

# AP Language Essay: Immigration Synthesis

**Directions:** The following prompt is based on the accompanying sources.

In this response, your task is to synthesize a variety of sources into a coherent, well-written essay. When you synthesize sources, make sure to summarize and/or quote them accurately in support of your argument. Avoid merely summarizing the sources.

A study released last week found that about 340,000 of the 4.3 million babies born in 2008 in the United States -- about 8 percent -- had at least one parent who was an illegal immigrant. The data comes as Republican lawmakers in Washington debate whether to consider changing the 14th Amendment, which grants citizenship to anyone born in the United States. Senator Lindsey Graham and others have proposed ending birthright citizenship for the children of illegal immigrants.

Synthesize at least three of the sources into a well-developed argument that defends, qualifies or refutes the claim that the United States should repeal the portion of the 14 Amendment that guarantees citizenship to all people born in the United States.

You may refer to the sources by their titles (Source A, Source B, etc.) or by the description in parenthesis.

Source A: FAIR

Source B: All Things Considered

Source C: Chavez

Source D: 14<sup>th</sup> Amendment

Source E: Cagle

Source F: Pew Hispanic Center

Source G: Motomura

Source H: GAO

# AP Language Essay: Immigration Synthesis

## Source A: FAIR

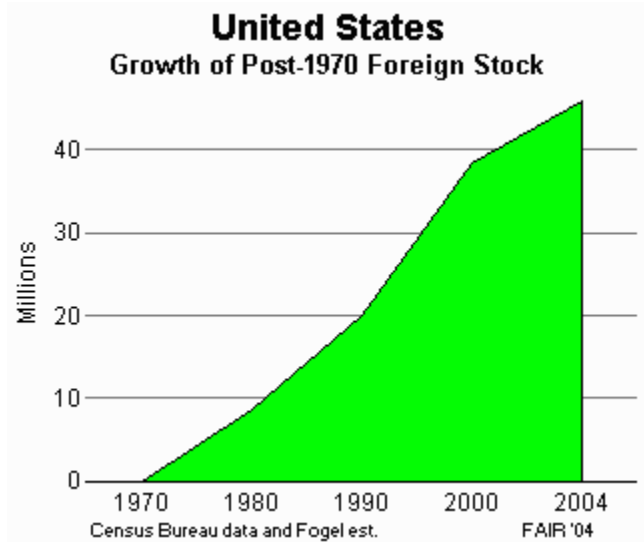
According to a 2000 report of the Census Bureau, there were about 55.9 million people in the United States who were "immigrant stock. That is a term that refers to immigrants and their children born here after their arrival. As a national average, that meant that more than one in five U.S. residents (20.4%) was immigrant stock in 2000. The size of the Census Bureau's estimate of the immigrant stock for each state is shown in the table below.

There are about 10 to 11 million children under the age 18 who are children of immigrants. This information is derived from the Children of Immigrants Longitudinal Study the largest research project on the topic in the country. (Source: The Houston Chronicle, October 3, 1999)

As the graph below shows, the amount and share of the U.S. population change due to the increase in the foreign stock is rising rapidly. Over the past 34 years the new immigrants and children born to them have added about 45,857,200 people to the population. Over this period, the increase in the foreign stock has accounted for 50.7 percent of the country's population increase. Since 2000, the increase in the post-1970 foreign stock has been responsible for about 62 percent of the overall population increase.

The increase in the immigrant stock was responsible for all of the population increase since 1970 in Connecticut, Illinois, Massachusetts, New Jersey, New York, Pennsylvania and Rhode Island. It accounted for more than three-fourths of the population increase in California, Iowa, and North Dakota. Three other states had more than half of their population increase since 1970 accounted for by the increase in the immigrant stock: Hawaii, Michigan and Ohio.

Source: Federation for American Immigration Reform web site, 2010



# AP Language Essay: Immigration Synthesis

## Source B: All Things Considered

National Public Radio, All Things Considered, 14 Aug 2010

GUY RAZ, host:

Now, many opponents of so-called birthright citizenship point to other western countries where birth doesn't equal citizenship. And as U.C. San Diego sociologist John Skrentny points out, not a single European country allows it.

Dr. JOHN SKRENTNY (Co-Director, Center for Comparative Immigration Studies; Sociologist, University of California, San Diego): We're an anomaly in many ways. And the ease with which one can be a citizen is one of them, which is not to say that there's no other countries in the world that have citizenship laws that are similar to ours.

On the one hand, there are what are called ethnic nations. Ethnic nations tend to have what are called jus sanguinis citizenship laws. And you can tell from the words sanguinis, there's this notion of blood there. If you know Spanish at all, sangre. And the idea there is that the nation, the people are bonded together through ancestry. That is the most common conception of nationhood or peoplehood in the world.

