

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on March 10, 2011, in Room 346-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Office of the Revisor of Statutes  
Matt Sterling, Office of the Revisor of Statutes  
Tamera Lawrence, Office of the Revisor of Statutes  
Lauren Douglass, Kansas Legislative Research Department  
Robert Allison-Gallimore, Kansas Legislative Research Department  
Sue VonFeldt, Committee Assistant

Conferees appearing before the Committee:

See below.

Others attending:

See attached list.

The Hearing on **HB 2372 - Requiring verification of employment eligibility and making other amendments concerning immigration** was opened.

Jill Wolters, Senior Assistant Revisor, presented an overview of the bill. ([Attachment 1](#))

Chairman Kinzer announced a format had been agreed to beforehand that would allow one chosen speaker from the proponents and one from the opponents to present testimony for approximately twenty minutes, and then, in order to allow everyone the opportunity to testify before the committee, following each main speaker, Chairman Kinzer asked everyone to be considerate and respectful and limit their testimony to a few minutes.

Kris Kobach, Secretary of State, for the state of Kansas, appeared before the committee to provide testimony and legal expertise in support of the bill. He stated Kansas has the clear legal authority to require government agencies and recipients of government contracts to use E-Verify, and that the federal government and all four of the surrounding states are all using E-Verify. He explained E-Verify was mandated by Congress in 1996, and it is an internet-based system that any employer in the United States may utilize to verify whether an individual seeking employment is authorized to work in the United States. He stated Kansas is required by Federal Law to deny public benefits to illegal aliens and that more than a dozen states have already taken action to ensure that they are in compliance with the federal law. He also stated that Kansas has an estimated population of 90,000 illegal aliens, and in light of the fact that our neighboring states have already taken significant steps to reduce illegal immigration, Kansas will become the destination for illegal aliens in the Midwest. He also provided information regarding the law enforcement provisions of the bill. ([Attachment 2](#))

The following proponents also testified before the committee along with their required written testimony.

Ed Hayes, Minutemen of Kansas, Olathe, Kansas ([Attachment 3](#))  
Roger Thomas, Assistant Director Minutemen of Kansas and Missouri ([Attachment 4](#))  
Paul Degener, Concerned Citizen ([Attachment 5](#))  
Lana Reed, Concerned Citizen, former SRS Employee, Kansas Resident ([Attachment 6](#))  
Dale Chaffee, Union of Patriots, Shawnee, Ks ([Attachment 7](#))  
Stephen Shute, Gardner, Kansas, Executive Director of Hope for America Coalition ([Attachment 8](#))  
Larry Halloron, Wichita South Central Kansas 912 Group ([Attachment 9](#))  
Jeffrey Locke, Arma, Kansas, Citizen ([Attachment 10](#))  
Tom Stoffers, Tonganoxie, Kansas ([Attachment 11](#))  
Kathy Brown, Esquire, Kansas City ([Attachment 12](#))

The following proponents provided written testimony only in support of the bill:

Ken Dunwoody, Johnson County ([Attachment 13](#))  
Catherine E. Sanderson, Roeland Park, Kansas ([Attachment 14](#))

## CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on March 10, 2011 in Room 346-S.

John Gambill, Citizen, Overland Park, Kansas ([Attachment 15](#))

Roger Wood, Citizen of Pittsburg, Kansas ([Attachment 16](#))

Eric Stafford, Senior Director of Government Affairs, presented testimony before the committee as a neutral, stating problems for businesses working in multi-states. He also proposed an amendment to the bill to designate "only for new hires". ([Attachment 17](#))

Ed Klumpp, presented written only testimony, as a neutral on behalf of the Kansas Association of Chiefs of Police, Kansas Sheriffs Association and Kansas Peace Officers Association. ([Attachment 18](#))

Allie Devine, Vice President and General Counsel for the Kansas Livestock Association and also appearing on behalf of the Kansas Business Coalition (a list of businesses/organizations included in written testimony), addressed the committee in strong opposition of the bill. She stated the coalition supports and incorporates the comments of Mr. Todd Landfried, Arizona Employers for Immigration Reform; Ms. Dina Cox, Society of Human Resource Management; and, Mr. Mike Taylor, Unified Government of Wyandotte County, Kansas. She stated the coalition does not condone or support the hiring of undocumented workers, and their organizations work closely with members to assist in compliance with existing federal immigration laws, and also stated that their members want and need a strong reliable work force. She provided several reasons why the coalition objects to this bill: 1) Immigration issues are the domain of the federal government, 2) This bill does nothing to address ongoing national problems with immigration, 3) The bill places new requirements on businesses without providing any training or funding, 4) Establishes a climate of distrust and suspicion that will breach trust between law enforcement and communities, government and regulated entities, business and the public. She stated these provisions disrupt the economic stability of the state and will result in economic loss. She also offered, on behalf of the coalition, some strategies for addressing immediate immigration issues in lieu of passage of this bill. ([Attachment 19](#))

The following opponents also testified before the committee along with their required written testimony:

Todd Landfried, Business Coalition, Arizona Employers For Immigration Reform ([Attachment 20](#))

Dina Cox, Legislative Director, Kansas State Council of the Society for Human Resource Management(KS SHRM) ([Attachment 21](#))

Mike Taylor, United Government of Wyandotte County/Kansas City ([Attachment 22](#))

Angela Ferguson, American Lawyer Immigration Association ([Attachment 23](#))

Sandy Jacquot, League of Kansas Municipalities ([Attachment 24](#))

Laurie Anderson, Immigration Justice Advocacy Movement ([Attachment 25](#))

Leo Prieto, Policy Director for the State League of United Latin American Citizens (LULAC) ([Attachment 26](#))

Virginia Mendoza, LULAC Topeka, Kansas ([Attachment 27](#))

Holly Weatherford, ACLU of Kansas & Western Missouri ([Attachment 28](#))

Allen Rostron, Professor of Law, UMKC ([Attachment 29](#))

Nancy Jorn, a Concerned Health Care Professional, Lawrence ([Attachment 30](#))

Ricardo Quinones, Kansas Missouri Dream Alliance ([Attachment 31](#))

Jeanne Gorman Rau, Attorney, presenting on behalf of the Kansas Catholic Bishops ([Attachment 32](#))

Jim Edwards, Kansas Association of School Boards ([Attachment 33](#))

Desima Dawdy, Topeka Citizen ([Attachment 34](#))

Carlos Gomez, Hispanic Chamber of Commerce, Greater Kansas City ([Attachment 35](#))

Lalo Munoz, Citizen ([Attachment 36](#))

Patrick Freeland, Haskell Indian Nations University, Lawrence, Kansas ([Attachment 37](#))

Michelle Cuevas-Stubblefield, Individual, Topeka, Kansas ([Attachment 38](#))

Jacob Kipp, Unitarian Fellowship of Lawrence, presented by Susan Cooper ([Attachment 39](#))

Stephen Germes, Citizen, Topeka ([Attachment 40](#))

Kim Morse Cordova ([Attachment 41](#))

Rudy Padilla, Overland Park, Kansas ([Attachment 42](#))

### Opponents-Written Only

Thomas Hongslo, Lenexa Police Department ([Attachment 43](#))

Cathy Harding, Kansas Association for the Medically Underserved ([Attachment 44](#))

Amber Versola, Kansas NOW ([Attachment 45](#))

## CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on March 10, 2011 in Room 346-S.

Ron Hein, Prairie Band Potawatomi Nation Tribal Council ([Attachment 46](#))

Suzanne Germes, Citizen, Topeka ([Attachment 47](#))

Joan Porter ([Attachment 48](#))

Joyce Grover, Executive Director, Kansas Coalition Against Sexual and Domestic Violence  
([Attachment 49](#))

Jennifer Ciszewski, Citizen ([Attachment 50](#))

Silvia Romero, Citizen ([Attachment 51](#))

Gerald L. Albright ([Attachment 52](#))

Reverend Judy R. Voss, Shawnee, Kansas ([Attachment 53](#))

Michelle DeLa Isla, Topeka, Kansas ([Attachment 54](#))

Craig L. Salvay, Prairie Village, Kansas ([Attachment 55](#))

Stephen Wertz, Lake Quivira, Kansas ([Attachment 56](#))

Dr. Andy Tompkins, Kansas Board of Regents ([Attachment 57](#))

The next meeting is scheduled for March 14, 2011.

The meeting was adjourned at 7:10 p.m.

# JUDICIARY COMMITTEE GUEST LIST

DATE: 3/10/11

NAME	REPRESENTING
Lover Chandler	YWCA of Topeka
Duane Hermes	Citizen
Steve Hermes	Citizen
Calley Harding	KAMU
Edward Larson	KS Catholic Conference
Jean Gorman	Archdiocese of Kansas City, KS
Beatrice Swoopes	KS Catholic Conference
Ron Secher	KS Gov & Fed / KARK
John A. Donley	KS Lush Ass'n.
Barbara Smith	Governor's Task Force
Marieliza Suarez	Citizen
JACQUELINE STAVEDRA	KS/MO DREAM Alliance
Will Suarez	KS/MO DREAM Alliance
Eric Stafford	Kansas Chamber
Debra Cofman	Citizen
Laurie (Bonnie) Anderson	ISAM - Immigrant Justice Advocacy Movement
Barbara Walker Johnston	Citizen
Nancy Joy	health care provider
Pam Hall	

Ed Hayes

Minutemen of Kansas & Missouri



# JUDICIARY COMMITTEE GUEST LIST

DATE: \_\_\_\_\_

NAME	REPRESENTING
Roger Thomas	Minutemen of KS & MO
Larry Brown, Esq.	self / Minutemen / PC
Curtis Heaton	self / FairTax
Earl Long	Self
Jennifer Heaton	self
Lara Reel	self
Tom Stoffers	self
Roger Thompson	self
José A. Honze	self (AETF)
Rudy Padilla	American GI Forum
Virginia Padilla	" " "
Christine Burger	SHRM / NEW
Dina Cox	KS SHRM
Pat Mack	KS SHRM
Mira Mdivani	KS SHRM
Gather Batmureghy, cs	Archdiocese KC
Paul Deffen	Self
Jeff Edwards	Show Your Freedom
Jeffrey G. Locke	Self / taxpayers of KS.

# JUDICIARY COMMITTEE GUEST LIST

DATE: \_\_\_\_\_

NAME	REPRESENTING
Melissa Ward	Hein Law Firm
JAMES KRAUSE, F.S.C.	<sup>C.O.O.</sup> COMMUNITIES CREATING OPPORTUNITY
Tom Mountenay	A A I R
Coattemad Villegas	A A I R
Dana Trotter	A I R R
Sayra Gordillo	individual
The Rev. Rick Behrens	A I R R
Bill Scholl	The Archdiocese of Kansas City in KS
Sulma Arias	National People's Action
BRAD HARRELSON	KFB
COREY PETERSON	AGC of KS
DAN MORGAN	KC Chapter, AGC, Builders' Assn.
Bob Totten	Ks <del>Confederate</del> Assoc.
Bernie Koch	Ks. Economic Progress Council
Jim Edwards	KAB
Tim Stroda	ks Pork Association
Tom Bruno	KS Dairy Assn.
Shona Claetson	Student/Farmworker Alliance
Sean Weston	Student/Farmworker Alliance

# JUDICIARY COMMITTEE GUEST LIST

DATE: \_\_\_\_\_

NAME	REPRESENTING
Laura Canelos	Plymouth Congregational Church (Lawrence, KS)
Stephen T. Wertz	SELF
John Mendez	LULAC Topeka Council
Gail Dufuis-Cloatham	American Indian Chamber of Comm
Amber Versola	KS NOW
Ricardo Quinones	Kansas/Missouri Dream Alliance
Myrna Orozco	Kansas/Missouri DREAM Alliance
Aaron Stables	Centro Hispano Resource Center
Mary Padilla	KHRAAC
Ronnie Skenton	KHRAAC
Reyna Ruge	KHRAAC
James Hasselle	APRU Now
<del>Guadalupe Magdalena</del>	<del>Sunflower Comunidad Latina en accion</del>
<del>Michael V. V. V.</del>	<del>Naturelle American Elders</del>
<del>JOHN P. P.</del>	<del>KWS</del>
Kirsten Phelps	KCSOV
Madeline Wetta	Five - K-State Feminist Org.
Amelia Engel	K-State Women's studies Ambassadors
Elsa Fraire	KHRAAC

# JUDICIARY COMMITTEE GUEST LIST

DATE: 3-10-11

NAME	REPRESENTING
DON LEFLER	WICHITA EAGLE
Due Storm	KS BOE
Brenna Duffy	Intern - Morris
Lisa R. Schwartz	Unitarian Universalist Fellowship of Topeka
Rev. Jill Jarvis	Unitarian Fellowship of Lawrence
DR Jacob KIPP	" " "
Shannon Ray	Unitarian Universalist - Topeka
Jana Koch	Unitarian Universalist of Topeka
Melanie Kitchen	" " "
Ginger Kenney	AIRR
Jim Kenney	Penn Valley Friends (Quakers)
Angela Ferguson	American Immigration Lawyers Association
Christy Caldwell	Topeka Chamber
Jennifer Bruning	of Chamber
Michelle Cervera-Stoddard	Individual
Cindy Herman	Self
Vicki George	Self UUFT Topeka
Linda Williams	Self UUFT Unitarian Universalist
Bill & Linda Lucero	UUFT

## JUDICIARY COMMITTEE GUEST LIST

DATE: \_\_\_\_\_

[illegible]



Office of the Revisor of Statutes  
300 S.W. 10th Avenue  
Suite 24-E, Statehouse  
Topeka, Kansas 66612-1592  
Telephone (785) 296-2321 FAX (785) 296-6668

MEMORANDUM

To: House Committee on Judiciary  
From: Jill Ann Wolters, Senior Assistant Revisor  
Date: 10 March, 2011  
Subject: House Bill No. 2372, Immigration, verification of employment eligibility

House Bill No. 2372 enacts new statutes concerning the verification of employment eligibility.

