

# Greater Austin Hispanic Chamber of Commerce Arizona's Senate Bill 1070 Position Statement

## **STATEMENT:**

The Greater Austin Hispanic Chamber of Commerce, the third largest Chamber in Central Texas representing over 1000 businesses in the greater Austin area, expresses its deep opposition and concern regarding the passage of Arizona's SB 1070. The U.S. has a rich history of inclusion, cultural diversity, economic transformation, and resiliency. All individuals, especially immigrants, provide value to the growth of our economy and vitality to the very fabric of our community and great nation.

## **RATIONALE:**

- GAHCC expresses its deep opposition and concern regarding the passage of Arizona's SB 1070.
- GAHCC is a strong proponent of business and smart immigration policy, our Chamber urges its membership and the business leadership of community to open their doors and businesses to those from Arizona interested in moving into our great city and state.
- GAHCC also urges its membership and our business leaders to consider the impact this legislation has on Arizona as a community and furthermore consider where their dollars are going when doing business in Arizona.
- GAHCC supports a comprehensive approach to fixing our broken immigration system. We are encouraged by the bipartisan framework created by US Senators Schumer and Graham which can help move the immigration reform issues forward. The framework thoughtfully addresses the need to protect our borders, and demands accountability from both workers who are here illegally and employers who game the employment system.
- GAHCC supports efforts to build community here in Central Texas and do not believe in illegal human beings. We are concerned that marginalized individuals will be singled out and judged based on the way they look or their accent instead of the content of their character. And,
- We welcome community dialogue on this issue and look forward to discussing the comprehensive immigration reform with our elected representatives, business leaders, and faith organizations.

SB 1070 and any state legislation that creates immigration policy without federal collaboration and stakeholder input are not appropriate and is not an answer to an antiquated immigration system. Immigration policies are the responsibility of the federal government, and States that follow Arizona's policies risk tremendous negative costs and unintended consequences. GAHCC strongly cautions against any state legislation that would undermine the principles of the U.S. Constitution that distracts from comprehensive federal immigration reform, and does not recognize the great economic benefits and cultural contributions immigrants contribute to our community and country.

Furthermore, GAHCC fully supports comprehensive immigration reform but also supports policies that improve the antiquated immigration system in place.

GAHCC joins hundreds of other Chambers, municipalities, and civic organizations across the country in voicing its strong opposition to Arizona's SB 1070 in light of the following:

## **BACKGROUND:**

**SB 1070 ignores the significant impact (1) immigrants add to the economy and (2) U.S. trade with Mexico and other countries have had on the U.S. economy.**

- Immigrants provide a steady workforce that complements, not threatens our U.S. economy. By 2012, more than 75 million baby boomers will retire and the U.S. reproduction rates do not meet our future workforce demands.<sup>1</sup>
- A 2001 study by UCLA's North American Integration and Development Center found that the undocumented Mexican population alone, if excluded from the country, would result in a dramatic \$155 billion drop in U.S. Economic output.<sup>2</sup>
- The Texas Comptroller's office issued a report stating undocumented immigrants produced \$1.58 billion in state revenues, which exceeded the \$1.16 billion in state services they received.<sup>3</sup>
- The White House Council of Economic Advisers concluded that immigration increases U.S. gross domestic product by \$37 billion each year, and other estimates are even higher.<sup>4</sup>
- Agreements like NAFTA have a significant impact on two-way trade. Policies like SB 1070 thwart efforts for expansion and support of treaties that bring prosperity to our country.<sup>5</sup>

**SB 1070 has significant negative legal impact and immigration regulation is a federal responsibility.**

- Anti-immigrant legislation often leads to an illegal conflict with federal laws and enforcement. *See Vasquez v Farmers Branch* 3-06CV2376-R (N.D. Tex.)<sup>6</sup>
- Anti-immigrant legislation or policies may lead to racial profiling and due process violations. *See Lopez v. City of Rogers* No. 01-5061 (W.D.Ark. 2002)
- Local and state enforcement of immigration laws undermines community policing and increases the underreporting of crimes, especially domestic violence.
- Local and state laws attempting to regulate in the area of immigration often violate the Supremacy Clause of the United States Constitution.<sup>7</sup>
- Local and state enforcement of federal immigration laws place a strain on already limited resources of local enforcement agencies and undermine the effectiveness of our police officers.<sup>8</sup>

**SB 1070 places undue burden on local enforcement agencies and taxpayers.**

- With local and state budgets facing shortfalls, adding more duties to local law enforcement, the judicial system, and the jails, is irresponsible and places a strain on local entities. Senior Cpl. Glenn White, President of the Dallas Police Association states, "The strain on local police already is enormous, and to ask us to arrest and detain immigrants is something the federal government needs to address . . ." <sup>9</sup> It is clear that state and local law enforcement officials are already working at capacity and should not waste time investigating community members who are not a danger to society.

