



Senator Peter Welch
Opening Remarks as Delivered
Senate Judiciary Committee Subcommittee on The Constitution Hearing
“Protecting American Citizenship: Birthright Citizenship for Illegal Aliens and Tourists”
March 10, 2026

Thank you very much, Mr. Chairman. Thanks for calling this hearing. It is at a time where immigration—immigration policy is fraught and is conflicted. I want to thank our witnesses for being here.

First of all, our nation was built on immigrants. Our nation was also built on slave labor. And our nation had this *Dred Scott* decision, which literally said African Americans were not citizens—not entitled to be citizens—and that wrong was finally righted when that *Dred Scott* decision was overturned by the Constitutional amendment that *did* establish the right of citizenship by birth.

Mr. Chairman, you say—and I think this is a fair question—does citizenship be conferred just by birth, legally? Most scholars say it is, and I believe it is. But a *real* citizenship is embracing the responsibilities every single one of us has to live up and promote the ideals that every person is created equal and has an opportunity to be their best self and contribute to the betterment of our country.

So, this argument about what's legal and what isn't—and I believe that it is very clear that the law says if you're born here, you are a citizen here—that is just the beginning. It is up to each and every one of us to accept the responsibility we have to create a more perfect union.

We're in a fraught time. What we're seeing is a rampage by ICE in the name of so-called 'protecting our citizens.' We've had a debate in this country about open borders, and Mr. Chairman, there's been success in closing the border—a country does have the right to define what its borders are.

We've a debate about deporting criminals—criminals are being deported. But what we're now seeing is a reckless rampage of mass deportations. And where people who have been here and are working hard in this economy—creating jobs, serving in the military—those people are being picked up by masked agents.

We saw how extreme it is in Minneapolis, where a 37-year-old nurse, a 37-year-old mom of three, were both shot down without *any* justification. And this is in the name of a so-called 'enforcement of citizenship.' The constitutional rights that we're talking about at this hearing—they're being violated. They are being *violated*.

What this hearing has to be about is ensuring that we protect the constitutional rights of people who are entitled to them in this country. One of our witnesses here, Alejandro Barranco, a Marine—two brothers, Marines—his father, a landscaper, was arrested with guns drawn. *No criminal record!* And he's not been deported, but that was because he had a status that was being challenged, he was picked up in that way. That is *wrong*.

So, what we're talking about here is not just about the *legal* definition of citizenship. Because it's on us to have enforcement mechanisms that work, a judicial system that works, but in the name of cleaning out everybody who has a questionable status. And you end up 86% of the people who are arrested have *no crime*, at all, associated with them. Where this man Alejandro and his two brothers—they're Marines—and their father is picked up.

That is of concern to me and it's of concern to the American people. The enforcement actions of ICE have been on a rampage. They're trampling on the rights of the people of this country. It's time for us to protect constitutional rights, not violate them. On the question of birthright citizenship—that's illegal, alright? That is illegal.

So, there is a lot of room here for people who are *concerned* about the border, and *concerned* about the future of our country, and *concerned* about the responsibility—that anybody has who's here—to contribute to creating a more perfect union. There is opportunity for us to work together. But we will not, I will not submit that an Executive Order by a President can overturn a Supreme Court decision.

I yield back.

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