



## Inside . . .

Obama: Americans  
Skeptical About Amnesty  
**PAGE 2**

Costs of Illegal Immigration  
in Florida Double  
Since 2005  
**PAGE 3**

Schumer Admits 1986  
Amnesty Deal Was a Sham  
**PAGE 4**

Sessions Takes Top  
Republican Spot on  
Senate Judiciary  
**PAGE 5**

E-Verify Gaining Popularity  
with Business  
**PAGE 5**

Florida Poll Shows Support  
for Immigration Enforcement  
**PAGE 6**

FBI Calls Borders a  
Security Risk  
**PAGE 7**

Illegal Alien Rights  
Marches Fizzle  
**PAGE 7**

## No Worries for Illegal Alien Workers Under New DHS Guidelines

**A**fter a two-month review of worksite enforcement policies, the Immigration and Customs Enforcement agency (ICE) issued new guidelines on April 30 for its agents in the field. The guidelines appear to reinforce the Obama administration's intent to gut immigration enforcement, especially when it comes to detaining and removing illegal aliens in the workplace.

Janet Napolitano, Secretary of the Department of Homeland Security (DHS),

has stated that the focus of the administration's enforcement strategy will be the prosecution of employers who hire illegal aliens. However, under the new guidelines, enforcement against employers would likely be very limited. ICE will rely less heavily on tips from workers and others in deciding which companies to target for enforcement. Tips from the public are used routinely in every other area of law enforcement, and have successfully led to

CONTINUED on page 2

## Senate Committee Holds Hearing on Illegal Alien Amnesty

**T**he question before the Senate Judiciary Committee on April 30 was not whether amnesty for millions of illegal aliens is justified, whether the American public supports amnesty, or whether amnesty would benefit the American people. The hearing, called by Sen. Charles Schumer (D-N.Y.), chairman of the Immigration, Refugees and Border Security



Headlining the witness list was former Federal Reserve Chair Alan Greenspan

CONTINUED on page 4

## DHS Guidelines continued

prosecutions of employers who hire illegal aliens. However, the new guidelines would curtail the use of informants in immigration enforcement.

Although DHS claims that "ICE will continue to arrest and process for removal any illegal workers who are found in the course of these work-site enforcement actions," the guidelines seem designed to reduce dramatically the arrest and removal of illegal alien workers. Before ICE can begin a worksite enforcement action against an illegal alien employee, the agency will be required to obtain an agreement by a federal prosecutor to press criminal charges against the employer. Such a requirement is unusual and difficult to secure. It is rare for prosecutors to agree to bring charges before they have reviewed all of the evidence.

Even in cases in which illegal aliens are arrested in the workplace, their removal from the country is far from certain. Processing for removal could simply mean releasing the illegal aliens and giving them a

notice to appear in court to begin removal proceedings. Such a practice would be tantamount to reinstating the catch and release policy — a futile practice that was ended in 2006.

FAIR has long advocated vigorous prosecution of employers who knowingly hire illegal aliens and will support any sincere policy to hold employers accountable. Reducing the availability of U.S. jobs to illegal aliens is the cornerstone of any effective policy to reduce and reverse illegal immigration, and can be accomplished only when employers understand that there will be meaningful consequences for hiring illegal aliens. The new ICE guidelines, while appearing to take a get-tough approach toward scofflaw employers, fall far short of providing a real deterrence.

FAIR also rejects the idea that tougher enforcement against employers and enforcement against illegal workers are mutually exclusive and cannot be carried out at the same time. The guidelines appear to be a major concession on the part of the Obama administration to the illegal alien advocacy lobby's demands that detention and removal of illegal aliens be curtailed. These guidelines, along with other actions taken by the administration, give the American public little reason to believe that promises of future enforcement would be kept in exchange for amnesty.

## OBAMA ON THE PROSPECTS FOR AMNESTY

President Obama remains a staunch supporter of amnesty for illegal aliens, and his administration was quick to reverse even the most modest immigration enforcement measures instituted by his predecessor. But when asked at an April 29th White House news conference about the prospects for enacting amnesty during his first year in office, the president made the following observation:

"If the American people don't feel like you can secure the borders, then it's hard to strike a deal that would get people out of the shadows and on a pathway to citizenship who are already here, because the attitude of the average American is going to be, well, you're just going to have hundreds of thousands of more coming in each year."

Judging from his brief record in office, there is little reason for the American people to believe that his administration will secure our borders, and even less reason for the public to feel confident that amnesty would not encourage millions more people to enter the U.S. illegally.

