

Illegal Immigrants Targeted By States Impasse on Hill Spurs New Laws

By Darryl Fears

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Frustrated with Congress's inability to pass an immigration overhaul bill, state legislatures are considering or enacting a record number of strongly worded proposals targeting illegal immigrants.

By the time most legislatures adjourned in May, at least 1,100 immigration bills had been submitted by lawmakers, more than double last year's record total, according to the National Conference of State Legislatures. This year's total is expected to grow as the issue continues to dominate debate in statehouses still in session.

These laws limit illegal immigrants' ability to obtain jobs, find housing, get driver's licenses and receive many government services. They also empower state law enforcement agencies to inquire into an immigrant's legal status and hold for deportation those deemed to be here illegally. The idea is to make life so difficult for illegal immigrants that they will leave the state -- if not the country.

"Illegal immigrants will not come to Oklahoma if there are no jobs waiting for them," said state Rep. Randy Terrill (R), who wrote his state's law, one of the most sweeping in the country. "They will not stay here if there are no government subsidies, and they certainly will not stay here if they know that if they come in contact with one of our officers, they will be physically detained until they are deported."

At least 18 states have enacted laws concerning illegal immigrants. Most of the legislation is seen as punitive, and it reflects legislators' anger at the federal government's inability to seal the southern border and at provisions in the Senate bill that would allow the 12 million illegal immigrants already here a path to citizenship.

Those provisions have raised the prospect that the Senate bill will not get past a series of procedural votes this week. After President Bush urged lawmakers to "summon the political courage" to pass a bill, the Senate is expected to take up the bipartisan legislation as early as Tuesday. A similar proposal was sidelined two weeks ago, and many state legislators and other opponents are lobbying against the new proposal.

Supporters of the Senate measure have added tougher enforcement provisions to try to woo more lawmakers to their side. In the House, Speaker Nancy Pelosi (D-Calif.) has yet to introduce immigration legislation. Her point person on the issue, Rep. Zoe Lofgren (D-Calif.), chairman of the Judiciary subcommittee on immigration, continues to hold hearings in the hope of putting together a bill.

As the federal government ponders without taking action, many states are increasingly frustrated at having to provide expensive services for illegal immigrants. "The federal government has authority over who comes in this country . . . but the people who are responsible for helping them integrate and acclimate are state and local governments," Ann Morse, a policy analyst for the National Conference of State Legislatures, said in a statement on the group's Web site.

The Oklahoma Taxpayer and Citizen Protection Act, signed by Gov. Brad Henry (D) last month, restricts illegal immigrants' access to all forms of official identification, bars them from receiving public assistance and metes out stiff fines to employers who hire them.

The law allows local officers to train with federal authorities so they can apprehend illegal immigrants. It does not allow those immigrants to post bail, calling them a flight risk. Anti-illegal-immigration groups such as the Federation for American Immigration Reform say the law is a model for the nation.

Similar measures are being considered in Nebraska and Idaho. In Michigan, lawmakers considered stripping health and welfare benefits from undocumented immigrants. An Arizona proposal would let police ask people they arrest about their citizenship status and seize them if they cannot produce proper documents.

In January, the Virginia House of Delegates approved a far-reaching proposal to strip charities and other organizations of state and local funding if any of the money is used to provide services to immigrants who are in the country illegally.

Before they adjourned, Maryland lawmakers defeated a proposal that would have let illegal immigrants pay in-state college tuition. Lawmakers are still considering a measure that would place a 5 percent surcharge on wire transfers to Mexico.

“The view here in the hinterland is that Washington has abrogated its responsibility to deal with this issue,” said North Carolina Rep. Bill Faison (D), who chairs the Agribusiness Committee.

Faison said North Carolina growers need immigrant workers in order to thrive, but passing legislation friendly to illegal immigrants is difficult.

“There are a lot of people here who would like to take every immigrant here and ship them home. But those same people are buying the houses that they build and taking their services. It’s a schizophrenic view,” Faison said.

In Pennsylvania, Rep. Angel Cruz, a Democrat and the only Hispanic member of the legislature, submitted a proposal calling on the state to study the lives of immigrants, legal and illegal, “so that we can learn about their contributions before we act,” he said. The bill is scheduled for a vote next week.

He admitted that his proposal faces an uphill climb. It is competing with other measures -- “so many, like seven,” he said -- that go after employers who hire illegal immigrants and deny the immigrants themselves benefits and other services.

Republicans are pushing the bulk of the laws in most states, but a significant number of Democrats have signed on, feeling pressure from public opinion. In many states, the GOP has taken a strong stance against illegal immigration, while several state Democratic Party officials declined to discuss the issue.

A spokesman for the Democratic Party of Oregon, whose members control the legislature, said it has not taken an official position; the North Carolina Democratic Party made a similar comment.

By contrast, the Republican Party in Oregon, where a House bill would prohibit the state from hiring undocumented workers, said its core supporters are upset by the U.S. Senate bill. “We don’t support amnesty,” said spokesman Shawn Cleave, echoing the position of the North Carolina Republican Party, which proudly said it broke with Bush on the issue.

Arizona Rep. Russell Pearce (R) said Bush’s support of the guest-worker provision in the Senate bill “made me sick.” He called it “a sellout of America” and said: “I’m more than frustrated. I will do everything I can to

unelect folks who sell out America.”

Not all conservative lawmakers are so strident on immigration. Missouri Sen. Chris Koster, a Republican, said that when he tried to push a law through the GOP-controlled chamber that would force employers to verify the status of workers, his colleagues defeated it handily, expressing concern about its impact on business.

Koster said he will try again in the next session. “This is a response to 20 years of inaction by the federal government,” he said. “I think more and more states are fed up.”