



1. Who is SAAJCO (South Asian American Justice Collaborative)

We are a social justice organization that works to advance the civil and human rights of the South Asian diaspora in the United States through impact litigation, community engagement, and advocacy. We partner directly with South Asian communities to amplify their voices and address systemic injustices, including immigrant rights, economic justice, democratic values, survivor justice, and hate.

2. What is birthright citizenship?

Birthright citizenship in the United States grants citizenship to anyone born on U.S. soil and was established by the Fourteenth Amendment to the United States Constitution.

3. What is this Executive Order on birthright citizenship trying to change?

On his first day in office, President Trump issued an executive order attempting to end birthright citizenship for certain children born in the United States. Under this policy, children would not automatically be U.S. citizens if their parents are undocumented or in the U.S. temporarily, such as on work, student, or tourist visas. If allowed to take effect, this would be a major change to how citizenship has worked for generations.

4. Isn't birthright citizenship guaranteed by the Constitution?

Yes. Birthright citizenship comes from the 14th Amendment to the U.S. Constitution, adopted after the Civil War. Courts have long understood this amendment to mean that children born in the United States are citizens, regardless of their parents' immigration status. The current administration is asking the Supreme Court to reconsider this long-standing interpretation.

5. Who would be affected by this policy?

- Children born in the U.S. to immigrant parents
- Families who have lived in the U.S. for many years on work, student, or other temporary visas
- Mixed-status families
- Communities where immigrants contribute, work, and raise families

6. Why does this matter to South Asian and other immigrant communities?

Many South Asian families:

- Spend decades in the U.S. on legally required temporary visas
- Raise children who are born and grow up here
- Built deep ties to schools, workplaces, and communities

This policy would create uncertainty and insecurity for children who consider the U.S. their home.

7. What happens to a child who is denied U.S. citizenship?

The Order stated that it applies to children born after February 19, 2025, where citizenship will only be granted to babies born in the United States if at least one parent is a US citizen or lawful permanent resident. If the Order goes into effect, the immigration status of those children is uncertain.

8. What is an amicus brief?

An amicus brief is an opportunity to have a voice before a higher court, and in this case, the Supreme Court of the United States. Specifically, an amicus brief is a legal document filed in a higher court by someone who is not a party to the case but has a strong interest in the outcome. The brief tries to provide additional information, arguments, or perspectives that may help the court in making its decision. These briefs are submitted by organizations, such as SAAJCO, or individuals who are experts in a certain area of law or policy.

9. What does it mean to sign on as a signatory?

Signing on means your organization's name will be listed alongside other supporting organizations. Before signing, you will be able to review the final brief and decide whether you are comfortable being included. This is a common and well-established advocacy practice. Signing on is a common and well-established advocacy practice to show support.

10. Is there a financial cost for our organization?

- No cost to signing on
- No requirement to participate beyond reviewing and approving the final draft

11. Why is this happening now?

Amicus Brief on Birthright Citizenship – FAQ (Frequently Asked Questions)

The current administration is asking the Supreme Court to limit how birthright citizenship is interpreted under the 14th Amendment. The Court’s decision could have lasting consequences for how citizenship is defined in the United States.

12. What can my organization do to support outside of signing?

Your organization can raise awareness about this issue by sharing on social media with a provided toolkit that will be provided when available.