Section 1 provides that:

(a) As a condition of receiving any state or municipal contract or grant over \$5,000, a business entity that employs one or more employees shall affirm under penalty of perjury, that such business is enrolled in and participates in good faith in the e-verify program. The e-verify program is operated by the U.S. department of homeland security or a successor electronic federal work authorization program.

(b) All public employers shall enroll and participate in good faith in the e-verify program.

(c) A general contractor or subcontractor is not be liable when such general contractor or subcontractor contracts with its direct subcontractor who violates subsection (a), if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection (a) and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit signed under penalty of perjury attesting to the fact that the direct subcontractor is enrolled and participates in good faith in the e-verify program.

(d) In addition to penalties for perjury, any business entity violating subsection (a) is deemed in breach of the contract and the governmental entity may terminate the contract upon notice and hearing. A first time violator will be barred from doing business with the governmental entity for three years, and the governmental entity may withhold as damages up to 25% of the total amount of the contract; and upon a second or subsequent violation, will be permanently barred from doing business with the governmental entity, and the governmental entity may withhold as damages up to 25% of the total amount due to the business entity.

(e) In a civil action under this section, if the governmental entity is the prevailing party, the governmental entity shall be awarded costs, including attorney fees.

(f) A business that terminates an employee as a result of a notification from the e-verify program that such employee is not authorized to work in the U.S. is not liable under a wrongful termination suit.

Sec. 2 provides that:

House Judiciary  
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Attachment # 1

(a) No official or agency of the governmental entity may adopt a policy that limits or restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, or that in any way limits communication between its officers and federal immigration officials in violation of federal law. If the attorney general determines an official or agency of the governmental entity violates this policy, such entity shall not be eligible to receive any funds, grants or appropriations from the state of Kansas until such violation has ceased and the attorney general has so certified.

(b) All state officials, agencies and personnel shall fully comply with and support the enforcement of federal law prohibiting the entry into, presence or residence in the U.S. of aliens in violation of federal immigration law.

(c) Upon any lawful stop, detention or arrest made by a law enforcement officer in the enforcement of any state law or ordinance of a city or county, where reasonable suspicion exists that the person is an alien and is unlawfully present in the U.S., a reasonable attempt shall be made, when practicable, to determine the citizenship and immigration status of the person, except if the determination may hinder or obstruct an investigation. Such determination shall be made by contacting the federal government and relying upon any verification provided by the federal government. Any alien who is arrested and taken into custody shall have such alien's immigration status determined before the alien is released. The alien's immigration status shall be verified with the federal government, the law enforcement officer shall not attempt to independently verify the immigration status of any alien. A law enforcement officer may not consider race, color or national origin in implementing the requirements of this section except to the extent permitted by the United States or Kansas constitution.

A person is presumed to be lawfully present in the U.S. if the person provides to the law enforcement officer any of the following: An unexpired Kansas driver's license or Kansas nondriver's identification card originally issued after April 20, 2007; valid tribal identification; or any valid U.S. federal, state or local government issued identification document, if such governmental entity requires proof of lawful presence in the U.S. before issuance.

(d) If an alien who is unlawfully present in the U.S. is convicted of a violation of state or local law, upon discharge from imprisonment or assessment of any fine, the U.S. bureau of immigration and customs enforcement shall be immediately notified.

(e) Notwithstanding any other law, a law enforcement agency may securely transport an alien whom the agency has received verification is unlawfully present in the U.S. and who is in the agency's custody to a federal facility in this state or to any other point of transfer into federal custody that is outside the jurisdiction of the law enforcement agency. A law enforcement agency shall obtain judicial authorization before securely transporting an alien who is unlawfully present in the U.S. to a point of transfer that is outside this state.

(f) Except as provided in federal law, governmental entities may not be prohibited or in any way be restricted from sending, receiving or maintaining information relating to the immigration status, lawful or unlawful, of any individual or exchanging that information with any other federal, state or local governmental entity for the following official purposes:

(1) Determining eligibility for any public benefit, service or license provided by any federal, state, local or other political subdivision of this state;

(2) verifying any claim of residence or domicile if determination of residence or

domicile is required under the laws of this state or a judicial order issued pursuant to a civil or criminal proceeding in this state; or

(3) if the person is an alien, determining whether the person is in compliance with the federal registration laws.

(g) This section does not implement, authorize or establish the real ID act of 2005.

(h) A person who is a legal resident of this state may bring an action in district court to challenge any governmental entity that adopts or implements a policy or practice that limits or restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. If there is a judicial finding that an entity has violated this section, the court shall order that the entity pay a civil penalty of not less than \$1,000 and not more than \$5,000 for each day that the policy has remained in effect after the filing of an action pursuant to this subsection.

(i) Any civil penalty is deposit in the state general fund.

(j) The court may award court costs and reasonable attorney fees to the prevailing party in a proceeding brought pursuant to this section.

(k) Except in relation to matters in which the officer is adjudged to have acted in bad faith, a law enforcement officer is indemnified by the law enforcement officer's agency against reasonable costs and expenses, incurred by the officer in connection with any action.

New Sec. 3 makes it unlawful for a person to:

(1) Intentionally conceal, harbor or shield or attempt to conceal, harbor or shield an alien from detection in any place in this state, including, but not limited to, any building or any means of transportation, if the person recklessly disregards the fact that the alien has come to, has entered or remains in the United States in violation of federal law; or

(2) intentionally encourage or induce an alien to come to or reside in this state if the person recklessly disregards the fact that such coming to, entering or residing in this state is or will be in violation of federal law.

(b) Violation of this section is a class A misdemeanor, except if the violation of involves 10 or more aliens who are 18 years of age or older and who are unlawfully present in the U.S., it is a severity level 8, person felony.

Sec. 4 authorizes the attorney general to enter into a cooperative agreement with the United States department of homeland security to designate specific state law enforcement officers as officers qualified to exercise the enforcement powers of federal immigration officers in the U.S.

Sec. 5 provides that no alien who is unlawfully present in the U.S. shall receive any state or local public benefit, except for state or local public benefits that are required to be offered by federal law, or as provided in K.S.A. 2010 Supp. 76-731a. In addition to providing proof of other eligibility requirements, at the time of application for any state or local public benefit, an individual applicant who is 18 years of age or older shall provide affirmative proof that the individual applicant is a citizen or a permanent resident of the U.S. or is lawfully present in the U.S. Such affirmative proof shall include documentary evidence recognized by the division of motor vehicles when processing an

application for a driver's license, as well as any document issued by the federal government that confirms an alien's lawful presence in the U.S.

(c) No state, county, or local agency shall provide any public benefit to any alien without first verifying that the alien is lawfully present in the U.S. Such verification shall occur through the systematic alien verification for entitlements program.

(d) State and local agencies administering public benefits in this state shall cooperate with the United States department of homeland security in achieving verification of aliens' lawful presence in the United States in furtherance of this section.

(e) As used in this section, "public benefit" means any grant, contract, loan or commercial or professional license provided by an agency of state or local government, or any retirement, welfare, health, disability, housing, food assistance or unemployment benefit under which payments, assistance, credits or reduced rates or fees are provided, except that in no event shall the term "public benefit" include any license issued by the department of wildlife and parks, or licenses and identification cards issued by the division of motor vehicles.

Sec. 6. (a) It is unlawful for any person to fail to complete or carry an alien registration document if the person is in violation of federal law, and the person is an alien unlawfully present in the United States.

(b) Violation of this section is a class C misdemeanor. Any fine imposed for such violation shall not exceed \$100.

Sec. 7 is the severability clause.

Sec. 8 increases the penalty for the crime of dealing in false identification documents from a severity level 8 to a 6; and vital records identity fraud from a severity level 8 to a 7. 11

Sec. 9 amends the statutes concerning the first appearance in a criminal case. If the person charged with a crime is not a citizen or national of the U.S., such person's immigration status shall be verified with the federal government. For the purposes of determining the grant of or issuance of an appearance bond, it shall be a rebuttable presumption that a person who has been verified by the federal government to be an alien unlawfully present in the U.S. is at risk of flight.

**Statement of  
Kris W. Kobach**

**Before the Judiciary Committee  
Kansas House of Representatives**

**Regarding H.B. 2372**

**March 10, 2011**



Mr. Chairman and Members of the Committee, I come before you today at the request of the Chairman to provide legal expertise and testimony regarding H.B. 2372. During 2001-2003, I served as Counsel to U.S. Attorney General John Ashcroft at the Department of Justice. In that position, I was the Attorney General's chief advisor on immigration law and border security.

I also come before you as legal counsel who helped draft and defend Arizona's 2007 Legal Arizona Worker's Act, which bears similarities to some provisions in this bill, and Arizona's 2010 SB 1070, which includes two sections that match provisions in this bill. I will explain the legal environment into which H.B. 2372 fits.

There are many reasons to support the enactment of H.B. 2372. Today I will explain the legal impact of H.B. 2372, focusing primarily on the E-Verify provisions, the public benefits provisions, and the law enforcement provisions. I am familiar with all of the other provisions in the bill and can state with confidence that they are within the state's authority under principles of federal preemption.

## **I. E-VERIFY PROVISIONS**

### **A. Kansas has Clear Legal Authority to Require Government Agencies and Recipients of Government Contracts to Use E-Verify**

Several decisions by federal courts make clear that a state has constitutional authority to use E-Verify itself, and to require recipients of state contracts to do so. In 2008, the U.S. District Court for the Eastern District of Missouri sustained a city ordinance doing so in the case of *Gray v. Valley Park*, 2008 U.S. Dist. LEXIS 7238 (E.D. Mo. 2008). I represented the City of Valley Park in that case. More importantly, in 2010, the U.S. Court of Appeals for the Tenth Circuit (which includes Kansas) upheld an Oklahoma law requiring state contractors to use E-Verify in *Chamber of Commerce v. Edmondson*, 594 F.3d 742 (10th Cir. 2010). These decisions were in keeping with the guiding U.S. Supreme Court precedent in the area, *De Canas v. Bica*, 424 U.S. 352 (1976), which upheld a California law prohibiting the employment of unauthorized aliens. These decisions also reflect the fact that in 1986 Congress expressly reserved to the states the authority to suspending the licenses of businesses that employ unauthorized aliens. That federal statute is found at 8 U.S.C. § 1324a(h)(2).

### **B. The E-Verify System is Extremely Efficient and Accurate**

E-Verify is an internet-based system that any employer in the United States may utilize to verify whether an individual seeking employment is authorized to work in the United States. Congress mandated its creation in 1996. It was originally known as the Basic Pilot Program. In 2004 Congress reauthorized the Program and expanded it to all fifty states. Although in its earlier years, E-Verify had some data discrepancies because work authorizations were being issued to aliens by district offices before they were added to the central computer data base, that problem has been solved. According to the latest statistics from the Department of Homeland Security, in FY 2010, 98.3% of employees were confirmed as work-authorized either immediately or within a 24-hour period. Of those who are not, 1.4% were ultimately confirmed to be unauthorized aliens; and the remaining 0.3% were subsequently confirmed to be authorized to work after they resolve changes or inaccuracies in their records. Many of those cases were individuals who failed to change their last names with SSA after getting married; and those cases were easily resolved within one day.

As of December, 2010, more than 238,000 employers were registered and using the E-Verify system across the country. More than 1,000 join every week. Over 15.6 million hiring queries were processed by the system in FY 2010. And in 224,365 cases, unauthorized aliens were prevented from illegally stealing a job

from a U.S. citizen or authorized alien worker. I'm pleased to report that the Secretary of State's office joined the group of employers using E-Verify after I took office. Registering and having our hiring manager take the online tutorial was quick, easy, and free.

### **C. The Federal Government and Numerous Other States Have Already Implemented the E-Verify Provisions of H.B. 2372.**

In 2007, pursuant to an Office of Management and Budget (OMB) directive, all federal agencies were directed to begin using the E-Verify program for their own hiring. Then in September 2009, pursuant to the same OMB directive, federal contractors and subcontractors were required to use E-Verify. Those rules have been implemented successfully and smoothly. Needless to say, the size and scope of federal contracts exceeds the state and local contracts that would be government by H.B. 2372.

A significant number of states have also implemented the H.B. 2372 E-Verify provisions requiring recipients of government contracts. Most notably, *all four of the states surrounding Kansas have already adopted such provisions*. Colorado did so in 2006, Oklahoma did so in 2007, Missouri did so in 2008, and Nebraska did so in 2009. Other states include Florida, Georgia, Idaho, Minnesota, North Carolina, Utah, and Virginia. On top of that, Arizona, Mississippi, and South Carolina require all employers in the state (not just recipients of government contracts) to use E-Verify. So a total of 14 states have already adopted E-Verify provisions at least as extensive as those of H.B. 2372. None have reported any difficulty carrying out their statutes.

