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'Anchor baby' myth is pure fear-mongering

By Hector Tobar

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Some bright lights in Washington have come up with another solution to the problem of illegal immigration.

This one won't ever become law, because it involves tinkering with the Constitution, and specifically with the 14th Amendment, which declares that everyone born in the U.S. is a citizen.

The 14th Amendment was written to overturn an 1857 Supreme Court decision that found U.S.-born people of African descent were not entitled to citizenship. And it's responsible for the citizenship of this columnist, the L.A.-born son of Guatemalan immigrants.

But to a couple of GOP senators, the guarantee of birthright citizenship is undermining the American dream.

"For too long, our nation has seen an influx of illegal aliens entering our country at an escalating rate," said Sen. David Vitter (R-La.), who is sponsoring the proposed amendment with Sen. Rand Paul (R-Ky.). It's a problem, he said, that's "only compounded when the children of illegal aliens born in the U.S. are granted automatic citizenship."

Under the proposed amendment, a person born in the U.S. to immigrants would not be a citizen of this country unless "one parent of the person is an alien lawfully admitted for permanent residence in the United States...."

I called my father to ask him if I'd still be a U.S. citizen if such a provision had existed when I was born.

He told me about arriving at LAX with my mother in October 1962, on tourist visas, from Guatemala City. They moved into a one-bedroom apartment off Santa Monica Boulevard in East Hollywood.

My parents were still tourists in 1963, when I was born at Los Angeles County General Hospital. Under the Vitter-Rand amendment, therefore, I wouldn't have become a U.S. citizen.

My father said he went to the L.A. office of the immigration service and applied for a visa extension after I was born. Later, he applied for permanent residency. And by 1971, he'd managed to get U.S. citizenship for himself and my mother.

"I submitted the application and paid \$25," he told me. "Now it costs more than \$1,000."

This is not an uncommon story for Americans of my generation. For much of the 20th century, U.S. immigration laws were, with some notable exceptions, quite fluid and forgiving.

By now, the idea of the U.S. as a country of immigrants is so deeply ingrained that the Vitter-Rand constitutional amendment has no chance of passage. Many conservative leaders think it's a bad idea, including Mike Huckabee and Sen. Marco Rubio of Florida.

Unfortunately, the recent history of the U.S. is filled with such divisive legislative crusades, from Proposition 187 in California in 1994 to last year's SB 1070 in Arizona, both of which were defanged by federal judges.

So why stir up a national debate with proposals that have little or no chance of becoming enforceable laws?

Because it's easier to scare people and make them angry than it is to fix anything.

In the case of birthright citizenship, it's immigrant wombs that we're supposed to be afraid of.

"They come here to drop a child," Sen. Lindsey Graham (R-S.C.) said of immigrant mothers. "It's called drop and leave."

According to the "anchor baby" conspiracy theory, immigrant mothers don't have kids because they love their children. They use babies to get American residency and entitlements such as welfare.

A lot of people believe this. One reader got so fired up by this rhetoric that he sent me a crude drawing of a baby tied to an anchor being thrown into a river, with the caption, "This is what you should do with an anchor baby."

I happen to believe our immigration policy is a mess that needs fixing. The current free-for-all of illegal crossing and off-the-books hiring demeans and exploits immigrants and undermines the rule of law. Its chief beneficiaries are stingy employers and criminal smugglers.

But proposing radical legislation that attempts to overturn sacred American precepts of justice and compassion while playing on misguided fears isn't going to get us anywhere. And it leaves millions of people with immigrant roots feeling insulted.

Birthright citizenship makes sense because it gives the children of immigrants the basic rights upon which American prosperity is built.

Like most children of immigrants, I grew up proud to be American. I have memories of watching my parents study for their citizenship exam. To this day, my father and I exchange books about U.S. history, a habit I've managed to pass on to the next generation of Tobars.

Thinking about myself as an "anchor baby," I went back this week to the place where I first lived as one, the East Hollywood apartment building that was my parents' first U.S. home.

The rush of emotion I felt there caught me by surprise.

Outside, I found a sign advertising one-bedroom apartments. Inside, there was worn brown carpet and a creaking staircase covered with many layers of flaking white paint. Was it lead paint, I wondered?

Behind the doors I heard a small child talking — in Spanish.

Espousers of the "anchor baby" myth believe we sons and daughters of immigrants should be ashamed of such surroundings. They see the poverty of our arrival as proof that we are the children of foreigners seeking to drain America of its treasure.

But walking down those hallways, I felt something else — the drive and work ethic that made my family's stay in that humble place a short one, and that helped shape my own ambition.

A block away, at the public library, I saw that such ambition is alive and well in my old neighborhood.

I listened to a girl of about 8 working very hard with a tutor to read a book out loud — in English. Next to her, I saw a row of books on a shelf, many with worn and dog-eared pages, all offering instruction on the same topic:

How to become an American citizen.