.

³² Craig Gundersen and James P. Ziliak, "Food Insecurity and Health Outcomes," *Health Affairs* 34, no. 11 (November 2015), <https://doi.org/10.1377/hlthaff.2015.0645>; John T. Cook, Deborah A. Frank, Carol Berkowitz, et al., "Food insecurity is associated with adverse health outcomes among human infants and toddlers," *The Journal of Nutrition* 134 (2004), <https://academic.oup.com/jn/article/134/6/1432/4870889>.

³³ Lauren D. Mangini, Mark D. Hayward, Yong Quan Dong, et al., "Household food insecurity is associated with childhood asthma," *The Journal of Nutrition*, 145(2015), <https://academic.oup.com/jn/article/145/12/2756/4585668>; Rachel Tolbert Kimbro and Justin T. Denney, "Transitions into Food Insecurity Associated with Behavioral Problems and Worse Overall Health Among Children," *Health Affairs* 34 (2015), <https://www.healthaffairs.org/doi/pdf/10.1377/hlthaff.2015.0626>; Anna D. Johnson and Anna J. Markowitz, "Associations Between Household Food Insecurity in Early Childhood and Children's Kindergarten Skills," *Child Development* 89 (2018), <https://onlinelibrary.wiley.com/doi/pdf/10.1111/cdev.12764>; Suzan L. Carmichael, Wei Yang, Amy Herring, et al., "Maternal Food Insecurity is Associated with Increased Risk of Certain Birth Defects," *J Nutr* 137(2007), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2063452/>; Natalie Slopen, Garratt Fitzmaurice, David R. Williams, et al., "Poverty, Food Insecurity, and the Behavior for Childhood Internalizing and Externalizing Disorders," *Journal of the American Academy of Child & Adolescent Psychology* 49 (2010), http://scholar.harvard.edu/files/davidrwilliams/files/2011-poverty_food_insecurity-williams.pdf; Priya Shankar, Rainjade Chung, and Deborah A. Frank, "Association of Food Insecurity with Children's Behavioral, Emotional, and Academic Outcomes: A Systemic Review," *Journal of Developmental and Behavioral Pediatrics* 38 (2017), <https://pdfs.semanticscholar.org/4655/0ad7196155123c70dcd1cc5af710879ae27a.pdf>; Katie A. McLaughlin, Jennifer Greif Green, Margarita Alegria, et al., "Food Insecurity and Mental Disorders in a National Sample of U.S. Adolescents," *J Am Acad Child Adolesc Psychiatry* 51 (2012), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3632292/>; Katherine Alaimo, Christine M. Olson, Edward A. Frongillo Jr., et al., "Food Insufficiency, Family Income, and Health in US Preschool and School-Age Children," *American Journal of Public Health* 91 (2001), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1446676/pdf/11344887.pdf>; Donald L. Chi, Erin E. Masterson, Adam C. Carle, et al., "Socioeconomic Status, Food Security, and Dental Caries in US Children: Mediation Analyses of Data from the National Health and Nutrition Examination Survey, 2007-2008," *American Journal of Public Health* 104 (2014), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3987603/>.

assessments and a greater likelihood of grade retention.³⁴ Among low-income seniors, receipt of SNAP is associated with reduced hospitalization costs.³⁵ Retaining children's access to nutritional support improves health outcomes overall, leading to cost savings to individuals as well as the health system.

Harms of Losing Access to Health Assistance

There is an extensive and strong research literature that shows, as a New England Journal of Medicine review concludes, “[i]nsurance coverage increases access to care and improves a wide range of health outcomes.”³⁶

Children in immigrant families with health insurance coverage are more likely to have a usual source of care and receive regular health care visits, and are less likely to have unmet care needs.³⁷ The type of health insurance may not matter as much as having any insurance whatsoever; low-income children with Medicaid use well-child and dental health services at rates comparable to similar children with private insurance.³⁸ Duration of insurance coverage matters greatly: children who are insured consistently throughout a given year are far more likely to receive necessary health care services than those whose coverage is volatile.³⁹ Insurance coverage in childhood also promotes positive development and good health, which in turn enable better health, educational, and employment outcomes later in life. Individuals exposed to Medicaid during early childhood have better composite health scores, lower incidences of high blood pressure, lower rates of obesity, fewer emergency room visits, and reduced hospitalizations as adults.⁴⁰

Conversely, children who are uninsured or inconsistently insured often face difficulty obtaining the health care services necessary to prevent illnesses and treat medical conditions when they arise. Therefore, they are more likely to have unmet care needs, to delay medical care, and to need but not receive mental health services than their peers with private or public health insurance.⁴¹ Uninsured