At a time of high unemployment, it is difficult to fathom why a state would not want to ensure that taxpayer dollars are only used to support the employment of *legal* workers. According to extrapolations based on U.S. census data the illegal alien population in Kansas is approximately 90,000. It is generally estimated that 70% of that total, or 63,000 illegal aliens, are in the work force and occupying jobs that should be held by U.S. citizens residing in Kansas, or to aliens who have followed the law. According to the U.S. Bureau of Labor Statistics, 106,000 Kansans are unemployed. Those Kansans desperately need work, and those unemployment numbers are only going to increase if the country goes into a recession. I respectfully suggest to this committee that those 63,000 jobs should go to Kansans, not to aliens unlawfully present in the United States.

## **II. PUBLIC BENEFITS PROVISIONS**

### **A. Kansas is Required by Federal Law to Deny Public Benefits to Illegal Aliens**

As is plain from the language of H.B. 2372, it restricts the provision of state and local public benefits to illegal aliens. However, it is important to understand that *H.B. 2372 does no more than is already required by federal law*. Under federal law, *illegal* aliens are *already ineligible* for the state and local public benefits described in H.B. 2372.

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), popularly known as the "Welfare Reform Act of 1996." In that act, Congress included numerous provisions designed to ensure that illegal aliens do not receive public benefits at the federal state or local level. Those provisions are found primarily in 8 U.S.C. § 1621. Specifically, Congress stated that an illegal alien "is not eligible for any State or local public benefit." 8 U.S.C. § 1621(a). Public benefits are defined under federal law as "any grant, contract, loan, professional license, or commercial license ... any retirement, welfare health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of a State or local government or by appropriated funds of a State or local

government.” 8 U.S.C. §1621(c)(1)(A)-(B). Exceptions are made for emergency medical services, emergency disaster relief, and immunizations. 8 U.S.C. § 1621(b).

When it passed the Welfare Reform Act of 1996, Congress expressly spelled out its objectives. 8 U.S.C. § 1601(2) states: “It continues to be the immigration policy of the United States that (a) aliens within the Nation’s borders not depend on public resources to meet their needs, but rather rely on their own capabilities and the resources of their families, their sponsors, and private organizations, and (b) the availability of public benefits not constitute an incentive for immigration to the United States.” A few subsections later in the Code, Congress reiterated its purpose: “*It is a compelling government interest to remove the incentive for illegal immigration provided by the availability of public benefits.*” 8 U.S.C. 1601(6) (emphasis added). Congress was determined to remove the magnetic effect of public benefits in the illegal immigration crisis.

The effect of H.B. 2372 is to ensure that Kansas complies with its obligations under federal law. It simply requires public officials to verify the legal status of those aliens who seek benefits. This can be accomplished easily and in a matter of seconds via internet using the Systematic Alien Verification for Entitlements (SAVE) program operated by the U.S. Department of Homeland Security.

### **B. The Legal Authority of States to Verify and Report an Alien’s Status**

Because immigration is an area of law in which the federal government maintains preemptive authority, Congress was careful to expressly pave the way for states to verify the status of aliens seeking public benefits. Congress gave the states explicit authorization to do so in 8 U.S.C. § 1625: “A State or political subdivision of a State is authorized to require an applicant for State and local public benefits ... to provide proof of eligibility.” States are also authorized to verify an alien’s status with the federal government under 8 U.S.C. § 1373(c).

Congress also provided that states would have a clear legal avenue for reporting to federal authorities illegal immigrants who seek public benefits. Indeed, Congress prohibited states from concealing this information if they discover it. 8 U.S.C. § 1644 states that no government entity may be “in any way restricted, from sending to or receiving from [federal immigration officials] information regarding the immigration status, lawful or unlawful, of an alien in the United States.”

In 2004, the District Court for the Eastern District of Virginia found that a Virginia policy denying postsecondary education benefits to illegal aliens was permissible under federal law. The Virginia policy adopted federal standards for classifying aliens, just as H.B. 2372 does, and therefore it was also on secure constitutional grounds. *Equal Access Education v. Merten*, 305 F. Supp.2d 585, 603 (2004). Nine years earlier, in the case of *LULAC v. Wilson*, the District Court for the Central District of California articulated the same principle. In reviewing a California law denying benefits to illegal aliens that had been passed prior to PRWORA, the Court found that “benefit denial provisions were not an impermissible regulation of immigration and therefore withstand scrutiny under the first DeCanas test.” *LULAC v. Wilson*, 908 F.Supp. 755 (C.D. Cal. 1995).

The authority of states to enact statutes like H.B. 2372 has been confirmed, and reconfirmed again, by the federal courts. Not surprisingly, more than a dozen states have already taken action to ensure that they are in compliance with federal law by enacting statutes similar to H.B. 2372.

### **C. Denying Public Benefits to Illegal Aliens Will Save the State a Significant Amount of Money**

It is difficult to give a precise estimate of how much money will be saved because state agencies (as well as counties and cities) do not know how many illegal aliens are currently receiving state benefits in Kansas. This is a reflection of the fact, that if the state does not verify legal status, the state cannot know how much money it is losing.

However, we can use available number to obtain an approximation of the savings that H.B. 2372 would bring. As noted above, the illegal alien population in Kansas has been estimated to be 90,000. U.S. Census Bureau Current Population Survey data also indicates that two-thirds of illegal aliens in the United States have less than a high-school education, making them among the most likely individuals to seek state benefits. Assuming (very conservatively) that only 5% of the illegal alien population is currently obtaining public benefits covered by H.B. 2372, that would mean that 4,500 illegal aliens are currently obtaining state, county, and local benefits—costing millions of dollars each year, depending on the benefits obtained. These are necessarily imprecise numbers. But they illustrate that the fiscal savings resulting from H.B. 2372 is likely to be significant.

### III. LAW ENFORCEMENT PROVISIONS

H.B. 2372 also includes provisions designed to make cooperation between law enforcement and federal immigration authorities more efficient and effective. One would simply require that state and local officers not turn a blind eye when in the normal course of their duties enforcing another law, they develop reasonable suspicion that they are in contact with illegal aliens. The bill operates in a perfectly reasonable fashion. If the police officer, during a detention to investigate another offense, develops reasonable suspicion that the subject is an illegal alien, then the officer must take specific steps to verify or dispel that reasonable suspicion. “Reasonable suspicion” is, of course, a well-defined concept. Over the past four decades, the courts have issued more than eight hundred opinions defining those two words in the context of immigration violations.

The most common situation in which H.B. 2372 will come into play is during a traffic stop. Suppose that a police officer pulls over a minivan for speeding. He discovers that sixteen people are crammed into the van and the seats have been removed. Neither the driver nor any of the passengers has any identification documents. The driver is acting evasively, and the vehicle is travelling on a known human smuggling corridor. Federal courts have held that those four factors can give an officer reasonable suspicion to believe that the occupants are aliens unlawfully present in the United States. At that point, H.B. 2372 kicks in and requires the police officer “when practicable,” to verify the immigration status of the person with the federal government. Immigration and Customs Enforcement (ICE) maintains a 24/7 hotline run by the Law Enforcement Support Center (LESC) for exactly that purpose. Indeed, many police departments in Kansas are already regularly contacting the LESC through the use of this hotline. The law simply requires all law enforcement agencies in the state to behave in the same way, no longer turning a blind eye to violations of federal immigration law that their officers come across during their routine duties. Most calls to the LESC take only a short period of time and can be done while the officer is checking the validity of the license plates on the vehicle and checking for wants and warrants on his laptop computer. In the event that other pressing matters call the officer away, he may drop the inquiry because it is no longer practicable. H.B. 2372 does not require police departments to divert resources from other matters.

Although a similar provision in Arizona is currently awaiting a decision by the Ninth Circuit of the U.S. Court of Appeals, Kansas is in the Tenth Circuit. The legal authority for these provisions is very strong in the Tenth Circuit. As the Tenth Circuit has stated, “in the months following the enactment of § 1252c, Congress passed a series of provisions designed to encourage cooperation between the federal government and the states in the enforcement of federal immigration laws.” *United States v. Vasquez-Alvarez*, 176 F.3d 1294, 1300 (10th Cir. 1999)(referring to 8 U.S.C. § 1252(c)). The Tenth Circuit has also stated that “state and local police officers ha[ve] implicit authority within their respective jurisdictions ‘to investigate and make arrests for violations of federal law, including immigration laws.’” *United States v. Santana-Garcia*, 264 F.3d 1188, 1194 (10th Cir. 2001)(quoting *Vasquez-Alvarez*, 176 F.3d at 1295). Consequently, any legal challenge to this provision of H.B. 2372 would likely fail.

#### IV. CONCLUSION

H.B. 2372 is necessary to ensure that Kansas complies with federal law prohibiting states from providing public benefits to illegal aliens. It also contributes to the restoration of the rule of law in immigration. It is no secret that the federal government is having difficulty enforcing our nation's immigration laws. Consequently, it is important that states work to assist the federal government, rather than impede the federal government, in this effort. H.B. 2372 accomplishes exactly that, making it more difficult to work illegally in Kansas and removing incentives for illegal aliens to remain in Kansas in violation of federal law. There are essentially two great magnets that draw illegal aliens into this country—jobs and public benefits. H.B. 2372 ensures that the power both is greatly reduced in Kansas.

H.B. 2372 is also necessary in light of the fact that our neighboring states have already taken significant steps to reduce illegal immigration. Unless Kansas acts, we will become the number-one destination for illegal aliens in the Midwest. Indeed, we are already well on our way to holding that title. Nebraska passed a bill denying public benefits to illegal aliens in 2006. Oklahoma passed a comprehensive illegal immigration bill in 2007, and Missouri passed an omnibus immigration bill in 2008 that, in terms of strength, is second in the nation only to Arizona's laws. Meanwhile, year after year, Kansas has done absolutely nothing to deter illegal immigration, and continues to reward illegal aliens with in-state tuition.

The estimated number of illegal aliens in Kansas—90,000—is higher than Oklahoma's 85,000, Missouri's 65,000, and Nebraska's 45,000. Illegal aliens also represent a higher percentage of the population in Kansas than in Oklahoma, Missouri, or Nebraska. This did not happen by accident. Illegal aliens are rational decision makers. They go to the states where the penalties are the lowest, and the probability of being able to steal a job that would otherwise go to a U.S. citizen is the highest. In the five-state region, that state is Kansas. Your action, or inaction, will have consequences.



March 10, 2011

Testimony by Ed Hayes

Minutemen

My name is Ed Hayes

I am Kansas and Missouri State Director for the Minutemen

I am here in support of Representative Lance Kinzers HB 2372 for the following reasons:

The entire bill is important but E-verify in Kansas is essential to stop the migration of illegal aliens to Kansas. That there is no resistance to their taking Kansas jobs is one of the magnets that brings them here, the magnets have to be turned off!

Almost all states surrounding Kansas have illegal alien bills crafted by Secretary of State Kobach,

Nebraska is the only holdout however it appears that they are going to pass a bill soon. All of these bills written by Secretary Kobach include E-verify for all employers, not just state and federal jobs, I hope that part of the language will be changed. As of May 2010 16 states required e-verify, it's more than that now as Georgia, Virginia and Indiana recently passed bills that include E-Verify for all jobs. If Kansas continues to allow illegals work for private companies they will continue to come from all of the states that enforce E-verify.

That leaves Kansas as THE funnel of America when it comes to illegals needing a place to go. This was proven when Oklahoma passed HB 1804 in May of 2007. The folks in the southern Kansas cities and counties witnessed an influx of Oklahoma license plates overnight, those transients settling in their areas. The Tulsa WORLD NEWS reported this "Since 1804 was approved in Oklahoma, 15,000-25,000 illegal immigrants have left Tulsa County, the Greater Tulsa Hispanic Chamber of Commerce says, Executive Director Francisco Trevi who bases the estimate on school enrollment, church attendance and reports from bus companies with service to Mexico."

We are sitting right smack dab in the middle of states which have the courage to do something about illegals UNLIKE KANSAS SO FAR. According to FAIR illegals cost Kansas 442 million last year, stop the magnets and the cost will be noticeably diminished.

House Judiciary  
Date 3-10-11  
Attachment # 3

In 2008 HB 458 was crafted by Secretary of State Kobach at the request of then State Senator Peggy Palmer. At the time the office of Senator Ralph Ostmeyer reported calls were 300 to 1 in favor of SB 458 and the result of that? Big business got their way instead of "we the people" The numbers have only increased since then, we want the rule of law! SB 458 was still trashed by some of the Kansas Senators who are still in office, until the 2012 election.

The downfall of 458 was mainly at the urging of the Chamber of Commerce, big business, churches and others who are all for pro illegals in Kansas for their own personal gains and memberships. If anyone has any doubts on any of this I have the documentation.

The lack of implementation of E-Verify is one of the biggest magnets that brings illegals to Kansas, the magnets have to be turned off!