# Immigration REPORT

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# NEWFROMFAIR

## FAIR Report Finds Illegal Immigration Costs in Florida More than Doubled Since 2005 Florida Taxpayers Stuck with a \$3.8 Billion Annual Bill

A new report issued by FAIR in April reveals that the costs of illegal immigration to Florida taxpayers more than doubled between 2005 and 2008. *The Costs of Illegal Immigration to Floridians* finds that the price tag for educating the children of illegal aliens, providing unreimbursed health care to people illegally in the state, and incarcerating criminal illegal aliens, was \$3.8 billion in 2008. The outlay of \$3.8 billion annually translates into a fiscal burden of about \$678 for each Florida household headed by a native-born resident.

The rapidly escalating state costs for illegal immigration are occurring at a time when Florida, like many other states, faces a severe fiscal crisis. With rising unemployment and depressed real estate values, Florida's 2009 budget deficit is projected to be \$6 billion. In response to the crisis, Gov. Charlie Crist has frozen spending for state agencies, even as the recession has placed greater demands on many public services.

*The Costs of Illegal Immigration to Floridians* reveals that Florida taxpayers spent more than \$3.4 billion in 2008 to educate illegal immigrant children and the U.S.-born children of illegal immigrants. Unreimbursed health care for Florida's estimated 950,000 illegal aliens accounted for an additional \$290 million in state spending. Incarceration of illegal aliens who have committed crimes in Florida added another \$90 million in costs to state taxpayers. The report also found that \$3.1 billion a year is removed from the state's economy in the form of remittances sent to Latin America.

*The Costs of Illegal Immigration to Floridians* is one of 13 state impact reports prepared by FAIR. These reports are a critical part of FAIR's mission to educate citizens, government officials and the media about the impact that mass illegal immigration has on their lives and their budgets. Far from being a victimless crime as apologists for illegal immigration claim, FAIR's state impact studies demonstrate that illegal immigration imposes significant burdens on the public.

The release of *The Costs of Illegal Immigration to Floridians* has received widespread coverage in the Florida media. In conjunction with its release, FAIR media spokespersons appeared on several of the top-rated talk radio programs in the state, television news programs, and met with the editorial boards of two of Florida's leading newspapers.



## Florida Activists Rally for Immigration Enforcement



In conjunction with the release of *The Costs of Illegal Immigration to Floridians* and statewide polling data indicating that Floridians overwhelmingly want immigration laws enforced, activists gathered in the town of Jupiter to demonstrate support for true immigration reform. Organized by FAIR with the assistance of WFTL radio talk host Joyce Kauffman, some 100 activists from across Florida carried flags and placards urging immigration enforcement. Other activists took advantage of the congressional Easter recess to meet with their elected representatives who were in their districts that week.

## SCHUMER ADMITS 1986 AMNESTY DEAL WAS A SHAM

As FAIR members well know, “comprehensive immigration reform” is the preferred euphemism for comprehensive amnesty coupled with empty promises of better immigration enforcement in the future. Sen. Charles Schumer (D-N.Y.), who is likely to spearhead any amnesty effort in 2009, apparently knows that to be the case as well.



As a member of the House of Representatives, Schumer was a key player in passing the 1986 amnesty, which also promised effective immigration enforcement. Commenting in Newsday on the eve of his hearing, “Comprehensive Immigration Reform in 2009: Can We Do It and How?” Schumer admitted the political deal that granted amnesty to some 3 million illegal aliens was a sham. “No one believed it was tough enough on illegal immigration,” Schumer said.

So why should the American people believe him in 2009?

## Senate Hearing on Amnesty continued

Subcommittee, was revealingly titled, “Comprehensive Immigration Reform in 2009: Can We Do It and How?”

With one lone exception, the parade of witnesses lined up by Schumer were all vocal supporters of amnesty for illegal aliens, or the admission of still more foreign workers to the United States, or both. The only witness testifying in favor of immigration enforcement and protection of the interests of the American people was Kris Kobach, counsel to FAIR’s public interest law affiliate, the Immigration Reform Law Institute.

Headlining the witness list was former Federal Reserve Chair Alan Greenspan, who has publicly stated his support for large-scale immigration as a means to suppress the wages of American workers. In his testimony, Greenspan argued that illegal immigration is a benefit to the U.S. economy, providing a “flexible component of our workforce, often a safety valve” for employers, although he did not cite any economic data or statistics to support those assertions.

The former Fed chairman also urged increases in the number of skilled workers admitted, both as permanent legal residents and as guest workers. Greenspan bluntly stated that lifting caps in these areas “would lower [those] wage premiums” which allow skilled American workers to earn higher salaries.

The hearing also included testimony from those who are opposed to local enforcement of immigration laws. Testifying on behalf of the Major Cities Chiefs’ Association, Montgomery County,

Maryland Chief of Police J. Thomas Manger, argued against continuation of the highly successful federal-local partnership for immigration enforcement known as 287(g). The Association is composed exclusively of police chiefs representing cities and counties that have enacted illegal alien sanctuary policies.

