

A federal statute provides health care benefits to U.S. citizens but excludes noncitizens. A group of resident noncitizens who were denied health care benefits pursuant to the statute brought a suit in federal court challenging the statute on constitutional grounds. The group specifically claims that the statute violates the equal protection component of the Fifth Amendment due process clause.

Is the federal statute likely constitutional?

- A. No, because the statute is not necessary to achieve an important government interest.
- B. No, because the statute is not substantially related to an important government interest.
- C. Yes, because the statute is necessary to achieve a legitimate government interest.
- D. Yes, because the statute is rationally related to a legitimate government interest.

Explanation:

Congress has plenary (ie, exclusive) authority over immigration and naturalization, so **federal laws based on citizenship** are presumptively constitutional. To rebut this presumption and show that such a law violates the equal protection component of the Fifth Amendment, the challenger must show that the law is **not rationally related** to a **legitimate government interest**—ie, that the law is arbitrary or unreasonable.

Here, the federal statute provides health care benefits to U.S. citizens but excludes noncitizens. The U.S. Supreme Court has repeatedly held that Congress has a legitimate interest in providing benefits only to citizens because U.S. citizens have closer ties to the U.S. than noncitizens. Since the federal statute is rationally related to this interest, the statute is likely constitutional and the group of resident noncitizens is unlikely to prevail.

(Choices A & C) There is no level of scrutiny that requires the government to show that its statute is not necessary to achieve an *important* government interest or is necessary to achieve a *legitimate* government interest. Instead, strict scrutiny (not applicable here) requires the government to show that its statute is necessary to achieve a *compelling* state interest.

(Choice B) Intermediate scrutiny requires a government to show that its action is substantially related to an important government interest when such an action discriminates against a [quasi-suspect class](#) (not seen here).

Educational objective:

The equal protection component of the Fifth Amendment requires federal laws based on citizenship to satisfy rational basis scrutiny. This level of scrutiny places the burden on the challenger to prove that the law is not rationally related to a legitimate government interest.

References

- U.S. Const. art. I, § 8, cl. 4 (federal immigration and naturalization power).
- Mathews v. Diaz, 426 U.S. 67, 79–80 (1976) (explaining that Congress may provide benefits to citizens and exclude noncitizens).

Equal protection challenge (citizenship)