Roger A. Thomas  
300 N Persimmon Dr  
Olathe, KS 66061  
March 9, 2011

My name is Roger A. Thomas and I am the Assistant States Director of the Minutemen of Kansas and Missouri. Our states director has or will expand on what I am going to say.

I have been privy to be in on some conversations with a whistle blower from the SRS. What I have heard appalls me in that an agency of Kansas would be complicity in allowing this to happen. The person told us of what happens when a citizen and an illegal comes in with the same qualifications. The citizen, that might have been working and paying taxes, will be turned away without any benefits. The illegal will be granted money and other considerations. As a citizen I find this grossly intolerable. It is my understanding that an illegal can immediately after entering this country start garnishing payments from the SRS. A person that comes into this country legally may not collect the same for a period of two years. Again I ask why?

Why do we put up with handing out \$4,000 a month in child care to one person or any person?

Why does another getting welfare live in a \$300,000 house, own another and drives a SUV?

Some of the examples are beyond belief that our state would condone such excess.

Many say that we can not round up all of the illegals and deport them. I have been to the boarder and observed the flood of persons illegally entering this country. As an example, I was on a ranch 45 miles Southwest of Tucson. It was estimated that 2,000 illegals a day come through the ranch on their way North. I heard a Lt. from the Boarder Patrol say that in Yuma, Arizona, they capture 800 a day. It is estimated that our Boarder Patrol interdicts and stops only 10% of those illegals crossing into our country. I believe these examples verify that our boarder needs to be closed. Oklahoma and Arizona have shown us the way to get the illegals to self-deport. Cut off their benefits. It worked there and it will work here. Then perhaps our citizens will find employment.

The cost of illegals to this state as shown by the gross mismanagement in handing out welfare to the illegals has to be one of the factors leading to the budget deficit of this state. A large dent to that deficit could be made by cutting off state benefits to illegals, which by my reading of this bill would be accomplish.. By Federal law there are three benefits that must be provided to illegals. Kansas need not supply more than that.

I urge the legislature of this wonderful state to pass this bill as it is written.

House Judiciary  
Date 3-10-11  
Attachment # 4

W. Paul Degener  
P.O. Box 8536  
Topeka, KS 66608-0536  
(785) 246-0215  
[w.degener@sbcglobal.net](mailto:w.degener@sbcglobal.net)

March 9, 2011

SUBJECT: HB 2372, E-Verify; Denial of Public Benefits

My name is Paul Degener, I am here as a concerned citizen in support of HB 2372.

In view of the fact that other states, such as Arizona are passing similar legislation, it would only seem reasonable that Kansas should do the same. If we do not pass this legislation, illegal aliens will be coming to Kansas in droves where government handouts are bountiful, such as instate tuition for illegal aliens.

It is a matter of record that the United State has been plagued with illegal entry into our country for years. However since the passage of the North American Free Trade Agreement (NAFTA) our manufacturing industry has been exported to foreign countries and we are being invaded by illegal aliens by the thousands, importing vicious gangs, previously eradicated diseases, and taking scarce jobs from American Citizens.

Why should law breakers like illegal aliens be afforded free health care, food stamps or welfare at public expense, i.e., taxpayer's expense?

Article IV, Section IV of the United States Constitution guarantees every state in this union a republican form of government and shall protect each of them against invasion. We do not need a new law for the federal government to stop the invasion of illegal aliens, all the feds need to do is number 1, read the Constitution, it's only 48 pages, and number 2, enforce the Constitution.

In view of the fact that the federal government has failed miserably in protecting our borders, it is incumbent that the state of Kansas take all necessary steps to protect our own borders. The passage of HB 2372 is one of those necessary steps.

House Judiciary  
Date 3-10-11  
Attachment # 5

I understand that employers are in business to make money and in these days of uncertainty need to reduce expenses where necessary. What I cannot understand is why they feel they are compelled to turn their back on U.S. Citizens by hiring illegal aliens. Do they have that much contempt for the U.S. Citizen and our country that they have to conduct business under the table by hiring illegal aliens?

I urge you to vote a yes vote for House Bill 2372.

I will stand for any questions.



# Testimony

Of

Lana Reed

Provided Pursuant to

K.S.A. 75-2973

Kansas Whistleblower Act

On The

## HB 2372

Before the

House Judiciary Committee

"Under the current SRS system Kansas taxpayers are having millions of dollars stolen from them through fraud. Perhaps worse Kansas citizens, who are footing the bill, are being denied benefits that illegal aliens are approved for. The SRS system works for the illegal aliens and the illegal aliens know how to work the system...."

p.12

Representative Lance Kinzer, Chairman

Thursday, March 10, 2011, 3:30 p.m.

785-296-7692

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## Executive Summary

I was employed by the Social and Rehabilitation Services (SRS) for two and 1/2 years. During that time I witnessed overwhelming levels of fraud and corruption resulting in the waste of millions of tax payer dollars. Most the fraud was conducted pursuant to policies of the SRS which required employees to turn a blind eye to fraud and abuse of the welfare system in a magnitude of millions of dollars.

The policies in use at the SRS discriminated against Kansas citizens and law abiding immigrants in favor illegal aliens. Over this period of time the "Proration" policy, which provided benefits to illegal aliens that were denied to citizens and legal immigrants, just for Johnson and Wyandotte Counties, cost taxpayers **\$2,276,544.00** annually. On a daily basis I witnessed the use of fraudulent documents as well as the fraudulent use of multiple social security numbers not yet "assigned" to an individual.

The frontline SRS case workers are being overwhelmed by the increase of usage of the system by illegals aliens. When I started my case load was suppose to be 130. It actually was more in the range of 160. By the time I left it had increased to over 260 or a 63% increase. This was in spite of the fact the bilingual caseworkers had increased from two, me and one in Wyandotte, to six, a 400% increase, by the time I left the SRS.

As the performance standards remained the same over this two and one half year period the only way to maintain the required performance numbers was to sacrifice the fraud detection and verification procedures. This meant that the fraud detection and verification would have to be minimized or skipped altogether or the caseworker could not meet achieve the number of cases they were required to process (approve).

Ninety-Nine percent (99%) of my families were illegal aliens with citizen children. Less than 10 families had legal permanent residence. Virtually all of whom used fraudulent documents or fraudulently used documents to support their application for assistance.

# Fraud in the Kansas SRS System

## *Witness Background*

I was employed as a bilingual Human Service Specialist at the Social and Rehabilitation Services (SRS) assigned to the Johnson County Kansas office in Overland Park, KS from 7/2008 to 10/2010. I determined eligibility for food assistance, TANF (Welfare), and Medicaid/Medicare/ SOBRA. (SOBRAS are emergency medical which mainly consisted of primarily paying 100% for illegal alien labor and delivery, and emergency services such as gall stones, heart attacks etc.) I also determined eligibility to pay for child care for the citizen children so the illegal alien parents could work illegally.

## *Hiding Illegal Aliens and Fraud*

In the SRS system illegal aliens were coded as "DF" (fraud) prior to 1997. This code counted their full gross income in determining benefits. In an explanation to me on why we now prorate income instead of counting the full gross like citizens for Food Assistance, I was told the federal government did not allow coding permanent residence that hadn't been here 5 years as DF (fraud) <sup>i</sup> since they were here legally. So instead of using "DF" for illegal aliens and coding "DI" for permanent residents we had to begin using a "DI"<sup>ii</sup> code for both. <sup>iii</sup>

## *Types of Fraud*

### **Fake Documents**

Of my cases eighty three per cent (83%) had false Social Security Numbers (SSN) a majority of which had not yet been "issued by the Social Security Administration". The remaining 17% were paid in cash which we had to use written statements on the amount. There was no way of proving exactly how much money they were making. We had to accept a customer statement that they had no bank account or were paid in cash as true. My former clients would sometime have more than 2 or 3 social security cards but only report one for benefits so they wouldn't go over the gross limit. Right before I left in October, in an exact incident as this one, I was told to call it "client error" when I encountered it instead of prosecuting it as fraud. Even after we spent tax dollars having an investigator find this person working at two jobs and had an open and shut case.

Upon doing the required SSN check on SWSS (Soc Securities database) the SSNs would come up as "impossible", "surnames" don't match, no Bendex etc. But mostly they would come back with no "return message at all".

When finding multiple SSNs for one individual I would enter that information in the alias screen with all the names, birth dates and SSNs they use. I do not have a number at this time for how many of my caseload used multiple SSNs, but that can be obtained from SRS reports. The number is significant. Most caseworkers didn't have time or even knew how to put that info in the computer system (It is a cumbersome system from 1987) so most of these false SSNs are hard copy and buried in the files.

I also ran SAVE<sup>iv</sup> on Permanent Residents cards. One instance the man in the waiting room had a woman's card. He had superimposed his photo. He readily admitted it was fake and per policy I used it for the mandatory photo ID. It is a standard practice to request all false ids and socials to determine wages in order to determine eligibility.

On occasion I would see a fake driver's license, however due to the hologram that is difficult to fake. And it wouldn't matter anyway because I was required to use it for photo ID.

Most volunteer the documents are fake and they say the SSN ("No es bueno" It isn't good) They know and have been coached that the federal law doesn't allow a social worker to report their fake documents or status to immigration. The policy made a caseworker complicit in their illegal activity.

### **Legitimate SSNs**

Some had "legitimate" SSNs showing wages of people in other States which clearly indicates identity theft. This was few and far between. When doing wage verifications using the "Work number" which indicates where in the US the given SSN showed wages. I would see a person's wages from another State. I was told to disregard those and process anyway on the check stubs they gave me. The Client stated they weren't a private investigator in Texas, an engineer, an insurance salesman etc. so those wages were not used in determining benefits. We had to accept the word of someone committing identity fraud as truth.

### **Multiple Identities**

I spent 30 minutes with the Olathe Police Dept. trying to verify if an absent parent was really absent and on the list for deportation. He had 7 names and 3 different birthdates. I was assured that what he was convicted for he would definitely be deported. The wage earner was indeed absent.

I had an illegal alien parent molest their 13 year old child. The child was taken away and could only return if the parent wasn't in the home. The parent skipped town and now

they probably have another name in another State starting another family where the abuse can continue.

It was very difficult to determine who was in the lobby to see me because our receptionists didn't speak Spanish and the name they were giving on their "ID" was not the name they gave us on their account. This happened on a daily basis. I accumulated 150 Instant messages with the front desk in a 6<sup>th</sup> month period of me going to the lobby for people that were not in my caseload, or to find out who they were and what they wanted. Per policy I had to be in the lobby within 15 minutes to meet customer service expectations even though most came without an appointment. They could be using their mother's last name, their father's last name or another name entirely. The IDs again didn't match what was in our system. Sometimes IDs didn't match the birthdates. I gave these instant messages to my management through the grievance procedure with KOSE because to continue to go to the lobby and take care of my increasing caseload was getting very challenging and impossible to do well. It is difficult to run the "look ups" and "checks" when I had to run to the lobby for anyone who showed up with no appointment.

If a citizen came in with that many aliases or giving a different name than was on their ID they would be investigated for fraud or arrested.

### **Living the Good Life**

When confronting a client about their bank statement showing Southwest Airline tickets and a balance higher than \$2000, which is the maximum an applicant to have to receive benefits per policy, they said they kept the family's money in their bank account, it wasn't all theirs. Since we take an "average" I had to approve their application.

At their interim review they dutifully kept it low but they had \$150 shoes bought on PayPal. Their minimum was within the guidelines they was approved.

One of my permanent resident's families was actually convicted for fraud with a \$16,000 overpayment. They originally indicated \$0 income, no bank accounts. We have to take "client statement" as true. They applied and were approved for everything. Food Assistance, TANF, Medicaid, Child Care. They should never have been approved.

They owned a duplex part of which was rented out in Wyandotte County. They lived in Johnson County in a home paid for by their family members. That duplex was unreported income. They were fraudulently receiving Social Security money from a family member who died in Central America. Coroners in other countries do not have to report deaths to social security.

The only reason it was found out, was because I sent the investigator out to check household composition for a suspected absent parent wage earner in the home. The illegal "lover" absent parent was there with their mutual child. The spouse filed for divorce and the financial information became public record which our fraud dept used to prosecute the fraud and the overpayment.

The above relates to an individual, the term "they" is for gender masking.

The only way the State of KS can recoup these huge overpayments is to hope they apply for assistance again so we can deduct a percentage out of their benefits dollars. In other words they make payments on their prior fraud. The recoupment rate on fraud on my caseload otherwise is very low. The policy to recoup after giving money out in "error" costs the State of KS in the millions. With caseloads increasing, a caseworker doesn't have time to do "look ups". Additionally requesting fraud investigation were frowned on in my last couple of months at SRS for lack of investigators on both the English Caseloads and Spanish speaking caseloads.

### **Is it really the good Life?**

80% of my caseload suffered at some point with abuse and domestic violence. The husband can beat them "What are they going to do call the police and get deported?" Some don't know how to drive or speak enough English to get around. They just endure the abuse. Employers and Landlord can and do abuse them. Again... "What are they going to do call the police and get deported?" To not enforce our laws is to allow exploitation of people who have made themselves vulnerable to bullies, thugs and crooks. As parents we teach our children that rules are there for a reason and to protect us.