The other notion of nationhood is generally understood as a civic notion of nationhood. And this is the idea that folks are bonded together by where they are, by locality and by the ideas that they might share. And that's what we have in the United States. There are folks who say that, you know, to be an American is to embrace an idea.

RAZ: If legal scholars who supported this idea of either changing the 14th Amendment or passing a statute that would end automatic citizenship by birth, if they were looking for precedents, they might look overseas. There are many countries that have passed laws in recent years that, you know, effectively deny automatic citizenship to people born in those countries.

Australia did it in 2007, New Zealand in 2006, Ireland in 2005. Why couldn't that be done in this country?

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## Source C: Chavez

Republican leaders in Congress are now flirting with changing portions of the 14th Amendment—which grants citizenship to "all persons born or naturalized in the United States and subject to the jurisdiction thereof"—to deny citizenship to children born here to illegal immigrants.

The idea of modifying birthright citizenship has been around for decades but was previously relegated to the fringes of the immigration restriction movement. Yet in recent days, Sens. John McCain, Lindsey Graham and Jon Kyl have embraced the idea; Senate and House GOP leaders Mitch McConnell and John Boehner have proposed hearings.

Repealing birthright citizenship is a terrible idea. It will unquestionably jeopardize the electoral future of the GOP by alienating Hispanics—the largest minority and fastest-growing segment of the U.S. population. More importantly, ending birthright citizenship would fundamentally change what it means to be an American.

Proponents of repeal argue that the 14th Amendment was passed after the Civil War to guarantee citizenship to freed slaves, and that it was never intended to grant rights to the offspring of illegal aliens. But this argument is a non sequitur. At the time of the adoption of the amendment, there was no category of "illegal alien" because immigration was unrestricted and unregulated. If you secured passage to the United States, or simply walked across the open border with Mexico or Canada, you could stay permanently as a resident alien or apply to be naturalized after a certain number of years. And if you happened to give birth while still an alien, your child was automatically a citizen—a right dating back to English common law.

The most serious challenge to birthright citizenship for the children of aliens came in 1898, and it involved a class of aliens who were every bit as unpopular as present-day illegal immigrants: the Chinese. Like most illegal immigrants today, the Chinese came here to work as common laborers, eagerly recruited by employers but often deeply resented by the workers with whom they competed. This popular resentment, coupled with racial prejudice, led to America's first immigration restriction law, the Chinese Exclusion Act of 1882. It was followed by successively more restrictive federal and state laws that denied Chinese aliens—and, later, other Asians—the right to own property, to marry, to return to the U.S. if they left, or to become American citizens.

With anti-Chinese alien sentiment still high, the Supreme Court took up the case *U.S. v. Wong Kim Ark* in 1898. Born in San Francisco to alien parents who later returned to China, Wong travelled to his parents' homeland for a visit and was denied re-entry on his return in 1895. The government argued that Wong had no right to birthright citizenship under the 14th Amendment because his parents remained "subjects of the emperor of China" not subject to U.S. jurisdiction, even while residing in California at the time of his birth. In a 7-2 vote, the Supreme Court ruled otherwise.

The court found that the only persons Congress intended to exclude from birthright citizenship under the 14th Amendment were children born to diplomats—an ancient, universally recognized exception even under common law; Indians, who by treaty were considered members of sovereign nations; and children of an occupying enemy. "The amendment, in clear words and in manifest intent, includes the children born within the territory of the United States of all other persons, of whatever race or color, domiciled within the United States," wrote Justice Horace Gray for the majority. To hold otherwise, he noted, would be to deny citizenship to the descendants of English, Irish, Germans and other aliens who had always been considered citizens even if their parents were citizens of other countries. For more than a 100 years, the court has consistently upheld this analysis.

Our history has been largely one of continuously expanding the community of people regarded as Americans, from native-born whites to freed slaves to Indians to naturalized citizens of all races and ethnicities. Since the abolition of slavery, we have never denied citizenship to any group of children born in the U.S.—even when we denied citizenship to their parents, as we did Asian immigrants from 1882 to 1943. This expansive view of who is an American has been critical to our successful assimilation of millions of newcomers.

Conservatives should not betray these values based on a misreading of American history and legal precedent. Instead of amending the Constitution to eliminate "anchor babies"—the ugly term opponents of birthright citizenship use to describe these U.S. citizens—Republicans should be helping them become good Americans.

