



NEWS RELEASE
For immediate release
March 22, 2016

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U. S. Commission on Civil Rights Issues Letter to Vanita Gupta, Assistant Attorney General, U.S. Department of Justice Requesting DOJ Intervene in Litigation of Alleged Denial of Birth Certificates to Children of Undocumented Immigrants Born in the State of Texas

Washington, DC — The U.S. Commission on Civil Rights has written a letter to Assistant Attorney General Vanita Gupta to request that the Civil Rights Division of the Department of Justice examine and consider intervening, or mediating, if possible, in the civil lawsuit, *Serna v Texas Department of Health Services Vital Statistics Unit*. The case has been brought forth as a result of the refusal by the Texas Department of Health Services' Vital Statistics Unit to issue birth certificates to children born in the U.S. to undocumented immigrants. The letter can be viewed here: http://www.usccr.gov/correspd/PR_TexasBirthCertificate.pdf.

This is an issue that the Commission has been engaged in since July of 2015, when the Commission [wrote](#) to Attorney General Lynch seeking a Department of Justice investigation into Texas' denial of these birth certificates. The Commission also issued a [letter](#) to Interim Commissioner Kirk Cole of the Texas Department of State Health Services requesting Texas cease the practice of denying birth certificates to children born in the state, which violates the constitutional rights of U.S.-born children under the 14th Amendment.

A majority of the Commission believes that denial of a birth certificate to these vulnerable infants, solely because of their parent's immigration status, violates the equal protection under the 14th Amendment afforded to all citizens born in the U.S.

Commission Chairman Martin R. Castro on behalf of the Commission stated, "This case is not just about birth certificates for children, but about whether a state may circumvent the benefits and protections of the 14th Amendment to the U.S. Constitution through pretext and process. There is a fundamental federal interest in this matter and the Department of Justice must be involved directly in this case. "

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advising the President and Congress on civil rights matters and issuing a federal civil rights enforcement report. For information about Commission's reports and meetings, visit <http://www.usccr.gov>.