<sup>1</sup> Immigration Works USA, "Immigration Essentials What Employers Need in a Bill." June 19, 2009

<sup>2</sup> R. Hinojosa Ojeda. "Comprehensive Migration Policy Reform in North America: The Key to Sustainable and Equitable Economic Integration." North American Integration and Development Center, University of California, Los Angeles (2001) at 6. Available at [http://naid.spsr.ucla.edu/working-papers\\_series.htm](http://naid.spsr.ucla.edu/working-papers_series.htm)

<sup>3</sup> "Undocumented Immigrants in Texas: A Financial Analysis of the Impact to the State Budget and the Economy", Texas Comptroller Carol Keeton Strayhorn, December 2006. *See also*, "New Mexico Fiscal Policy Project, Undocumented Immigrants in New Mexico," finding the state collects about \$1-2 million more annually from unauthorized immigrants than it spends on education for unauthorized children.

<sup>4</sup> White House Council of Economic Advisers

<sup>5</sup> "NAFTA has clearly resulted in astronomical trade increases between the U.S. and Mexico. Since 1993, the value of two-way U.S. trade with Mexico almost tripled, reaching \$232 billion in 2002, and continues to grow twice as fast as U.S., trade with the rest of the world. As the numbers increase, so do the opportunities for entrepreneurs." (Texas History 9/12 – Texas in Transition, presented Dr. Steve Murdock)

<sup>6</sup> *See also Lozano v. Hazleton* 496 F.Supp.2d 477, 555 (M.D.Pa. 2007); *Garret v. City of Escondido*, 465 F.Supp.2d 1043 (S.D.Cal. 2006)

<sup>7</sup> The Supremacy Clause, Article 4, Section 2 of the Constitution, mandates that federal law preempts any state regulation over which Congress has expressly or impliedly exercised its exclusive authority. Because the Constitution grants Congress the exclusive power [t]o establish [a] uniform Rule of Naturalization" and "[t]o regulate Commerce with foreign Nations," courts have long recognized that the federal government has the sole authority to regulate immigration. *U.S. Const., Art.1, § 8, cl. 4 and cl. 3; see Toll v. Moreno*, 458 U.S. 1, 10

<sup>8</sup> Immigration Nationality Act, specifically, 287(g)(2) and 287(g)(3)

<sup>9</sup> The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments, Congressional Budget Office December 2007.

- It is risky and costly for states to get in the business of regulating immigrants. Several cities including Farmers Branch, TX, Hazleton, PA, Valley Park, MO, and Escondido, CA all faced and lost legal challenges in their attempts to regulate immigration, spending millions of dollars at the expense of taxpayers in the process.

#### **SB 1070 Is Already Causing a Negative Impact on Arizona Business.**

- Jason LaVecke, owner/operator of 130 fast food franchise restaurants, including Carl's Jr., suspended his expansion of Carl's Jr. in Arizona following a detrimental bill passed by then-Arizona governor Janet Napolitano that would have taken LaVecke's business license if one illegal immigrant was found to have been hired in one of LaVecke's many restaurants. LaVecke transferred his plans for Carl's Jr. to Texas.
- Arizona's tourism industry is already suffering, according to one hotel owner, 80 room reservations have been cancelled in the last week that is about \$8,000 work of business. Students, tourists, companies are leaving Arizona or refusing to do business in Arizona because of SB 1070<sup>10</sup>
- Multiple cities, organization, governors and businesses have already denounced, condemned or endorsed a boycott of Arizona due to SB 1070 including the NBA Phoenix Suns and Texas Governor Perry.<sup>11</sup>
- Similar immigration legislation in Oklahoma has caused the exodus of approximately one-half of all immigrant workers in Oklahoma, causing a 1.3 percent reduction in the gross state product, the equivalent of a \$1.8 billion economic loss.
- Multiple lawsuits are being filed or being considered against SB 1070 including ones by police officers in Phoenix and in Tucson, clergy members (CONLAMIC) have already filed, and MALDEF along with the ACLU and NILC have announced plans to sue. Phoenix, Tucson, and Flagstaff are all contemplating filing suits to prevent the law from going into effect.<sup>12</sup>

---

<sup>10</sup> [http://www.president.arizona.edu/presscomm\\_more.cfm?f\\_ID=129](http://www.president.arizona.edu/presscomm_more.cfm?f_ID=129)

<sup>11</sup> <http://blogs.wsj.com/washwire/2010-05-01-several-governors-oppose-arizona-immigration-law/>

<sup>12</sup> <http://www.fox11az.com/news/local/92328464.html>