

Trump administration moves to end birth tourism

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Birth tourism is the practice of traveling to another country for the purpose of giving birth in that country. The main reason for birth tourism is to obtain citizenship for the child in a country with birthright citizenship. (wikipedia)

By 2015, at least 500 companies offered “birth tourism” services in China. The companies coach pregnant women on how to deceive U.S. immigration authorities so they can enter the U.S. for the sole purpose of giving birth so their child will be given American citizenship. They then return to China. The main attraction: When children born in the United States turn 21, they can sponsor their parents to become legal U.S. residents so the family can emigrate to the U.S.

(by Don Jacobson, UPI) – To [end] what it called “endemic abuses,” the Trump administration issued a new rule Thursday to deny U.S. entry to pregnant foreign women who want to have babies in the United States — so that the newborns receive automatic citizenship.

The White House said the rule aims to protect “the integrity of American citizenship” by ordering the State Department to deny visas to women who intend to enter the United States for “**birth tourism**” reasons.

Officials said since “birth tourists” usually apply for temporary “B” visas, those will no longer be given to foreign women suspected of [visiting the U.S. with] such a motive.

Calling birth tourism a “glaring loophole” in the U.S. immigration system, the White House said the rule change will “ultimately protect the United States from the national security risks created by this practice.”

In a [statement](#), the White House Press Secretary wrote:

Beginning January 24, 2020, the State Department will no longer issue temporary visitor (B-1/B-2) visas to aliens seeking to enter the United States for “birth tourism” – the practice of traveling to the United States to secure automatic and permanent American citizenship for their children by giving birth on American soil.

This rule change is necessary to enhance public safety, national security, and the integrity of our immigration system.

The birth tourism industry threatens to overburden valuable hospital resources and is rife with criminal activity, as reflected in Federal prosecutions.

Closing this glaring immigration loophole will combat these endemic abuses and ultimately protect the United States from the national security risks created by this practice.

It will also defend American taxpayers from having their hard-earned dollars siphoned away to finance the direct and downstream costs associated with birth tourism.

The integrity of American citizenship must be protected.

The rule does not, however, indicate how U.S. immigration officials will identify “birth tourists” or give criteria for such classification.

A cable to U.S. consular offices says officials cannot directly ask applicants if they are pregnant unless there is a “specific articulable reason,” CNN reported. The new policy will take effect Friday, the report added.

President Donald Trump has harshly criticized birthright citizenship, and said last summer he was seriously considering executive action to end the practice. Some Republican lawmakers pushed back against the idea, arguing that such a change can only be made with a constitutional amendment. [However, in October 2018, Sen. Ted Cruz said he has long supported ending birthright citizenship and that it “encourages people to break the law.” He said it’s unclear how the policy could legally be eliminated, though.

"I suspect that whatever method [President Trump] uses will be challenged in court," he said. "Ultimately the courts will sort out the proper mechanism. But I think as a policy matter, ending birthright citizenship makes a lot of common sense."].

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Background

"President Donald J. Trump Is Taking Action to End Birth Tourism, Protect National Security, and Curb the Abuse of Public Resources" (from a January 23, 2020 fact sheet at [whitehouse.gov](https://www.whitehouse.gov)):

COMBATTING BIRTH TOURISM: President Donald J. Trump is taking action to combat birth tourism.

- The Administration is taking action to end "birth tourism" – a practice in which aliens travel to the United States with the purpose of giving birth to gain citizenship for their children.
 - Organizations bring in large numbers of aliens to systematically exploit this loophole and unfairly provide citizenship for their children.
 - Most birth tourism groups charge tens of thousands of dollars, which often doesn't include coverage for medical care.
 - Groups are flown to the United States and often brought to motels, whose owners are also often complicit in the scheme.
- The State Department will stop issuing temporary visitor visas to applicants who are traveling to the United States to engage in birth tourism.
- The Administration's new rule makes clear that attempting to improperly provide citizenship for one's child through birth tourism is not a legitimate grounds for obtaining a visitor visa.
 - Visas will still be issued to aliens whose purpose of travel is consistent with permissible business and pleasure activities.
- Citizenship is the crown jewel of the American immigration system and must be vigorously protected from exploitation.

PROTECTING NATIONAL SECURITY: The Administration's action addresses the national security and law enforcement risks associated with birth tourism.

- Birth tourism could allow foreign governments to exploit birth tourism in manners that threaten the security of the United States.
- Foreign governments could exploit this vulnerability to recruit individuals who were born as the result of birth tourism and raised overseas, without attachment to the United States.
- Through birth tourism, foreign nationals are able to have their children avoid the scrutiny and procedures they would normally undergo if they became citizens through naturalization.
- Organized criminal networks have taken advantage of the birth tourism loophole at the expense of American citizens.
 - Businesses in the birth tourism industry have engaged in widespread immigration fraud and money laundering.

PRESERVING OUR PUBLIC RESOURCES: Addressing birth tourism continues President Trump's efforts to safeguard our Nation's public benefits from abuse.

- The Administration's action will protect our social welfare system from abuse by foreign nationals using our welfare system to pay for the births of their children.
- Last year, the Administration took action to ensure that if aliens want to enter or remain in the United States, they must support themselves and not rely on public benefits.
- The President issued a proclamation suspending the entry of aliens who financially burden the American healthcare system.
- The Administration proposed a rule to require the verification of immigration status for anyone seeking to access public housing benefits.

"Together, we will create an immigration system to make America safer, and stronger, and greater than ever before." -- President Donald J. Trump