**Source:** By Linda Chavez, chairman of the Center for Equal Opportunity in Falls Church, Va. and former director of public liaison in the Reagan White House *Wall Street Journal*, Jul 30, 2010

# AP Language Essay: Immigration Synthesis

## Source D: 14<sup>th</sup> Amendment

### Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*This is the only part of the 14<sup>th</sup> Amendment you need to read for the essay*

### Section 2.

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

### Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

### Section 4.

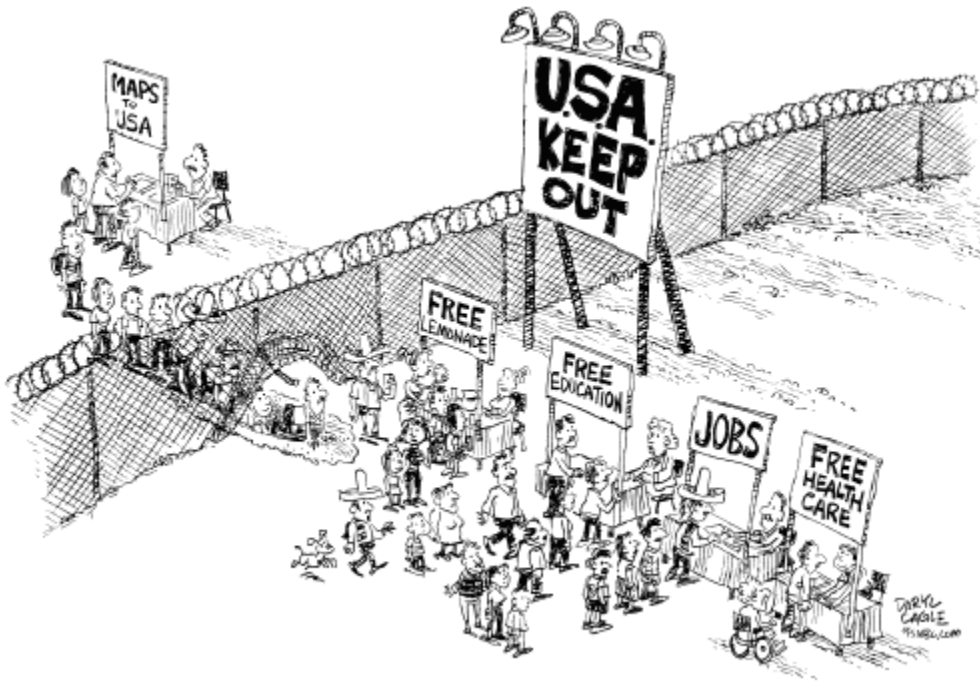
The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

### Section 5.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

# AP Language Essay: Immigration Synthesis

Source E: USA Keep Out



Source: Daryl Cagle, MSNBC

# AP Language Essay: Immigration Synthesis

## Source F: Pew Hispanic Center

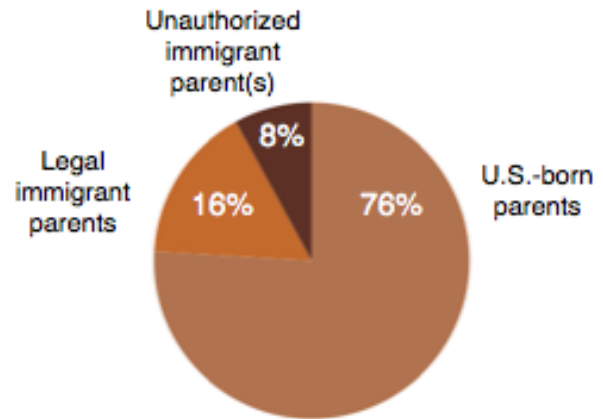
**Table 1**  
Estimates of Births in the United States, by Parents' Status,  
Annual Average, 2008  
(millions)

	NUMBER	PERCENT
All Births	4.3	100%
U.S.-born parents	3.3	76%
Immigrant parents	1.0	24%
Legal immigrant parents	0.7	16%
Unauthorized immigrant parents	0.3	8%

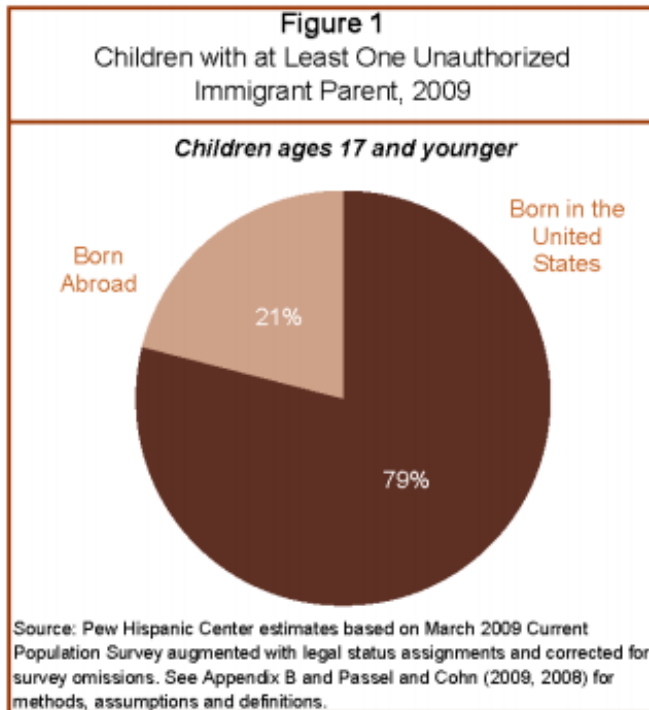
Note: A child has unauthorized immigrant parents if either parent is unauthorized; a child has U.S.-born parents if all identified parents are U.S. born.