I had a client with 6 citizen children that had a lump in her breast. Even if the Komen foundation could give her a free mammogram who would pay for the expensive cancer treatments? Is it better to watch her die with no treatment or have those 6 children parceled out in the system as wards of the State when they dies? I had a client who gave birth naturally in Mexico no problems, turned out they discovered they was allergic to latex while giving birth here. They coded. The State of KS paid for Labor and Delivery under SOBRA but the hospital had to eat the cost for 3 months in a coma. Who is going to pay for her ongoing therapy?

One client was dragged 20 feet by a tractor. Who pays for his external colon? Is that a medical emergency covered under SOBRA? The Workman's comp didn't want to pay because. "How were they certain it was from the tractor accident?"

If a citizen gives birth or has a medical emergency without insurance they are 100% responsible for their hospital bills. There is no SOBRA for citizens. Citizens go bankrupt paying medical and hospital bills. That is a citizen's only choice.

### **Who is benefiting from this illegal labor?**

I naively asked one of my clients why they didn't come in legally. They told me, "No le dan visas a gente como nosotros". They don't give visas to people like us. We don't have land or money. They is right. We would consider them risks to being wards of the State. They would wind up at SRS. And they would have to pass a test in English to become citizens. How can they do that if they can't read or write English or Spanish?

I asked her how much it cost to get across the border they said \$2000 per person. If you believe like I do that 30,000,000 people are here illegally that is 60 billion dollars. So you can get perspective, that dollar amount is equivalent to the GNP of the country of Bolivia. If you believe our official government figures of 9-12 million, then that is *still* 24 billion dollars in human trafficking. Who is benefiting from illegal labor because it isn't the citizen's of the United States.

And you have to ask how does a person who can't read or write pay \$2000 per person.

### **Cost for Fake Documents**

Applicants have told me they can get a false SSN for \$50.00 and a false Passport or Permanent Resident card for \$500-1000. I did not see false passports however I was told that was the going rate. When I asked them how they knew they were not buying someone else's number they told me they had a "maquinita" a machine that showed it wasn't being used by someone else. And they were right. What are the odds that a caseload of 265 families, that the majority of those using false social security numbers are also unassigned? In other words this is not "guessing" or using random numbers.

## **Proration: Special Treatment of Illegal Aliens Over Kansas Citizens**

Under United States Department of Agriculture (USDA) regulations the states have the option to base welfare benefits (for food assistance) illegal aliens on Gross Income, which is the method used for U.S. citizens, or to "Prorate" income of the illegal aliens. Kansas has chosen the Proration option. I was told these decisions are bureaucratic they are not done by legislation.

The illegal alien proration for food assistance makes illegal aliens with citizen children eligible for food while citizens with the same amount of income and household composition (number of people in the household) are denied such benefits. There is no incentive to become a permanent resident, if they did they would fall under the same



rule as citizens and not have their income prorated causing them to exceed the income limit for food assistance.

There is no illegal alien proration for citizens and someone with legal status. We always count the full income for citizens and permanent residents who have been here for more than 5 yrs. There were incidents where permanent residents would receive food assistance up until they reached their five years then they had to be told they were now over income because they had legal status here. Put yourself in the caseworker's shoes while trying to explain that.

It was standard policy to take falsified documents, permanent resident cards, as long as the ID had a picture matching the client. Mostly I used their countries' Voter ID or their country's driver's license for photo ID. Although not required for expedite, I always asked for a birth certificate and SSN of citizen children for ID. In fact it was important to keep track of all the socials they used so we could determine benefits for them.

I was officially trained to do look ups on all children's social security numbers as well to see if there were any wages on them. I had 3 year olds flipping burgers etc. Mostly I had people with multiple socials. This made it really difficult to determine exact gross income. This fact and the illegal alien proration for food assistance made "denying" for over income very rare. In fact most of my day was spent approving applications and reviews. I rarely denied anyone.

Under the proration method illegal alien households consistently receive benefits that households of Kansas citizens are denied. Under the proration method the ratio of legal to illegal members of the household is used to reduce the gross monthly income which determines benefit eligibility and amounts.

A household comprised of one illegal alien mother with a child born in the United States, who are considered a U.S. citizen, the proration is 50% so the gross income of the household is reduced by 50% for purposes of determining if the household is eligible for food assistance and how much.

100% of the gross income of households comprised of only U.S. citizens is considered in determining benefits. This has the effect of excluding the U.S. citizen households for benefits.

Also under the USDA regulation if the applicant cannot prove or refuses to prove their status i.e., provide documents of such, they are considered illegal aliens. This encourages citizens to lie about their status and discourages illegal aliens from trying to obtain a legal status as it would exclude them from or reduce their welfare benefits.

TAF grants<sup>v</sup> are also prorated for illegal aliens but never for citizens. Although TANF money is not available to illegal aliens, it is allocated to them through the proration of the TANF grants which increases the benefits to the citizen children. Thus allocating money to illegal aliens that is illegal for them to have to boost benefits to the household.

Thirty per cent (30%) of my cases were over the gross income limit for food assistance. The proration allowed them to receive the benefit while citizens of equal household composition would be denied. I came up with an approximate cost of this policy and gave it to my manager in 2009. The cost for my cases and the other three bilingual case workers in Johnson and Wyandotte counties amounted to approximately **\$2,276,544.00** annually in benefits that if they were citizens would never have been issued at all. When I told my boss that nationally this could equate to billions of dollars he jokingly replied "is that all?" The proration still exists. Nothing was done about it. He said "Call my congressmen". Which is what I have been doing for the last 2 years.

### **Three Strikes You're Out**

The policy is 3 frauds and no more assistance. What this equates for citizen families is the wage earners no longer get assistance from the State of KS but their eligible children still do. Each time they are convicted of fraud their benefits cease for a period of time. There is no punishment for illegal alien fraud because the proration already is designed to exclude part of the wage earners income. However, when coded DF the system counts all the income and excludes the adults. The illegal alien family does not really experience any financial difference. They can and do get another social reapply for food assistance with less income and we are required to approve their application if they have citizen children. The attitude became why spend tax dollars to send an investigator out when they are going to get benefits anyway? The policy should not be 3 strikes you are out but one and you are done...

### ***Over Whelming the System***

When I started with the SRS in 2008 I was the only bilingual worker for the Overland Park SRS office. By the time I left in 2010 SRS had added a total of three bilingual workers and Wyandotte County was up to three as well. This was a 500% increase in less than three years.

This system punished the diligent employee who wanted to not only do their job right but do the right thing. Our processing requirement was to have more than 93% of the food assistance applicants correctly processed in thirty days. This should be enough time to run checks and verify wages etc. However, due to the high attrition (my team completely turned over 100% from 2 years ago) constant reassigning of cases, the caseloads went beyond burdensome making maintaining "statistics" for performance based evaluations and doing "fraud" checks next to impossible. As a result most of the applicants were not properly checked. Even if I sent out the investigator and found another wage earner, the proration guaranteed that the income wouldn't be all counted and after the rent deduction, the standard utility deduction etc the family would be approved anyway.

When I first started I had a cap of eight new applicants per week. The last year they uncapped me and I had to take whoever walked in the door. If 8 walked in one day (and they did) I had to take them. Originally I was told my caseload would be 130. My

caseload hovered around 160 when I was capped. Uncapped my caseload went to over 260, almost a 63% increase in cases. Of course the performance standard was not changed. And, things only became worse.

The last months I worked for SRS so many English Caseworkers were leaving that I was required to take English cases. English workers had had enough of the caseloads, high expectations and the fraud and were leaving in record numbers. This was very stressful since I was only trained on the illegal aliens with citizen children and I was not accustomed to Work Programs for citizens receiving benefits.

Citizens are required to comply with work programs to get TANF. My citizen children's parents (illegal aliens) who received TANF were not required to do work programs. I rarely had clients on TANF. Over 95% of my caseload was working compared to 40% unemployed in the English Citizen Caseload. The illegal alien proration for food assistance allowed two wage earners to work and still get benefits. My clients didn't need vehicle money, job coaching, interview clothes etc to get a job. The only time they didn't have a job was in the winter when landscaping/construction was down. When the weather got warmer they would immediately get off TANF and return to only food assistance and child care for benefits so they could continue to work illegally. Getting jobs was no problem for my caseload that was their objective when they crossed the border.

In essence the SRS subsidized the wages of the illegal aliens, allowing them to get by on a reduced wage, and otherwise help them to work illegally in this country at the expense of taxpayers and citizens who could not afford to work at the same wage without the government subsidy.

### ***Don't Rock the Boat***

I felt because I started questioning the Illegal Alien proration, I got a target on my back. Most caseworkers didn't want me to rock the boat they were trying to get to retirement or become vested. But secretly the caseworkers hoped my Union grievances on the lobby policy would succeed since they were hopelessly overloaded. The lobby policy, was a customer service expectation of getting out to the lobby within 15 minutes of a client coming in whether they had an appointment with us or not. This seriously ate into the "look up and verify" procedure time. Making fraud easier to miss.

The caseworkers in SRS are given very little respect by management or the clients. It is a thankless job. I admire those State employees. It is unbelievable what they have to endure in order to make a living. It is because management did not listen to my protests on the proration and the fraud that I joined the Union where I was guaranteed my grievances could be documented and heard.

Management doesn't listen to workers suggestions because they don't respect the workers. It is of utmost importance to relay that I felt I was required to go along with fraud in order to keep my job there. Management certainly didn't listen to what I was

saying or take it seriously and they denied every grievance and especially didn't listen to KOSE (State Employee Union) grievances. If you don't listen then how are you going to fix a problem? At some point one realizes SRS management did not want to fix the problem at all.

## Conclusion

Under the current SRS system Kansas taxpayers are having millions of dollars stolen from them through fraud. Perhaps worse Kansas citizens, who are footing the bill, are being denied benefits and assistance. The SS system works for the illegal aliens and the illegal aliens know how to work the system.

Under the SRS system Kansans were treated as second class citizens in their own country by the government that was supposed to be working for them and was spending their money. SRS denied citizens benefits that were readily provide to illegal aliens. Citizens were punished for fraud but illegal aliens were not affected by the "punishment" with the current policies in place. Even the law abiding legal immigrants were put at a disadvantage compared to the illegal aliens. A system that rewards illegal activity only begets more illegal activity.

Thank you for the opportunity to testify.

Respectfully Submitted,

Lana Reed

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<sup>i</sup> Wage earning aliens who are here legally as permanent residence do not get benefits under federal for five years. However the children get benefits whether they are legal are not. They get a proration (DI)

<sup>ii</sup> DI means

<sup>iii</sup> DI is also used for citizens who are under a work penalty in TANF (welfare). Again wage earners are coded DI, but the children still get benefits.

<sup>iv</sup> SAVE is a system to verify the validity of a permanent residence card. (Immigration/Homeland Security)

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TESTIMONY OF Dale Chaffee 3-10-11  
CO-FOUNDER UNION OF PATRIOTS

Chairman, Members, and Fellow Citizens:

I Appear Here Today AS AN Advocate OF B.I.L 2372.

I Would Call TO The Attention OF This Committee and  
My Fellow Citizens That According TO The NATIONAL Taxpayer  
UNION The Average AMERICAN Citizen (that would include  
KANSANS) Worked from 1-2-2010 UNTIL 8-19-2010 IN ORDER  
TO pay For NOTHING BUT government <sup>a circumstance</sup> ~~IN MY opinion~~  
Which is by ANY Standard very nearly servitude.

I believe That SOME government is required TO  
Facillitate an orderly society. I believe government  
organized TO That purpose Should be paid For by "we  
The people" IN AS Equitable a Fashion AS reasonably  
possible and with The informed consent OF The people.

IT has Come TO My ATTENTION IN recent months That  
~~that~~ agencies OF Kansas government in <sup>complicity</sup> ~~compliance~~  
With certain Federal Agencies have Committed what can  
be only described AS <sup>a</sup> sore and glaring Violation OF  
any Convicible precept OF ~~the~~ Public Trust

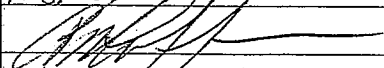
I AM NOT here TO AFix blame! I AM here to urge  
AN Expedient solution or Correction TO A practice  
UNbecoming ANY Agency or body Claiming Stewardship of  
Public interest, Public Money, or Vested with Public Trust.

I AM referring TO The practice OF requiring Money  
belonging TO Legitimate Kansas Citizens, who EARNED IT, TO  
be TAKEN FROM <sup>US</sup> ~~them~~ UNDER Penalty OF Law and given WITH  
~~Equal~~ preferential treatment TO KNOWN Criminals!

~~THE~~ ~~SSS~~ HB2372 Will go a very long way TO Correct  
The practices ~~of~~ WHICH cannot be Kindly Characterize  
if one Acknowledges The judicial care of Public Money,  
& trust AS The First priority OF All government Agencies

I Frankly have little concern WITH how This happened  
or who precisely is Most responsible for it happening. Let  
There be NO MISTAKE about My further interest in  
pursuit OF Correction. UNION OF Patriots and many  
of it's friends will be intensely interested in who  
precisely Chooses TO AVOID Fixing This problem NOW!

Respectfully



DALE Chaffee - The Geezer

Steve Shute, Executive Director, Hope for America Coalition

Mr. Chairman and members of the Committee, I wish to thank you for taking the time to hear this important legislation this afternoon. I am here to state my strong support of HB2372.