The one-sided nature of the hearing suggests the Senate may be poised to repeat the tactics and mistakes of 2007, when that body attempted to push through a sweeping illegal alien amnesty over the strong opposition of the American public. Two years ago, a small group of senators emerged from behind closed doors with a bill written in secret with extensive input from lobbyists and dubbed by its authors as the “grand bargain.”

The American people rejected the 2007 attempt to pass amnesty, and since then their willingness to accept it as the purported solution to our immigration crisis has only decreased. The economy has slipped into a severe recession, unemployment has doubled, and state and local governments are faced with crippling budget shortfalls.

While the Senate is attempting to lay the groundwork for another battle over amnesty, FAIR is working to keep the public informed and to rally public opposition against a renewed attempt to sellout the interests of the American people. As in 2007, FAIR will rely on members and supporters to demonstrate forcefully their opposition to amnesty, more guest workers, and still higher levels of immigration.

## Jeff Sessions Moves to Top Republican Spot on Senate Judiciary Committee

Pennsylvania Sen. Arlen Specter's decision to change his party affiliation from Republican to Democratic cleared the way for one of the Senate's staunchest immigration reform advocates to assume the top Republican seat on the Judiciary Committee. Sen. Jeff Sessions (R-Ala.) led the battle to defeat amnesty in 2007, and has been a leader in Congress on almost every effort to enforce U.S. immigration laws.

The Senate Judiciary Committee, which has jurisdiction over immigration policy, will play a pivotal role in any ef-

fort to revive amnesty in 2009. As the ranking minority member of the committee, Sen. Sessions will be in an important position to lead the fight against another amnesty bill.

Sen. Specter's party switch will also leave the Democratic majority with less political cover in a potential battle over amnesty. Both John McCain and Jon Kyl have indicated that they are not prepared to play a central role in promoting amnesty in 2009, in part because they insist that a new guest worker program must be part of any immigration reform



*Sen. Jeff Sessions has been a leader in Congress on almost every effort to enforce U.S. immigration laws.*

package. With Specter joining the Democratic ranks, it will be more difficult for Democratic leadership to propose a mass amnesty bill and create the illusion of bipartisan support.

## E-Verify Gaining Popularity and Is Good for Business

While the United States Senate continues to hold the E-Verify system hostage to efforts to enact a sweeping illegal alien amnesty, American businesses are enrolling in the program at a rate of about 1,000 a week. As of early May, some 124,000 businesses nationwide were participating in the E-Verify program.

E-Verify allows employers to determine if workers are eligible for employment. The program will expire in September unless Congress votes to reauthorize it. The House has acted on several occasions to extend the program and included a provision in the economic stimulus package that would have required all beneficiaries of the \$787 billion stimulus to use E-Verify. Each attempt at long-term reauthorization has been thwarted by amnesty advocates in the Senate.

In a hopeful sign, President Obama's proposed FY 2010 budget calls for \$112 million to fund E-Verify — a \$12 million increase over the current budget. However, continuation

of E-Verify depends on Congress reauthorizing the program beyond the end of this fiscal year.

The growing popularity of E-Verify indicates that there are many businesses across the country that want to obey the law and ensure that they have a legal labor force. Reauthorizing the program and requiring all businesses to use E-Verify, as FAIR advocates, would guarantee that law-abiding employers would not be undercut by competitors who gain an unfair advantage by hiring low-wage illegal aliens.

Not only is E-Verify a highly effective program, employers who sign up for it are finding that it is good for business. Larry Morrison, who owns an insulation business in St. George, Utah, discovered that customers choose his company over his competitors because he uses E-Verify. Testifying before the St. George town council, Morrison claims his company gets "two jobs a week" just by advertising that they check employees' work status.

# AROUND THE COUNTRY

## OHIO

Butler County Sheriff Richard Jones has been a pioneer in local efforts to enforce laws against illegal immigration. In May, Sheriff Jones teamed up with State Representative Courtney Combs in an effort to encourage Ohio businesses to use the federal E-Verify system to ensure they are hiring legally authorized workers. Rep. Combs' bill, The Ohio Job Integrity Preservation Act, would allow the state to impose stiff fines against employers who knowingly hire illegal aliens. Sheriff Jones and Rep. Combs also believe the bill would free up jobs for Ohioans at a time when unemployment is on the rise.

## RHODE ISLAND

The Rhode Island House of Representatives, by a vote of 38-33, approved legislation that would require employers in the state to check the eligibility of workers using E-Verify. Rhode Island's unemployment rate is among the highest in the nation, standing at 10.5 percent. In March, Gov. Donald Carcieri issued an executive order requiring state agencies and state contractors to use E-Verify. The May vote marks the third time the State House has approved legislation requiring employers to use E-Verify, but the measure has died in the State Senate each of the last two years without even getting a vote in committee. This year's bill has been referred to the State Senate Judiciary Committee for consideration. The legislation establishes "a beachhead in New England and the Mid-Atlantic States so that the illegal immigrant population knows that in Rhode Island, we check for work eligibility," said Rep. Jon Brien, the bill's author.

