


Donald Trump's birthright citizenship move may affect 1.6 million Indian-Americans

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Junaid Dar

6 November 2024

World News

The proposed executive order, which aims to "correctly interpret" the 14th Amendment of the US Constitution, goes beyond simply ending birthright citizenship for children of undocumented immigrants.



President-elect Donald Trump (Photo Credit: X)

New Delhi: Donald Trump, the incoming (47th) President of the United States, has made a radical promise, to end automatic citizenship for children born on US soil. This “Day 1” executive order, outlined on the Trump-Vance campaign website, would have far-reaching consequences, potentially impacting the Indian diaspora in a major way.

The proposed executive order, which aims to “correctly interpret” the 14th Amendment of the US Constitution, goes beyond simply ending birthright citizenship for children of undocumented immigrants. It proposes requiring at least one parent to be a US citizen or lawful permanent resident for their future children to automatically gain citizenship. “It

will direct federal agencies to require that at least one parent be a US citizen or lawful permanent resident for their future children to become automatic US citizens,” the draft executive order reads.

Immigration advocates argue that this plan directly violates the 14th Amendment and is likely to face legal challenges. Attorneys like Rajiv S. Khanna and Greg Siskind believe the order is a misinterpretation of the Constitution and will be overturned in court, The Times of India reported.

“The Trump plan suggests no automatic citizenship for children born in the US. This is almost certainly a contravention of the 14th Amendment of the US Constitution. A Supreme Court judgement is available to counter Trump’s misinterpretation,” Khanna was quoted as saying by TOI.

If the executive order passes, however, it will be a devastating blow to the Indian diaspora. According to a 2022 US Census analysis by Pew Research, 34 per cent, 1.6 million, of the 4.8 million Indian-Americans are US-born. Under this new rule, children born to Indian couples who are not US citizens or green card holders would no longer automatically gain citizenship.

This policy comes at a time when the Indian diaspora faces an already challenging immigration landscape. Indians often face a decades-long wait for employment-linked green cards due to country-specific quotas and a huge backlog. This backlog, exceeding one million in 2023, means that many Indian families will wait for over 50 years, with some even dying before they receive a green card.

The current system at least provided a safety net for children of Indian families caught in the backlog, guaranteeing their citizenship if they were born in the US. Trump’s proposed policy would eliminate this lifeline, leaving many children uncertain of their future and potentially forcing them to leave the country they call home.

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Junaid Dar

Junaid Dar is a multimedia journalist based out of Delhi. He is presently working as a chief reporter for News9 Live. His work has appeared in several national and international publications, including Voice of America, Daily Vox, Huffington Post, TRT World, Article 14, and India Ahead, among others.

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