³⁴ Priya Shankar, Rainjade Chung, and Deborah A. Frank, “Association of Food Insecurity with Children’s Behavioral, Emotional, and Academic Outcomes: A Systemic Review,” *Journal of Developmental and Behavioral Pediatrics* 38 (2017), <https://pdfs.semanticscholar.org/4655/0ad7196155123c70dcd1cc5af710879ae27a.pdf>; Diana F. Hyoti, Edward A. Frongillo, and Sonya J. Jones, “Food Insecurity Affects School Children’s Academic Performance, Weight Gain, and Social Skills,” *J Nutr* 135 (2005), <https://pdfs.semanticscholar.org/7d09/8555673094109056fd3beb58dc4464570bc0.pdf>; Bergen B. Nelson, Rebecca N. Dudovitz, Tumaini R. Coker, et al., “Predictors of Poor School Readiness in Children Without Developmental Delay at Age 2,” *Pediatrics* 138 (2016), <http://pediatrics.aappublications.org/content/138/2/e20154477>.

³⁵ Laura J. Samuel et al., “Does the Supplemental Nutrition Assistance Program Affect Hospital Utilization among Older Adults? The Case of Maryland,” *Population Health Management* 21, no. 2 (April 1, 2018): 88–95, <https://doi.org/10.1089/pop.2017.0055>.

³⁶ Benjamin D. Sommers, Atul A. Gawande, and Katherine Baicker, “Health Insurance Coverage and Health — What the Recent Evidence Tells Us,” *New England Journal of Medicine* 377, no. 6 (August 10, 2017): 586–93, <https://doi.org/10.1056/nejmsb1706645>.

³⁷ Christine Percheski and Sharon Bzostek, “Public Health Insurance and Health Care Utilization for Children in Immigrant Families,” *Maternal and Child Health Journal* 21 (2017), <https://link.springer.com/article/10.1007/s10995-017-2331-y>.

³⁸ Lisa Dubay and Genevieve M. Kenney, “Health Care Access And Use Among Low-Income Children: Who Fares Best?” *Health Affairs* 20 (2001), <https://www.healthaffairs.org/doi/full/10.1377/hlthaff.20.1.112>.

³⁹ Lindsey J. “Partial-Year Insurance Coverage and the Health Care Utilization of Children,” *Med Care Res Rev* 66 (2009), <https://www.ncbi.nlm.nih.gov/pubmed/18981264/>; Thomas Buchmueller, Sean M. Orzol, and Lara Shore-Sheppard, “Access to Care: Evidence from the Survey of Income and Program Participation,” *International Journal of Health Care Finance and Economics* 14 (2014), <https://www.ncbi.nlm.nih.gov/pubmed/24504692>.

⁴⁰ Alisa Chester and Joan Alker, “Medicaid at 50: A Look at the Long-Term Benefits of Childhood Medicaid the Top Three Benefits,” Georgetown University Health Policy Institute, 2015, https://ccf.georgetown.edu/wp-content/uploads/2015/08/Medicaid-at-50_final.pdf; Sarah Marie Miller and Laura R. Wherry, “The Long-Term Health Effects of Early Life Medicaid Coverage,” *SSRN Electronic Journal*, 2014, <https://doi.org/10.2139/ssrn.2466691>.

⁴¹ Jennifer E. DeVoe, Moira Ray, Lisa Krois, et al., “Uncertain Health Insurance Coverage and Unmet Children’s Health Care Needs,” *Health Services Research* 42 (2010), <http://www.stfm.org/fmhub/fm2010/February/Jennifer121.pdf>; Steven G. Federico, John F. Steiner, Brenda Beaty, et al., “Disruptions in Insurance Coverage: Patterns and Relationship to Health Care Access, Unmet Need, and Utilization Before Enrollment in the State Children’s Health Insurance Program,” *Pediatrics* 120 (2007), <http://pediatrics.aappublications.org/content/120/4/e1009.long>; Christine Percheski and Sharon Bzostek, “Public Health Insurance and Health Care Utilization for Children in Immigrant Families,” *Maternal and Child Health Journal* 21 (2017), <https://link.springer.com/article/10.1007/s10995-017-2331-y>; Sheryl H. Kataoka, Lily Zhang, and Kenneth B. Wells, “Unmet Need for

children are also far more likely to utilize emergency care.⁴² Lack of insurance can be a matter of life or death: one analysis found that uninsured children were over 3 times more likely to die as a result of traumatic injury compared to children with commercial (non-public) insurance, even after controlling for other factors.⁴³

