

A Special Message from  
State Representative  
Daryl Metcalfe

DEAR FRIENDS,

Each and every illegal alien's very first step across our border is a violation of our federal immigration laws, making them foreign invaders. The only right these individuals have is to go home on their own or face incarceration, deportation, and at the very least, criminal prosecution to the fullest extent of the law.

Establishing a zero-tolerance policy against the estimated **13 million illegal aliens** and especially those employing them and any government entity that harbors them remain our foremost and most effective means to end the illegal alien invasion. The federal government has been AWOL for decades in fulfilling its Constitutional responsibilities to protect American lives, liberty and property. The burden to protect American citizens has been shifted to state and local governments, who are left with no choice but to take individual action to address this important issue.

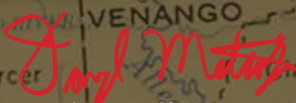
In Pennsylvania, the estimated **140,000 illegal alien population** is costing taxpayers **\$1.4 billion** annually in healthcare, education, incarceration and other associated costs. Pennsylvanians must be made aware of the personal liberties lost, tax dollars wasted and lives destroyed due to the continued presence of illegal aliens.

It is my hope that putting a human face on those who have been victimized by illegal aliens through violent crimes, stolen jobs and illegally accessed benefits, that should have never occurred on our soil in the first place, will bring about immediate and necessary reforms that law-abiding Pennsylvania citizens expect, demand and deserve.

My colleagues and I have introduced the **National Security Begins at Home (NSBAH)** package of legislation, which is aimed to address and end the illegal alien invasion in Pennsylvania.

However, in the end, the success of our efforts will depend on the support of individual Pennsylvanians like you. I encourage everyone who wants secure borders and safer communities free of illegal aliens to familiarize themselves with the content of this and the three other brochures in the series and to visit [RepMetcalfe.com](http://RepMetcalfe.com) to sign the **National Security Begins at Home petition** today.

For Liberty,



Daryl D. Metcalfe  
State Representative



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All facts and figures contained in this brochure, unless otherwise noted, are courtesy of the Federation for American Immigration Reform (FAIR).



**Invasion**  
**PA**

stolen  
citizenship:  
anchor  
babies



## Stolen Citizenship: ANCHOR BABIES AND BIRTHRIGHT CITIZENSHIP

According to a July 2010 study by the Federation for American Immigration Reform (FAIR), only 5 percent of the costs for stolen benefits are recouped through taxes collected from illegal aliens.

Due to the current misapplication of the 14th Amendment, “anchor babies,” or children born to illegal alien parents, are being granted automatic citizenship. These children typically qualify for state welfare programs. Pennsylvania taxpayers spend over \$500 million yearly on welfare and other public benefits for illegal aliens.

**ANCHOR BABY:** A child of illegal aliens, who under the current misapplication of the 14th Amendment, is granted automatic citizenship at birth.

According to FAIR, approximately 363,000 anchor babies are born in the United States yearly. Because of the current misapplication of the phrase, “subject to the jurisdiction thereof,” these children are being granted citizenship at birth, even though their parents are foreign nationals and have no allegiance to the United States.

Many anchor babies also qualify for welfare programs and are educated in the public school system, all at taxpayer expense. Correcting the misapplication of the 14th Amendment will ultimately help to end the illegal alien invasion and save taxpayer dollars.

### “SUBJECT TO THE JURISDICTION THEREOF”

The framers of the 14th Amendment were clear in their intent of defining United States Citizenship. Representative John Bingham of Ohio, considered one of the founding fathers of the 14th Amendment, stated in an 1866 House debate: “...every human being born within the jurisdiction of the United States of parents not owing allegiance to any foreign sovereignty is, in the language of your Constitution itself, a natural born citizen...”

According to the 14th Amendment, there are two qualifying criteria to be considered a natural born U.S. citizen:

- **Born on American soil**
- **Parents must not owe allegiance to any foreign sovereignty**

Children born to people living in the United States illegally are therefore not completely “subject to the jurisdiction thereof” because their parents owe an allegiance to their native country, not the United States.

## National Security Begins At Home Legislation

Confronting the illegal alien invasion head-on in the Keystone State involves shutting off the three main incentives that incentivize illegal aliens across America’s borders: illegal jobs, illegal benefits and illegal citizenship.

**SUPPORT OUR LAW ENFORCEMENT AND SAFE NEIGHBORHOODS ACT:** Modeled after the Arizona immigration law, this legislation would provide state and local law enforcement with full authority to apprehend illegal aliens for deportation.

**CORRECTING THE MISAPPLICATION OF THE 14TH AMENDMENT:** This two-part legislative approach, a bill and a state compact, will eliminate the “anchor baby” status of children born in the United States to illegal alien parents. The bill clarifies the original intent of the phrase “subject to the jurisdiction thereof” and the state compact will allow for the designation of “natural born U.S. citizen” on a birth certificate.

**REQUIRING MANDATORY EMPLOYER ENROLLMENT IN THE FEDERAL SOCIAL SECURITY E-VERIFY PROGRAM:** This legislation would require all employers in the Commonwealth, including government bodies, to enroll in the federal government’s free E-Verify program to confirm Social Security numbers of prospective employees.

**ESTABLISHING LEGAL AND ECONOMIC INCENTIVES AGAINST “SANCTUARY” CITIES:** This legislation would level legal and economic sanctions against any “sanctuary” city, municipality or other local government entity that willfully violates federal immigration law by adopting ordinances, policies or informal procedures to encourage illegal alien invaders to reside within their borders.

**ELIMINATING PUBLIC BENEFITS FOR ILLEGAL ALIENS:** The Protection of Public Benefits Act would eliminate all non-medical emergency public benefits for illegal aliens including welfare and unemployment benefits.

### OTHER LEGISLATION INCLUDED IN THE NSBAH PACKAGE:

- Empowers law enforcement officers, providing reasonable suspicion, to attempt to verify the immigration status of suspected illegal aliens
- Terminating the professional license of any employer that knowingly hires an illegal alien
- Maintaining criminal history records of previously detained illegal aliens
- Negotiating a law enforcement memorandum of understanding with the federal government to provide additional law enforcement resources
- Creating a third-degree felony offense for any person who intentionally engages in the smuggling of human beings for profit or other commercial purpose

### Noteworthy:

**Supreme Court Justice Samuel Alito**, during his 1996 Senate confirmation hearings, noted that the citizenship clause in the 14th Amendment has never been directly addressed by the Supreme Court. *“There are active legal disputes about the meaning of that provision at this time. I know that it is an issue that is in play. If it were to come before me, then I would have to go through the whole judicial process of decision making.”*

*“Congress should rethink awarding citizenship to everyone born in the United States...including the children of illegal immigrants whose sole motive in immigrating was to confer U.S. citizenship on their as yet un-born children,”* said Seventh Circuit Court of Appeals judge **Richard Posner** during a concurring opinion in the case of *Oforji v. Ashcroft*.

*“The provision is, that ‘all persons born in the United States and subject to the jurisdiction thereof, are citizens.’ That means ‘subject to the complete jurisdiction thereof.’ What do we mean by ‘subject to the jurisdiction of the United States?’ Not owing allegiance to anybody else. That is what it means,”* said **Senator Lyman Trumbull** of Illinois, Chairman of the Judiciary Committee during the debate on the 14th Amendment.