



STATEMENT AGAINST PROPOSALS TO ALTER THE FOURTEENTH AMENDMENT

WHEREAS the Coalition of Bar Associations of Color (CBAC), organized in 1983, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS the member organizations of the Coalition of Bar Associations of Color are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, the citizenship clause of the Fourteenth Amendment clearly states that “All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside;”

WHEREAS, the Fourteenth Amendment is based on the longstanding English common law doctrine of *jus soli*, or citizenship by place of birth;

WHEREAS, the Fourteenth Amendment awards United States citizenship to all persons born or naturalized in the United States and subject to its jurisdiction;

WHEREAS, the Fourteenth Amendment has withstood challenges from opponents for over a century since its inception in 1868 because of its sound principles and values consistent with the values held by the drafters of the U.S. Constitution;

WHEREAS, the United States Supreme Court has upheld the Fourteenth Amendment and confirmed that people born in the United States and who are subject to United States jurisdiction are United States citizens at birth;

WHEREAS, the Supreme Court has clearly held that illegal aliens are “subject to the jurisdiction” of the United States in *Plyler v. Doe* (1982). The same principles were again reinforced by the Court in *INS v. Rios-Pineda* (1985) and *Hamdi v. Rumsfeld* (2004);

WHEREAS, recent assaults on this long held interpretation of the Fourteenth Amendment are a misguided effort to strip citizenship from children born in the United States to undocumented aliens; and

WHEREAS, this year, the Birthright Citizenship Act of 2009 has been revived by Senators John Kyl (R-AZ), Mitch McConnell (R-KY), Lindsey Graham (R-SC), and Tom Coburn (R-OK).

NOW THEREFORE BE IT RESOLVED, that the Coalition of Bar of Association of Color:

1. Fully supports the citizenship clause of the Fourteenth Amendment and supports the understanding that any person born or naturalized in the United States and who is subject to the jurisdiction of the United States is a United States citizen as clearly stated in the Fourteenth Amendment.
2. Denounces efforts by any state or local municipality to change this longstanding doctrine.

BE IT FINALLY RESOLVED, that this resolution shall be the legislative priority of the Coalition of Bar Associations of Color until it is withdrawn or modified by subsequent resolution.

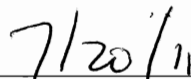
CERTIFICATION

WE, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that they foregoing Resolution was duly enacted by a duly-noticed meetings of the Board of Directors.





Diana Sen
President, Hispanic National Bar Association



Date



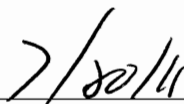
Paul O. Hirose
President, National Asian Pacific American Bar Association



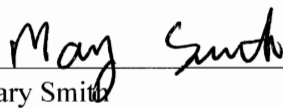
Date



Demetrius Shelton
President, National Bar Association



Date



Mary Smith
President-Elect, National Native American Bar Association



Date