We have a serious problem today. That problem, as the many opponents of this legislation will also agree, is that there is a significant lack of fairness and compassion in this country. However, unlike the bill's opponents, I believe that the lack of fairness lies not with the bill that we are considering today, but in the way that the state of Kansas has treated taxpaying citizens of the United States and of Kansas in the way in which it dispenses their dollars to those who openly and blatantly break the law.

I ask those in attendance, as well as the members of this committee: What is "fair and compassionate" about giving state aid to those who are unlawfully here, while denying it to those who are citizens who are in the exact same economic position?

What is "fair and compassionate" about giving in-state tuition to people who are not even legal residents of the United States, let alone the state of Kansas, while denying it to military servicemen stationed in Fort Leavenworth or Fort Riley?

What is "fair and compassionate" about giving benefits to "undocumented" aliens while denying them to those who are on a legal path to citizenship?

What is "fair and compassionate" about the unemployed or low-wage law-abiding Kansas citizens being taxed for the purpose of subsidizing the off-loading of corporations' costs for the same benefits to their illegal alien employees, most of whom those corporations hired knowing full-well their illegal immigrant status?

Finally, what is "fair and compassionate" about enforcing the rule of law with regard to Kansas citizens, while choosing not to enforce laws as they pertain to those who choose, *of their own free will*, to flaunt and disregard them?

I come to you now not as the Executive Director of the Hope for America Coalition but as a Kansas taxpayer, a citizen, and a proud descendent of immigrants. My Mexican grandmother and my Welsh great-grandfather, and many of my other ancestors, came here to pursue a better life for themselves and their families. But they chose to do so legally. The truly unfair part of all of this is that every immigrant who is on a legal path to citizenship in this state is being pushed aside by those who have no motivation or intention to abide by the immigration laws of this state or of the United States.

Mr. Chairman and members of the Committee: you are, by your title and charge, stewards of the public trust. We leave it in your hands to do the right thing, the fair and compassionate thing, and pass HB2372 and again institute the rule of law in the state of Kansas. I, and many other taxpayers and citizens who feel that we are currently being treated with a decided lack of fairness and compassion, will be watching.

I thank you again for your consideration of this legislation.

House Judiciary  
Date 3-10-11  
Attachment # 8

**Testimony of Larry Halloran in support of HB 2372;**

Chairman Kinzer and Members of the House Judiciary Committee,

We ask for your support of HB 2372; An Act concerning immigration; requiring verification of employment eligibility and making other amendments concerning immigration.

The fundamental question today is not illegal immigration itself. If we are a nation of laws and are faithful to our obligations as citizens or legislators then we will rightfully conclude that that the rule of law is the bedrock foundation of our society and passage of this legislation should require little debate.

I would not dispute that employer and citizen alike have found the blind eye beneficial to their pocket book but financial gain, open borders or humanitarian compassion are not acceptable substitutes for the rule of law. Yesterdays benefit (however perceived) is today's liability as our citizens find themselves struggling to meet the increased burden of illegal immigration on our society that cannot be measured in financial terms alone.

The blessings and benefits of America are bountiful. But, if they are to be preserved for our posterity and those seeking the benefit of citizenship they must be secured by principled adherence to our state and federal Constitutions.

Illegal immigration is a festering cancer that damages both our society and those unlawfully seeking employment. It creates the necessity for a second society operating under the radar that inhibits the necessary assimilation of new immigrants into the America family. We are no longer concerned with a few thousand illegal immigrants that could be easily absorbed but rather tens of millions that now tax the limits of our social networks. It is past time for the half measured approaches, nod and wink policies and felonious excuses of citizen, employer and legislator alike related to the employment eligibility of illegal immigrants are put to rest. It is time that a lawful approach to employment eligibility verification becomes the rule for all employers and the accepted social norm for all citizens. Of even greater importance is that you, the citizen legislator, honor your oath of office and uphold the rule of law.

Our Founders studied the laws and customs of many nations (both failed and existing) and took from them guidance for our Constitution that best protected a free people and society. For over 200 years, our Constitution has served as the legal binder for our citizens and those wishing to assimilate into a free society. Today, many seek to dilute the authority of our Constitution through substitution of unlawful privileges that in essence establish an equal but separate society within our borders. A society that stands in stark contrast and in opposition to the fundamental necessity of assimilation at the expense of individual liberties guaranteed to all by



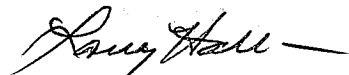
our Constitution. Such practices serve to disadvantage the citizens and legal immigrants that play by the rules and adhere to our laws by granting unearned favor to the illegal immigrant.

Surely, we are all aware of the inequities, consequences and unquestionable failures of equal but separate jurisprudence practiced at times within our own society. To turn a blind eye or foster such practices is treasonous to our founding principles, documents and the faith of those who gave all to defend and preserve the greatest grant of freedom ever known to man; America.

The challenges before us in preserving the free society and America are indeed great but do include a provision for national suicide. Tolerance does not beget equal but separate in a free society but instead requires assimilation through shared core values and equal application of the laws

Thank you for your favorable support of HB 2372, your service and the defense of freedom for all.

Respectfully,



Larry Halloran, Chairman

Wichita – South Central KS 912 Group

414 Rucker St.

Mulvane, KS 67110

316-777-9352

My name is Jeffrey Locke and I'm speaking as a citizen from Arma, KS. I come before this legislative body in support of House Bill 2372 as a means to save over 400 million in tax-payer dollars that are used to support the illegal alien families through social service sites throughout our great state. By eliminating the business need of warm bodies working illegally in industries that claim E-verify would curtail their ability to make their business profitable I say simply this.

I support the citizen worker and tax-payer that has witnessed firsthand the abandonment of the rule of law and the systemic failure of assistance to illegal alien families that has flourished as a result.

The numbers just don't add up. Business wants to look the other way and say the problem is illegal aliens who lie. What they don't acknowledge is the bigger cost to the Kansan tax-payer in social service assistance to the families who are living in Kansas illegally.

Unplanned consequences come from ignoring fundamental principles of law. We are experiencing a deficit of 500 million dollars in this budget session. The cost of supplying government assistance to illegal aliens through SRS and sundry other agencies of government costs over 400 million dollars. Implement E-verify and reform this broken experiment in looking the other way and calling it another man's problem.

March 10, 2011

Good afternoon ladies and gentlemen of the committee.

My name is Tom Stoffers.

I am a face in the crowd an everyday citizen that believes Kansas is a great place to live and feels that Kansans believe in fair play and the laws apply to everyone.

We are in tough economic times. Kansans who have played by the rules worked hard are finding themselves unemployed. There are multiple reasons for this situation but one thing is clear citizens want jobs and they clearly should have preference for a job over someone who is in this country and our state illegally.

That is why I support (H. B. 2372). I believe Kansas is being bled dry by illegal aliens using our social services. The Federation for Americans Immigration Reform (F.A.I.R.) indicates the annual bill for U.S. tax payers to be \$100 billion dollars of that total 75% is borne by the state and local taxpayers. In Kansas the bill is estimated to be \$442 million dollars a year. Some people think that illegal aliens benefit us because of the so called cheap labor they provide. I believe what this illegal labor does is it allows business to take advantage of illegal aliens and passes along the social consequences( education ,health care, etc.) to the Kansas tax payer. The fiscal burden to the Kansas taxpayer is punitive and cannot go on.

The following are statistics comparing Kansas to Missouri.

- Kansas population is 2,853,000 ranked 34 out of 50 states for population. Cost of illegal immigrants \$442,000,000 in Kansas at a cost of \$154.92 per individual resident
- Missouri has a population of 5,989,000 ranked 18 out of 50 states Cost of illegal immigration is \$338,000,000 . Cost of \$56.44 per individual resident.
- Kansas is ranked 23 rd. pertaining to the cost of supporting illegal immigration
- Missouri is ranked 42nd.

Missouri has adopted new laws concerning illegal immigration making it less desirable for illegal aliens. Kansas has not worked in any meaningful way to decrease the magnet that attracts illegal immigrants and the numbers verify that Kansas residents are paying 3 times the cost of Missouri residents for illegal immigrants.

Westat reports E-Verification works well. Westat a Maryland -based social science research firm resoundingly endorses the E-Verify program. It indicates that E-Verify has properly denied employment to hundreds of thousands of illegal aliens .The report points out that it is likely the program has deterred unauthorized workers from applying for jobs with employers using E-Verify The report indicates that 96% of all E-Verify initial responses were consistent with the person's work authorization status. . 95.2 percent of employers participating in E-verify said they were satisfied with the program over all. The report indicated that E-Verify reduces discrimination against foreign born workers in the hiring process.

Mark Krikorian of the Center for Immigration Studies points out "in the old paper based system , 100 percent of illegal aliens are approved " The fact that E-Verify has properly prevented hundreds of thousands of illegal aliens from obtaining employment in the United States ,Krikorian observes "is real progress".

Please support H. B. 2372  
Thank You  
Tom Stoffers  
Tonganoxie, Kansas

House Judiciary  
Date 3-10-11  
Attachment # 11

## **Study: Illegal Immigrants Cost Kansas Taxpayers \$442 million**

By Paul Soutar on July 8, 2010

According to a study by the Federation for American Immigration Reform (FAIR) the annual bill to U.S. taxpayers for illegal immigration is \$100 billion and about 75 percent of the total is borne by state and local taxpayers. In Kansas that bill is estimated to be \$442 million a year.

FAIR's study, "The Fiscal Burden of Illegal Immigration on United States Taxpayers," based the cost estimates on analysis of federal, state and local spending data.

Jack Martin, one of the study's authors, told KansasWatchdog there was a good bit of estimation because little data is collected on illegal immigrants.

A 2008 Kansas Legislative Post Audit report (PDF) found little Kansas-specific information on the economic impact of illegal immigration in Kansas.

"Officials from several State agencies told us that although they have the authority to ask program participants if they are here legally, they generally don't ask. For example, because the Department of Education is required to provide education services regardless of the child's immigration status, they don't inquire about students' legal status. However, agencies that are required by federal law to determine the applicants' legal status for program eligibility purposes do so. For example, Kansas Health Policy Authority officials told us they verify citizenship and identity documents for Medicaid applicants."

The Pew Hispanic Center estimates the number of illegal immigrants in the United States has grown dramatically since the early 1990s, reaching an estimated 12.4 million by 2007. The Center estimates that between 40,000 and 70,000 illegal immigrants resided in Kansas as of 2005.

According to Pew, the number of legal immigrants arriving in the U.S. has remained steady since the 1980s but the number of illegal aliens has increased dramatically and, since the mid 1990s, has surpassed the number of legal immigrants (PDF).

Schools, which account for the biggest cost of illegal immigration to taxpayers, don't ask about a student's citizenship status. FAIR estimates it costs Kansas taxpayers \$259 million annually to fund public K-12 education for illegal immigrants and children born here to illegal immigrants.

That estimate may be low. Some district superintendents appearing before legislative committees last year said English language learners in their districts typically also qualify for several other state and federal programs that add to the cost of education.

The Dodge City district, USD443, reported 55 percent of its 5,551 students were English language learners in 2009, the second highest percent among Kansas districts. USD483 Kismet, in Seward County, reported 60 percent of its students were ELL in 2009, the highest percentage among Kansas districts. Seward County.

Martin said it will take time for stricter immigration laws and enforcement to reduce costs. "You can't logically expect that that amount of money would be saved from one year to the next. In the same way it's built up since the last amnesty in 1986, it's going to take years to diminish that illegal alien population.

"But that's not a reason not to start the process with adopting effective means to stop the flow of illegal aliens coming into the country," Martin added.

"I think this is fairly well understood by the public and that is reflected in public opinion polls," Martin said.

"Given a choice of more effective controls of illegal immigration or accommodating the presence of the illegal aliens here, a majority of the public is for enforcement."

The debate over what to do about illegal immigration is heating up. Oklahoma, Utah and South Carolina are likely to pass Arizona-style measures according to the Washington Post.

A recent poll also indicate that 56 percent of voters oppose the federal lawsuit to overturn Arizona's immigration law and 58 percent favor a law similar to Arizona's in their own state

Rhode Island already checks immigration status and deports illegal aliens. "There are police chiefs throughout New England who hide from the issue," the commander of the Rhode Island State Police told the Boston Globe. "I would feel that I'm derelict in my duties to look the other way."

If FAIR's estimates are even close to correct the cost of illegal immigration is a major factor in state budgets.

"If political leaders in Washington and state capitals want to understand why the American public is demanding enforcement of our immigration laws, The Fiscal Burden of Illegal Immigration on U.S. Taxpayers, provides 113 billion good reasons," said FAIR president Dan Stein.

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Pew Hispanic Center Kansas data  
Center for Immigration Studies report

NOLathe's Blog  
Kansas "Property Rights" and Political "Ethics"

### **Kansas and the "We Showed You How State", Missouri**

January 10, 2011 by nolathe

A Ranking of States by Total Cost for Illegal Immigration

B Name of 50 States plus District of Columbia

C Total Cost Illegal Immigration in MILLIONS

D Ranking of States by Total Population

E Population of each State in MILLIONS

F Cost by States' Individual Legal Resident for Illegal Immigration

G Ranking of States by Individual Legal Resident cost for Illegal Immigration

The Jayhawks- \$442,000,000 per year supporting Illegal Immigration ranked 28th. Total Population of 2,853,000 ranked 34th. Cost per individual resident of \$154.92 supporting Illegal Immigration ranked 23rd.

