

States take up immigration bills as Congress stays on sidelines

WASHINGTON – States have considered more than 1,100 bills that deal with aspects of immigration this year, while a member of the Congressional Hispanic Caucus April 23 called the Democratic leadership “spineless” for not taking up comprehensive immigration reform.

Meanwhile, the House passed a bill to extend a visa program for religious workers, and the governors in three border states asked Congress to extend an operation that has placed National Guard troops along the U.S.-Mexican border.

And Catholic organizations and religious orders joined with other church groups in signing a letter protesting a bill introduced in Congress that would force immigrant families to live in a detention center until their immigration cases are resolved.

The National Conference of State Legislatures in a report released April 24 said that, as of the end of March, 26 states had enacted 44 laws and adopted 38 resolutions on immigration topics.

In 35 states, 198 pieces of legislation were introduced dealing with law enforcement. They included bills authorizing local police agencies to enforce federal immigration laws; penalizing those who transport or harbor illegal immigrants; and requiring agencies to determine the immigration status of arrested or jailed noncitizens.

The report said some bills would change bail regulations for people who are in the country without authorization or require property forfeiture of those who violate immigration laws. Other bills would financially penalize communities that pass laws creating “sanctuary cities,” where local governments prohibit actions against people just on the basis of their immigration status.

Also in 35 states, 192 pieces of legislation dealt with driver’s licenses and other identification or documentation requirements. Most of the license bills would create stricter proof of legal residency to get an ID or license. A handful, however, would permit some immigrants without legal residency status to get driver’s licenses.

Other bills called for people to have stricter proof of identification and immigration status to receive public benefits; employer sanctions for hiring workers without permits; and limits on tuition benefits, grants or scholarships for immigrants without legal residency. Some bills would exclude immigrants without legal resident status from attending state-funded colleges or universities.

A handful of states are considering laws dealing with human trafficking or intended to protect immigrants' rights and access to services regardless of their legal status, the report said.

Ten legislatures were considering bills to help immigrants deal with the legal system, including efforts to establish criteria for being allowed to give legal advice to immigrants. Other bills would provide funding to help legal permanent residents become citizens, the report said.

In Washington, members of the Congressional Hispanic Caucus, all Democrats, expressed frustration at lawmakers' inability to deal with immigration legislation at the federal level.

At an April 23 press conference, Rep. Raul Grijalva of Arizona called the Democratic leadership "spineless" because of its unwillingness to bring a comprehensive immigration reform bill to the floor.

The Senate last year spent weeks trying to pass a comprehensive bill that had bipartisan support, but the effort collapsed.

The House dropped its parallel legislation and has only considered less-ambitious bills such as the extension for religious-worker visas passed on a voice vote April 15, the day Pope Benedict XVI arrived in Washington. The Senate has yet to vote on that bill.

Hispanic caucus members complained about hearings scheduled for a bill on immigration enforcement requested by first-term Rep. Heath Shuler, D-N.C.

The Democratic leadership scheduling such a hearing means "we are no better than the Republican majority we replaced," said Rep. Luis Gutierrez of Illinois. He also criticized Democratic efforts to pass bills that would aid only certain classes of

would-be immigrants who lack sufficient visas but whose skills are in demand, such as high-tech workers.

“Today my party wants to do what is easy, not exactly what is right,” said Gutierrez. “The leaders in our party who are arguing for consideration of helping just a few immigrants are risking the future of all immigrants.”

Rep. Joe Baca, D-Calif., who chairs the Hispanic caucus, said the visa efforts and other bills under consideration were “nothing more than a Band-Aid being used to cover up a gaping wound.”

Govs. Arnold Schwarzenegger, R-Calif., Janet Napolitano, D-Ariz., and Bill Richardson, D-N.M., meanwhile, asked congressional leaders to extend and fully fund Operation Jump Start, which has placed National Guard troops on the U.S.-Mexican border.

They said in an April 22 letter: “Operation Jump Start should not be a placeholder for comprehensive immigration reform. It is, however, a necessary and temporary step in fulfilling the federal government’s responsibility to secure our country’s borders.”

The governors noted that the Department of Homeland Security has not hired and trained enough Border Patrol agents to meet its objective for staff on the border. The agency also recently announced another delay in implementing its “virtual fence” on the border.

The Associated Press reported April 22 the agency is scrapping a brand-new \$20 million “virtual fence” along the Arizona-Mexican border because it doesn’t work right.

Another letter April 21 to members of Congress signed by 80 national, state and local organizations expressed opposition to the Secure America through Verification and Enforcement Act, H.R. 4088, because of “its significant negative impact on children.”

The bill, sponsored by Rep. Shuler and Reps. Brian Bilbray, R-Calif., and Tom Tancredo, R-Colo., calls for the creation of a detention center for immigrant families

modeled after the Don Hutto Family Residential Facility in Texas, which, the letter said, “leads to the ‘incarceration’ of innocent children.”

The Hutto Center was the subject of a lawsuit over its conditions for children and families, resulting in a settlement between the American Civil Liberties Union and federal Immigration and Customs Enforcement that led to some improvements, the letter noted.

Nevertheless, it said, Hutto and other family detention centers, built as adult prisons, are inappropriate for detaining families with children who are awaiting decisions on their immigration cases.

Among organizations signing the letter were Network, a Catholic social justice lobby; the Xaverian Brothers USA; divisions of the United Church of Christ and the Lutheran, Mennonite, Evangelical Lutheran and Episcopal churches; Catholic Charities of Houston and Syracuse, N.Y.; groups of Maryknoll, Dominican and Immaculate Heart of Mary sisters; Pax Christi affiliates; and community and national immigrant and legal rights groups.