## Zogby Poll Finds Broad Support for Immigration Enforcement in Florida

**A**s the costs in Florida mount, Floridians understand the devastating impact illegal immigration is having on their state. Therefore, it was not surprising to see that Floridians strongly support state and federal efforts to enforce laws against illegal immigration. A Zogby International poll of 801 likely voters commissioned by FAIR in late March found that 83.5 percent of Florida voters believe illegal aliens have a negative impact on the state budget.

More than 57 percent of Florida voters believe that illegal immigration should be reduced through better enforcement of immigration laws, compared with only 36 percent who favor granting amnesty to illegal aliens. At a time when the Obama administration is gutting enforcement of immigration laws in the workplace, 68.6 percent of Florida voters say they favor continuing worksite enforcement. Only 21.1 percent of voters in Florida support curtailing worksite enforcement of immigration laws.

The perception that mass illegal immigration is harmful to Florida and the support for vigorous enforcement of immigration laws cut across all racial, ethnic, ideological and income lines. Contrary to the pronouncements of many Hispanic ethnic advocacy groups and politicians, 76 percent of Hispanics in Florida believe large scale illegal immigration is a drain on state resources. A similar 76 percent of Hispanics strongly support the use of E-Verify to protect American jobs, and nearly 63 percent favor continued enforcement in the workplace.

Full details of the comprehensive poll of likely Florida voters can be found at FAIR's web site, [www.fairus.org](http://www.fairus.org).

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## FBI Warns of Security Risks at the Borders and Ports of Entry

Nearly eight years after the attacks of 9/11, a report by the Federal Bureau of Investigation (FBI) warns that America's unsecured borders and ports of entry having lax inspections remain easy targets for terrorists. The FBI report also found serious flaws in databases that are meant to prevent terrorists from entering the country.

The threats to homeland security were further highlighted by a study carried out by researchers at Stanford University and George Mason University. Using mathematical modeling, researchers from these major universities concluded that the likeli-



*America's unsecured borders and ports of entry having lax inspections remain easy targets for terrorists.*

CONTINUED on page 8

## May Day Rallies Expose Lack of Popular Support for Amnesty

Ever since the polls closed last Election Day, the illegal alien advocacy network has been working overtime to spin the results as a mandate for a massive amnesty. In countless "news briefings" around Washington, D.C., and during Rep. Luis Gutierrez's (D-Ill.) recent cross country tour, advocates for illegal aliens have attempted to portray amnesty as an uncompromisable demand of Hispanic voters.

Opinion polls conducted both before and after the 2008 election have consistently shown that immigration is a fairly low priority for Hispanic voters. And even among those Hispanics who rank it as a high priority, it is unclear how many support amnesty for illegal aliens. The absence of any general support for an illegal alien amnesty was clearly evident in the sparse turnout for

May Day marches and protests around the country organized by the illegal alien amnesty lobby.

In Los Angeles, scene of the largest march for amnesty three years ago, local

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police dispensed with their usual practice of estimating crowds at the request of the organizers. In contrast to the esti-

mated 500,000 people who took part in the 2006 march, one California newspaper reported that this year "hundreds of immigration rights advocates marched through downtown" Los Angeles. In Rep. Gutierrez's and President Obama's hometown of Chicago, turnout for the amnesty rally was a mere 2,000 people, according to the local NBC news department.

Nevertheless, Hispanic ethnic advocacy groups and politicians continue to portray themselves as representing the views of mainstream American Hispanics. However, their inability to rally substantial numbers of Americans of any ethnic background to support their amnesty agenda demonstrates the chasm that exists between political hype and reality.

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## FBI Warning continued

hood of non-Mexican terrorists infiltrating the U.S. across the southern border is fairly high. These risks compound the problem of increasing criminal violence spilling across the Mexican border.

The FBI's investigation found flaws in the government's terrorist watch list that allowed suspected terrorists to travel to and from the United States at will. The report concluded that the watch list is not updated in a timely fashion. The names of tens of thousands of people who pose no security threat remain on the terrorist watch list while the names of others who are known to pose potential terrorism threats have not yet been added to the list.

The FBI report drew a swift reaction from Capitol Hill. "That the FBI continues to fail to place subjects of terrorism investigations on the watch list is unacceptable," complained Sen. Patrick Leahy (D-Vt.), chairman of the Senate Judiciary Committee. Ironically, Leahy and other congressional supporters of amnesty manage to ignore the fact that the same agencies that cannot prevent potential terrorists from entering the country would be charged with identifying any terrorists and criminals among the millions who will benefit from an amnesty.



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