The "Show Me's" - \$338,000,000 per year supporting Illegal Immigration ranked 31st. Total Population of 5,989,000 ranked 18th. Cost per individual resident of \$56.44 supporting Illegal Immigration ranked 42nd. For years the Missouri Legislature has aggressively adopted new laws limiting benefits available to Illegal Immigrants.

As the NOLathe viewers continue to grow, we come into contact with more and more resources to draw from. Today we had conversations with a group named FAIR. The amount of information available is virtually limitless. <http://www.fairus.org/site/PageServer>

We took the data from

[http://www.fairus.org/site/News2/325723066?page=NewsArticle&id=23190&security=1601&news\\_iv\\_ctrl=1761](http://www.fairus.org/site/News2/325723066?page=NewsArticle&id=23190&security=1601&news_iv_ctrl=1761) combined it with [http://en.wikipedia.org/wiki/List\\_of\\_U.S.\\_states\\_and\\_territories\\_by\\_population](http://en.wikipedia.org/wiki/List_of_U.S._states_and_territories_by_population) put it all on Excel, did some math and sort 'functions' to get the information above.

"Associate yourself with men of good quality if you esteem your own reputation. It is better be alone than in bad company." George Washington

Ken Dunwoody GOD

Henpecked Acres One Nation

14850 W. 159th St.

Olathe, Ks. 66062

(913)768-1603

[kdunwoody2@aol.com](mailto:kdunwoody2@aol.com) <http://www.nolathe.com/> <http://nolathe.wordpress.com/>

### **Illegal Aliens Committing Identity Fraud, Theft to Sneak Past E-Verify**

A recently released report has revealed that illegal aliens are using fraudulent methods to obtain employment with employers who are enrolled in E-Verify – the online, electronically operated system that allows employers to confirm that their new hires have established their authorization to work in the United States. The report was conducted by Westat, a Maryland-based social science research firm under contract with the federal government. According to Westat, approximately half of illegal aliens run through E-Verify are inaccurately found to be work authorized, primarily due to identity theft. (Report, December 2009).

The Westat report identified four ways that illegal aliens can obtain employment despite being screened through E-Verify: (1) obtaining valid identification documents by using fraudulent “breeder” documents; (2) using altered or counterfeit documents; (3) buying, borrowing, or stealing valid documents; and (4) looking for alternative employment where employers (a) do not check documents or (b) will provide employees with fraudulent documents containing information for workers with employment authorization. (Report, December 2009). However, the federal agency tasked with administering E-Verify – U.S. Citizenship and Immigration Services (USCIS) – is already taking numerous steps in order to fight identity fraud and theft.

The most notable of these steps is expanding the E-Verify “Photo Tool.” The Photo Tool, which was launched by the Bush Administration in September 2007, allows employers to view photographs of workers presenting green cards and employment authorization documents. (USCIS News Release, September 25, 2007). By matching a photograph in the E-Verify program with the identification a worker presents, an employer can confirm that the document has not been altered. In Fiscal Year 2010, USCIS is adding U.S. passport photographs to the Photo Tool and is working to add visa photographs. USCIS also notes that it is “close to announcing a pilot agreement with a state to add its driver’s license data, which could be a first step before adding its driver’s license photographs.”

Other important actions USCIS is taking to fight identity fraud and theft include:

Expanding the number of behaviors that USCIS monitors for misuse of E-Verify;  
Increasing the amount of compliance assistance that USCIS provides to employers enrolled in E-Verify;  
Creating mechanisms for locking Social Security Numbers (SSNs) detected in possible identity fraud; and  
Deploying a self-check function to allow individuals to check their E-Verify response before they are hired, which could also allow individuals to lock and unlock their SSNs for E-Verify responses. (USCIS Synopsis, January 28, 2010).

While acknowledging that some illegal aliens are successfully gaming the system, the Westat report still resoundingly endorses the E-Verify program. It indicates that E-Verify has properly denied employment to hundreds of thousands of illegal aliens. (Report, December 2009). In addition, USCIS points out that it’s likely that the program “deters many unauthorized workers from even applying for jobs with participating employers.” (USCIS Synopsis, January 28, 2010). The report indicates that 96 percent of all E-Verify initial responses were consistent with the person’s work authorization status. With respect to work authorized individuals, over 99 percent were initially confirmed through E-Verify. In addition, 95.2 percent of employers participating in E-Verify reported that they were satisfied with the program overall. Finally, the report notes that E-Verify reduces discrimination against foreign-born workers in the hiring process and that USCIS has taken steps to strengthen protections for workers’ privacy and civil rights. (Report, December 2009).

Despite these facts, well-known amnesty proponent Sen. Chuck Schumer (D-NY) blasted E-Verify, calling the report “a wake-up call to anyone who thinks E-Verify is an effective remedy to stop the hiring of illegal immigrants.” (The Associated Press, February 25, 2010). However, USCIS describes E-Verify as the “best available tool to help employers determine whether their employees are authorized to work in the United States.” (USCIS Synopsis, January 28, 2010). And as Mark Krikorian of the Center for Immigration Studies points out, “in the old, paper-based system, 100 percent of illegal aliens are approved.” The fact that E-Verify has properly prevented hundreds of thousands of illegal aliens from obtaining employment in the United States, Krikorian observes, “is real progress.” (The Corner, February 25, 2010).

<http://kansas.watchdog.org/>

**BASIC POINTS**

*Kathy Brown*

1. I am pro E-verify because illegal aliens have no 'right to work' in the USA
2. There are no jobs which Americans will not do. We're not an aristocracy, we're a Republic.
3. We're not the 'Job Market' to the world; neither are we the ER, the Welfare State, to same.
4. Our economy is in tatters, overwhelmingly due to the entitlements of the illegals.
5. Work here in the USA is the magnet. Doesn't matter that 'it's not the childrens fault' that they're here illegally. That's true: It's their parents fault, and that's not the USA.

*Kathy Brown, Esq.*



March 10, 2011

Kansas House Judiciary Committee

Re: Testimony in Support of E-Verify

Mister Chair, Committee Members and Staff- Good morning.

My name is Ken Dunwoody, I live in Johnson County. This is my second time providing testimony before a Kansas Legislative Committee, thank you for allowing me to do so. I was here yesterday on the Senate side testifying in support of a companion bill, The 'SAFE' Act.

After a wonderful career, 12 years ago I was diagnosed with an Agent Orange disease from my service to this GREAT Nation 40 years ago. Back then as an 18 year old and now as a 60 year old, I believe in the American Dream. That for those that work hard and here legally, anything is possible.

Eight years ago the disease process went in to my bones depleting calcium. During the next 4 years I had a documented 32 rib fractures and very brittle bones. RIP to me meant "Rest in Pieces". About 3 years ago I realized that I had been blessed with a second time to again serve this GREAT Nation and I have 2 short stories to share with you.

Two years ago and during another hospitalization, I could see that one of my nurses was oriental and her nametag had a Vietnamese name. I asked her about her name. She shared with me that her family came here as part of the "Boat People" exodus from Vietnam seeking sanctuary in America. Following the rules her family became proud citizens. She said "That war brought me here to you today." I said "That war brought me here to you today". As we hugged we both quietly cried for the gift we shared.

Nearly one year ago, my house insurance company required I install a new roof to continue coverage. I called a friend of mine in Olathe that use to own a roofing company and is still associated with it. After I signed the contract and presented the check for \$7,300 I told my friend that I did not want to hear one word of Spanish during the installation. Materials were delivered the next day. Work was to begin in 2 or 3 days. After two weeks I was informed that the English speaking crews chose not to do my roof because the pitch was too steep. I agreed that Spanish speakers were Okay if E-Verified. After I inspected their certification the work was done professionally in 4 days.

In conclusion, I would like to remind each of you that you occupy those seats today because of a certification process of your employment with Kansas. Campaigns are nothing short of a job interview and the hiring results from votes. But before you are hired, the election is certified. Not just anyone may occupy those seats and work. Why should Kansas require less from other employers than your employer requires of you?

I urge you to support E-Verify.

Thank you for your service to this GREAT Nation.

Ken Dunwoody  
14850 W. 159<sup>th</sup> St.  
Olathe, Ks. 66062  
(913)768-1603  
[kdunwoody2@aol.com](mailto:kdunwoody2@aol.com)

March 7, 2011

Representative Lance Kinzer  
Room 165 West  
300 SW 10<sup>th</sup> Street  
Topeka, Kansas 66612

Reg: HB 2372

Dear Sir and Committee:

Regretfully, I am unable to attend the hearing for HB 2372 that addresses e-verify, photo ID to stop voting by persons here in this country illegally. I want your committee to know that I support any effort to stop or significantly curtail illegal immigration into this country and this would be one way of doing so. As a legal citizen, I am required to present proper identification before boarding domestic air flights, when applying for a passport, when applying for a job and numerous other situations.

With every illegal vote cast, that vote negates a legitimate vote. If we cannot trust our elections to reflect our legitimate voters' wishes, our liberties and the very foundation of this country are in jeopardy. If illegals come into our state or country and abuse our voting system, we are all in serious trouble.

Legitimate photo ID and e-verify could prevent this travesty. This is not asking the impossible – only what is reasonable and right.

Please support this bill – HB 2372.

Respectfully,



Catherine E Sanderson  
5001 Howe Drive  
Roeland Park, Kansas 66205  
District 25

March 9, 2011

Honorable Representative Kinzer  
Chairman  
State of Kansas  
House Judiciary Committee  
Topeka, Kansas

*HB*  
Re: ~~HR~~ 2372

I am submitting this written testimony in full support of HR 2372.

As a real American citizen, I fully support the intent of HR 2372 in its requirement for "e verify" of immigrants. This original testimony is one of thirty – five copies prepared for each committee member.

I have nothing at all against or for such immigrants as I am not aware I know them. Two of my own grandparents were immigrants from Germany. However, they, like most all immigrants entered the United States of America and became legal citizens of this once great nation commonly referred to as America. They, like millions of others entering through Ellis Island and elsewhere, became real American citizens. I am eternally grateful for the price they chose to pay to arrive here before my own birth.

However, I am completely against giving jobs to immigrants who come here to access taxpayer – supported social services. If businesses choose to hire immigrants all such businesses should be required by Kansas law to verify the status of such immigrants prior to hiring any of them. They are either legal or they are illegal. That is a simple, yet effective solution.

As a real American citizen, I expect the Kansas Legislature to approve HR 2372. I would hope all such Kansas House representatives to stand up for Kansas and America in this matter. I shall be keenly interested in the results of each representative's votes on HR 2372.

Thank you for your review of my testimony in this matter.

Most sincerely,

*John Gambill*

John Gambill  
8612 W. 152<sup>nd</sup>. Terrace  
Overland Park, Kansas 66223

House Judiciary  
Date 3-10-11  
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Why would we induce illegal immigrants to come and live here and receive food stamps and other social services when we are hundreds of millions in the red? The Kansas people "get it" ---we are constantly running deficits and the people of Kansas "deserve better".

It takes "uncompromising integrity" to take a principled stand to steward the taxpayers' hard-earned monies in a righteous manner. Get 'er done...We can "do better"..."no excuses" let's just "get to work" for sound fiscal policy. Why should we have a transfer of wealth from Kansas taxpayers to non-citizens???

The words in parentheses are suggested by the Tea Party Patriots and were recommended by Frank Luntz.

Submitted by Roger Wood ,Citizen of Pittsburg, KS.

**Testimony before House Judiciary  
HB 2372- Immigration Reform  
Presented by Eric Stafford, Senior Director of Government Affairs  
Thursday, March 10, 2011**



Chairman Kinzer and members of the Committee:

We appreciate the opportunity to provide testimony on House Bill 2372. My name is Eric Stafford. I am the Senior Director of Government Affairs for the Kansas Chamber.

The Kansas Chamber stands neutral on HB 2372 which creates new laws to address the illegal immigration problem in our state. First, let me state that the Kansas Chamber feels the most effective immigration reform must come from the federal government through comprehensive solutions such as expansion of the federal guest worker program and extensive research and investment to ensure complete accuracy of the e-verify program. However, due to the lack of effort by the federal government to address this problem on the national level, states have taken immigration reform into their own hands.

The result of the federal inaction is a "patchwork" of immigration laws passed on a state-by-state basis that becomes burdensome and challenging for businesses which operate in multiple states. As Kansas considers adopting its own legislation to address this issue, the Kansas Chamber has been willing to work with interested parties on a bill which does not place significant and erroneous burdens on employers.

HB 2372 addresses some of the Chamber's most significant concerns included in previous immigration bills. Specifically, HB 2372 does not include provisions relating to the suspension or revocation of business licenses. HB 2372 also does not include vague language which penalizes businesses for "knowingly hiring" undocumented workers. Speaking to this second point, the Chamber does not condone the hiring of undocumented workers. However, language included in previous legislation left plenty of room for interpretation that businesses who comply with all federal requirements in the hiring process, but have minor paperwork violations, could be subject to severe sanctions and penalties when they unknowingly hired an undocumented worker.

