

The assault on immigrants becomes the assault on citizens

US citizens along southern border denied passports, accused of fraudulent birth certificates

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Residents in southern Texas whose official birth certificates show they were born in the United States are alarmingly being denied passports in growing numbers.

According to a recent report in the *Washington Post*, attorneys in the Texas border region are reporting an increase in hundreds, if not thousands, of cases in which citizens are accused of having fraudulent birth certificates. The purpose of the accusation is to reject applications for new passports, deny renewals, and revoke old ones, leading to the detention of citizens at the border upon re-entry from Mexico, and in some cases, actual deportation.

In a press release responding to the story, the State Department said that it “has not changed policy or practice regarding the adjudication of passport applications,” adding that “the U.S.-Mexico border region happens to be an area of the country where there has been a significant incidence of citizenship fraud.” At least at one level, this claim is correct.

The policy of denying citizenship rights to a specific group of Americans born in the Southwestern border area is not peculiar to the Trump administration. Both the George W. Bush and Obama administrations followed a version of this policy. The reasoning behind this policy comes from government allegations that, for a period of several decades (ending in the 1990s), some midwives and physicians working in the Texas-Mexico border region provided U.S. birth certificates to babies who were actually born in Mexico. This led to a series of federal court cases in the 1990s in which nine birth attendants were indicted for pleading guilty to

procuring and passing on fraudulent documents. These women attested that they were paid, anywhere from \$300-\$5,000 to produce birth certificates that allowed children born in Mexico to claim American citizenship.

Under the George W. Bush administration, the Department of Homeland Security enacted a policy of passport adjudication in response to these cases with the policy continuing under Obama. However, the number of cases declined due to the settlement made in a 2009 class action lawsuit filed by the American Civil Liberties Union (ACLU).

The ACLU represented a group of American citizens victimized by the policy, successfully arguing that given the number of births overseen even by the attendants found guilty of malpractice, it was too difficult to determine which birth certificates were legal and which were fraudulent. Prior to the settlement in 2009, both administrations had denied passports to citizens whose birth had been certified by a midwife in the Texas border region.

The use of midwives is a common practice in the area due to the high cost of hospital births. The average price for a hospital delivery in Texas in 2017 was \$7,349 according to research by Fair Health organization. Additionally, a study by the Texas Association of Counties reveals Texas is one of the poorest states in the country with up to 58.4 percent of residents in the border regions living in poverty.

Given these conditions, denying passports to those who are forced to use a particular service due to lack of resources is not just a gross violation of citizenship rights, but a blatant attack on the working class. In

addition, it is becoming increasingly obvious that this policy is an extension of the Trump administration's intensified, ongoing war on immigrants.

The *Washington Post* article presents several horrifying stories of citizens being denied their rights through various bureaucratic maneuvers. In one instance, a former US soldier named Juan received a letter from the US State Department informing him that his citizenship was in suspect. In order to prove that he was indeed an American citizen, he was asked to provide a series of documents from his childhood: mother's prenatal care documents, baptismal certificate and rental agreements when he was a child. He was able to locate a couple of the documents but was still denied a passport.

The evidence the State Department asks that passport applicants produce is near impossible to obtain, and in some cases it may not even exist, leaving passport seekers in difficult situations.

Immigration attorneys have reported passport applicants with official US birth certificates being jailed in immigration detention centers and entered into deportation proceedings. Attorneys have also reported cases where citizens' passports are being revoked at the border by Customs and Border Protection agents during re-entry into the US. According these reports border agents target certain citizens, demanding that they admit to being born in Mexico. When the demand is refused, those identified by the agents as being potentially Mexican born are taken to detention centers, pending immigration and deportation hearings. US citizens living in the border region often frequent Mexico for a number of reasons, especially to visit family members. These ominous and fundamentally undemocratic measures show how US citizens are increasingly being targeted by the rapidly growing anti-immigration regime.

Under the Trump Administration, the attack against immigration has been at the forefront of the assault on the working class. Not only have immigrants living in the country without proper documentation been the target of the administration's repressive policies, but even those with citizenship are within the scope of fire.

As is the case with the condition of hundreds of citizens in the Texas border region, official documents, such as a legal birth certificate, are no longer binding and can be called into question at any moment. The

enactment of the current policy is arbitrary and a convenient basis for further suppression of democratic rights in the United States. These few hundred cases are being inflated to justify putting into question the citizenship of millions of people who have been born in the southern border region marks an open assault on the basic citizenship rights of all Americans.



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