Harms of Losing Access to Housing Assistance

Children whose families receive housing assistance are more likely to have a healthy weight and to rate higher on measures of well-being—especially when housing assistance is accompanied by food assistance.⁴⁴ Research demonstrates that when housing subsidies are permanent, reliable, and consistent, they are more likely to have positive impacts on children’s behavior, access to health care, and food security.⁴⁵

Without housing assistance, children are more likely to live in overcrowded conditions, become homeless, and move frequently.⁴⁶ Various forms of housing instability have adverse outcomes on child development, including poor health and developmental risk.⁴⁷ Housing instability in childhood is also associated with poor health and more hospitalizations over the course of a child’s life.⁴⁸ Housing instability is directly correlated to decreases in student retention rates and contributes to homeless students’ high suspension rates, school turnover, truancy, and expulsions, limiting students’ opportunity to obtain the education they need to succeed later in life.⁴⁹

Conclusion

Birthright citizenship is fundamental to our nation’s foundational principles of equity, ensuring that our youngest citizens are afforded the rights and benefits of citizenship. The research is clear that consistent, reliable access to nutrition, health, and housing supports coupled with the freedom to live without fear of immigration enforcement or family separation are essential to children’s well-being. Denying birthright citizenship to babies would damage this access and freedom, significantly harming newborns, families,

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⁴² William G. Johnson, Mary E. Rimza, “The Effects of Access to Pediatric Care and Insurance Coverage on Emergency Department Utilization,” *Pediatrics* 113 (2004),

https://www.researchgate.net/profile/William_Johnson14/publication/5848895_The_Effects_of_Access_to_Pediatric_Care_and_Insurance_Coverage_on_Emergency_Department_Utilization.

⁴³ Heather Rosen, Fady Saleh, Stuart R. Lipsitz, et al., “Lack of insurance negatively affects trauma mortality in U.S. children,” *Journal of Pediatric Surgery* 44 (2009), <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.903.8114&rep=rep1&type=pdf>.

⁴⁴ Kathryn Bailey, Elizabeth March, Stephanie Ettinger de Cuba, et al., “Overcrowding and Frequent Moves Undermine Children’s Health,” *Children’s HealthWatch*, November 2011, www.issuelab.org/resources/13900/13900.pdf.

⁴⁵ Aletha C. Huston, “U.S. Commentary: Effects of Housing Subsidies on the Well-Being of Children and Their Families in the Family Options Study,” *Cityscape: A Journal of Policy Development and Research* 19, 2017, <https://www.huduser.gov/portal/periodicals/cityscpe/vol19num3/ch15.pdf>.

⁴⁶ Michelle Wood, Jennifer Turnham, and Gregory Mills, “Housing Affordability and Family Well-Being: Results from the Housing Voucher Evaluation,” *Housing Policy Debate* 19, no. 2 (January 2008): 367–412, <https://doi.org/10.1080/10511482.2008.9521639>; Janet Currie, Aaron Yelowitz, “Are Public Housing Projects Good for Kids?” *Journal of Public Economics* 75 (2000), www.yelowitz.com/CurrieYelowitzJPubE2000.pdf; Will Fischer, “Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-term Gains Among Children,” *Center on Budget and Public Policy*, October, 7, 2015, www.cbpp.org/sites/default/files/atoms/files/3-10-14hous.pdf.

⁴⁷ Diana Becker Cutts, Alan F. Meyers, Maureen M. Black, et al., “US Housing Insecurity and the Health of Very Young Children,” *Am J Public Health* 101 (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3134514/>.

⁴⁸ Megan Sandel, Richard Sheward, Stephanie Ettinger de Cuba, et al., “Unstable Housing and Caregiver and Child Health in Renter Families,” *Pediatrics* 141 (2018), https://www.researchgate.net/profile/Mariana_Chilton/publication/322642849_Unstable_Housing_and_Caregiver_and_Child_Health_in_Renter_Families.

⁴⁹ Mai Abdul Rahman, “The Demographic Profile of Black Homeless High School Students Residing in the District of Columbia Shelters and the Factors that Influence their Education” 55 (Mar. 2014) (Ph.D. dissertation, Howard University), available at <http://gradworks.umi.com/3639463.pdf>.

and communities.

We thank you again for the opportunity to submit this written statement for the record. If you have questions, please contact Wendy Cervantes, director of immigration and immigrant families at CLASP, at WCervantes@clasp.org.