Source: Pew Hispanic Center estimates based on children under 2 years old from March Current Population Surveys of 2008 and 2009, augmented with legal status assignments and corrected for survey omissions. See Appendix B and Passel and Cohn (2009, 2008) for methods, assumptions and definitions.

**Births in the U.S., by Parents' Status, 2008**



Source: Pew Hispanic Center



Source: Pew Hispanic Center

# AP Language Essay: Immigration Synthesis

## Source G: Motomura

American history has an unfortunate tradition of trying to define citizenship to exclude those some find undesirable, yet who are undeniably part of American life and the building of this country. Most infamous was the Supreme Court's 1857 decision in *Dred Scott*, which denied citizenship to African-Americans. It took the Civil War, and then the 14th Amendment, to begin to remove the stain of *Dred Scott* from the law of the land.

As legal scholar Alexander Bickel wrote, "it always will be easier to think of someone as a noncitizen than to decide that he is a nonperson," just as Woody Guthrie sang of migrant farmworkers being sent away, "all they will call you will be deportees." In 1920, U.S. Senator James Phelan of California, a rabid crusader against Asian immigrants, proposed rewriting the 14th amendment to exclude their children from citizenship based on U.S. birth. Phelan's proposal died, but it reflected the antecedents of today's concerns about unwelcome newcomers.

In 1920, Senator James Phelan of California proposed rewriting the 14th amendment to exclude the children of Asian immigrants from citizenship based on U.S. birth.

Redlining citizenship to exclude millions of children who will grow up in America reflects a vanity that we can solve society's complex problems if we only pass tougher laws or enforce them more harshly. A wall around citizenship reflects the same sort of false hope that responds to economic crisis in Mexico with higher border fences, or to drugs with more prisons, or to conflict with more troops.

More specifically, rewriting the 14th amendment is deeply troubling for several reasons. One is pragmatic — a large marginalized underclass that knows only this country as home is a formula for national tragedy. Second, it is essential that citizenship reflect basic principles of justice, so we must remember that these innocent children did not chose their parents or birthplace. And their parents have come to America as part of an economic system that has for generations tolerated and even encouraged them to immigrate outside the law as a workforce essential to national prosperity.

Immigration is one of the most complex issues of our time. The last thing we need are simplistic proposals on either side, like airbrushing children out of our national portrait. The situation demands a willingness to look beyond the next election cycle. A good start would be politicians who can return to the engaged bipartisanship of Senators Kennedy and McCain until 2008.

Unless we do the hard work that starts with understanding that immigration reflects larger forces — especially economic problems in Latin America — this American dilemma will persist, in even more divisive forms, to burden our children and grandchildren.

**Source:** Hiroshi Motomura is the Susan Westerberg Prager Professor of Law at the U.C.L.A. School of Law. He is the author of a book, "Americans in Waiting: The Lost Story of Immigration and Citizenship in the United States," and is writing a companion volume, "Immigration Outside the Law." This article was printed in the *New York Times* on Aug 16, 2010.



# AP Language Essay: Immigration Synthesis

Source H: Government Accountability Office

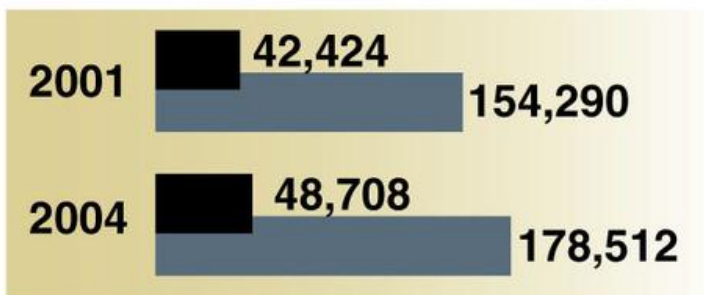
## Undocumented criminals

*Criminal aliens, illegal aliens convicted of crimes, are a growing problem for federal and state prisons and local jails.*

### Share of prison population

In federal prisons

■ Criminal aliens ■ Total prisoners



- In 2004, there were criminal aliens from 173 countries; 63% were from Mexico

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### Cost of incarceration

For criminal aliens in federal prisons



### State prisons, local jails

- More than 300,000 criminal aliens expected to be held in 2007

Source: U.S. Government Accountability Office  
Graphic: Melina Yingling, Judy Treible