It should be stated that we are currently awaiting a U.S. Supreme Court ruling whether states have the authority to mandate a federal immigration program (*Chamber of Commerce, et al. v. Candelaria, et al.*).

As HB 2372 takes steps toward satisfying some concerns of our membership, we still have a few items we would like to address. HB 2372 requires any business entity which receives a contract or grant in excess of \$5,000 from the state or a local unit of government to enroll in the federal e-verify program. The only penalties in place occur only if that business entity does not make a "good faith" effort to participate in e-verify. Our first concern lies with the 25% liquidated damages language. We feel a 25% penalty is substantial and does not "fit the crime" (of not enrolling in e-verify). If a business has a contract for \$10 million and the employer does not show a "good faith" effort, they could face a \$2.5 million fine, plus the loss of contract and ability to contract with the government entity in the future.



835 SW Topeka Blvd. Topeka, KS 66612 785.357.6321

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Our second concern lies with the breadth of the contract or grant language. The Kansas Chamber does not want economic development incentive programs, or tax credits/abatements to be considered as a qualifying "contract" with the state or local unit of government. Therefore, we are offering an amendment to address this.

Our proposed amendment for New Section 1 states *"Contract or grant as defined in this section shall not include any tax credit, tax abatement, or cash incentive used for economic development purposes, or deposit of public funds as provided in 9-1401 etc. seq. and 12-1675 etc. seq."*

Our third and final point we would like to make would be to simply be to clarify language to read that the use of the e-verify program only applies to new hires to remain consistent with federal law.

To conclude our testimony on HB 2372, the Kansas Chamber is only addressing our concerns with New Section 1 of the bill. While we do feel some legitimate concerns remain in other sections, we are only here to speak to the specific business provisions in the bill.

Thank you for the opportunity to speak to you regarding House Bill 2372. I would be happy to answer any questions.

*The Kansas Chamber, with headquarters in Topeka, is the leading statewide pro-business advocacy group moving Kansas towards becoming the best state in America to do business. The Chamber represents small, medium and large employers all across Kansas.*



**Kansas Association of  
Chiefs of Police**  
PO Box 780603  
Wichita, KS 67278  
(316)733-7301



**Kansas Sheriffs Association**  
PO Box 1853  
Salina, KS 67402  
(785)827-2222



**Kansas Peace Officers  
Association**  
PO Box 2592  
Wichita, KS 67201  
(316)722-8433

March 10, 2011

House Judiciary Committee  
Rep. Lance Kinzer, Chair

Ref: HB2372, Immigration

The Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace Officers Association offers the following information in regards to the law enforcement related provisions of HB2372. We wish to make it clear this letter should not be interpreted as indicating the Associations' support nor opposition to the overall bill. We merely wish to express a desire for more clarity in regards to legislative intent on some areas of the bill.

It is the desire of law enforcement to carry out the legislative intent of all bills becoming law. To do so requires we clearly understand that intent and for the statutory language be clear enough to enhance the opportunity for the courts and law enforcement to reach the same conclusion in regards to legislative intent.

It is critical to law enforcement to provide public safety services to all people in our community. We must have all victims of crime willing to contact law enforcement to report their victimization. Without such reporting, they continue to be the prey of criminals. It is also critical for members of the community to provide law enforcement with leads and information when they witness criminal activity or have knowledge after the fact leading to the suspect. This is probably the largest concern of law enforcement in regards to how we engage in immigration issues. We are assuming this is the situation intended to be guided by "except if the determination may hinder or obstruct an investigation" on page 3, lines 33 and 34. If that isn't correct, some type of clarification is probably in order.

As we understand the current capabilities for local law enforcement to utilize for immigration verification is as follows:

- The only quick response method available to law enforcement to determine citizenship or immigration status is the use of NCIC. When we run the name provided by the person through NCIC it will tell us if there is an immigration warrant outstanding on the person. It may provide additional immigration status information such as if the person was previously deported.

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- There is a system where once a person is booked into a jail an ICE form can be faxed to them if the person claims they are foreign born. ICE then does some kind of check and if the person is known to be in the country illegally they may place a hold on the person. Our experience is for replies to these inquiries to take from less than an hour to up to two business days.
- Another newer system is Secure Communities and it also only deals with persons who are already arrested on a criminal charge. This system is available to jails with an Automated Fingerprint Identification System (AFIS). Under this program, the fingerprints of all persons booked into the jail and fingerprinted can be submitted automatically to ICE and if ICE finds the person to be in the country unlawfully they may place a hold on the person.
- There is also a 24 hour ICE law enforcement support center available. But the support center has limited capacity and cannot handle inquiries very quickly. The time it takes to use the support center is not normally possible for a street detention due to the time it takes to get a response and the lack of fingerprint identification. The ICE support center can tell us if the person has been issued proper authority to be in the country and, if so, if that status is still current or if the person was previously processed in some manner by the federal immigration authorities. These inquiries are based on name and other identifiers such as birth date.
- It is important to understand if a person has never had any contact with ICE, there is no entry in a database to tell us if the person is in the country unlawfully.

The first area where we feel the legislative intent is not clear is on page 3, lines 40-41, and page 7, lines 11-12. We are not clear on exactly what law enforcement action the legislature intends to prohibit with, "At no point shall any law enforcement officer attempt to independently verify the immigration status of any alien." Does that mean if we have reasonable suspicion the person is an alien unlawfully in the United States we are supposed to check with the federal authorities and if they do not place a hold on the person we make no further investigative actions? If the words "through any other means" were added at the end of that sentence does that convey the intent? Or is there specific investigative activity the legislature is intending for us to not employ and others we are expected to use? Once reasonable belief is established can we continue to inquire to develop enough information to provide ICE so they can make a better informed decision?

The second area of concern is "A law enforcement officer may not consider race, color or national origin in the enforcement of this section except to the extent permitted by the United States constitution and the Kansas constitution." found on page 3, line 41 through page 4, line 1; and page 7, lines 13-16. This section causes us pause as it relates to racial profiling statutes which may be more restrictive than the constitution. This area may not be a problem, however, it is one of critical importance to us. Is the intent that we cannot use these factors in the absence of other information leading to reasonable suspicion the person is an alien unlawfully in the United States? Or is it something different from that?

Another issue is the timeliness of ICE response to inquiries. The language is in the bill to cover the on-street inquiries ("a reasonable attempt shall be made, when practicable"). We recognize the difference between a non-custodial stop and a person charged with a crime. But when we are dealing with a person arrested, it would probably be helpful to add some similar language to Page 3, lines 36-38 which states "Any alien who is arrested and taken into custody shall have such alien's immigration status determined before the alien is released." Such additional language should serve to guide us in regards to proceeding with bonding processes absent an ICE response or to establish a time period we must wait for a response prior to proceeding with bonding, especially with non-violent and non-property misdemeanor crimes. This will help decrease the local jail space impact, avoid detaining an alien who is in the country legally for an unreasonable time, and protect us from claims of "bad faith" (see page 5, lines 18-24) when a reply from ICE is not timely.

We appreciate the opportunity to raise these issues and we encourage the committee to attempt to clarify these points so the legislative intent is clear with minimal court interpretation. Doing so will greatly assist law enforcement in completing our jobs in a manner you expect of us.

Ed Klumpp  
Kansas Association of Chiefs of Police, Legislative Committee Chair  
Kansas Sheriffs Association. Legislative Liaison  
Kansas Peace Officers Association, Legislative Liaison  
E-mail: eklumpp@cox.net

To: House Judiciary Committee  
Representative Lance Kinzer, Chairman

From: Allie Devine – Vice President and General Counsel for the Kansas Livestock Association and  
appearing also on behalf of the Kansas Business Coalition

Re: **HB 2372**

The business coalition is a group of trade associations, chambers of commerce, and businesses who have united to oppose HB 2372. Specific aspects of the bill will be presented by several speakers today. The coalition supports and incorporates the comments of Mr. Todd Landfried, Arizona Employers for Immigration Reform; Ms. Dina Cox, Society of Human Resource Management; and Mr. Mike Taylor, Unified Government of Wyandotte County, Kansas.

To be clear, the coalition does not condone or support the hiring of undocumented workers. Our organizations work closely with members to assist in compliance with existing federal immigration laws. These laws are complex and confusing. Our members want and need a stable reliable work force.

The coalition objects to this bill because:

1. We believe immigration issues are the domain of the federal government and should be addressed by the federal government. Litigation is ongoing regarding many of the provisions of this bill and should Kansas adopt this legislation it will be certainly “buying” costly litigation.
2. This bill does nothing to address ongoing national problems with immigration. Adoption of this legislation will place another layer of regulation on businesses and double the tab to taxpayers. Today, Kansas taxpayers pay for the federal government to manage and enforce immigration policy. This legislation asks taxpayers to “pay again” for the state or local units of government to enter into immigration enforcement. This legislation duplicates bureaucracy rather than demanding effective and efficient government.
3. The bill places new requirements on businesses and local units of government without providing any of the training, or funding for the new requirements. It appears this is another unfunded mandate from the state to local units of government that will pass along to property taxpayers. These new requirements allow the tentacles of government to once again penetrate the privacy of business records.
4. The bill establishes of climate of distrust, and suspicion that will breach trust between law enforcement and communities; between the government and regulated entities; and between businesses and the public as third party suits may be brought by any person who believes the government is not “fully enforcing” the law. These provisions disrupt the economic stability of the state and will result in economic losses. Mr. Todd Landfried will share the experience of Arizona’s losses after adoption of some of these provisions. The Kansas business coalition strongly encourages the legislature to assess the true costs of such legislation to all aspects of the economy before adopting it.

The Kansas business coalition offers the following strategies for addressing immediate immigration issues in lieu of passage of HB 2372.

1. The state of Kansas should immediately engage in a public outreach campaign to educate and inform the public of what employment verification laws are and how to comply.

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2. Ask the Governor to establish a working group of legislators, businesses, and advocacy groups to review and make recommendations to the Congressional delegation to address Kansas labor and immigration issues.
  - a. Discussion should include:
    - i. Methods of assessing workforce needs at all levels and all types of industry.
    - ii. Development of programs and incentives for the unemployed of Kansas to relocate to areas of Kansas with jobs.
    - iii. Development of tools for employers to obtain business visas to legally hire essential guest workers. Guest worker visas are not available (by definition or by number) for some of the most critical industries in Kansas. Enforcement of immigration laws without tools for lawful hiring is impractical and disruptive to the economy.
    - iv. Methods of recruiting and maintaining the expertise of young workers who have been educated in Kansas but may not have work authorization.
3. Call upon the Congressional Delegation to do the following things IMMEDIATELY:
  - a. Contact the Department of Homeland Security (DHS) and ask that the Everify Memorandum of Understanding required to be signed by participants be modified to remove or restrict provisions that allow the Department of Homeland Security broad authority to review "any and all" records associated with employment. This provision discourages participation in the program. Employers would be more willing to use Everify if they knew they were not "opening their books" to the government.
  - b. Review DHS compliance processes to remove "traps" to catch employers and rework process to be easy and simple. Compliance and enforcement programs should recognize good faith efforts of employers through penalty reductions and protections from discrimination suits.

Section by Section Concerns with HB 2372.<sup>1</sup>

Section 1(a) provides that as a condition for the award of any contract or grant in excess of \$5,000.00 by the state or by any municipality to a business entity employing more than one person, the business entity must provide an affidavit affirming its enrollment and participation in E-verify.

The business coalition opposes this provision as it is overly broad and will disproportionately impact small businesses and lead to their exclusion from participation in governmental contracts. The provision will likely cost taxpayers more for goods and services as business entities decline to bid on government contracts rather than run the gauntlet of government regulatory risk associated with Everify and these provisions.

Section 1(a) is overly broad in that it will apply to a wide range of government entities; unlimited number of business transactions that may fall under the term "contracts" or "grants"; and applies to many unsuspecting suppliers who may be caught in the undefined term of "business entity." To understand the reach of this provisions consider the definitions of state and municipality under KSA 75-6102 as referenced in HB 2372:

(a) *"State" means the state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof.*

(b) *"Municipality" means any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof.*

This definition would include many entities such as the Board of Regents, school districts, public hospitals, conservation districts, or townships. These entities will now be required to "verify" the status of their contractors or grant recipients. What is the cost to the taxpayer if just 10 minutes is spent by these entities to conduct this verification for every transaction regulated by this section?

It is difficult to estimate exactly how many contracts or grants would be affected because it is unclear from the language whether the provision applies to ALL contracts or just those over \$5,000.00. What is the definition of contract? What is the definition of grant? Does the \$5,000.00 threshold for application of the provision apply to a single contract or grant or does it apply to a number of contracts or grants which combined value exceeds \$5,000.00?

Would an award of an economic incentive package be a "contract or grant"? Does the provision apply to existing and/or new contracts and grants? What is the definition of "business entity"? It appears that all transactions for all goods and services would be included from the doctor who works with the county health department to the copy machine repairman or automobile mechanic fixing state equipment to the landowner with one employee who allows the county to harvest gravel from his property. Business entities seeking grants for economic development or state university research would be regulated by this provision. The public and governmental subdivisions need to know exactly which transactions are included and which are not.

<sup>1</sup> HB 2372 is patterned after the "Arizona laws." Background information on these proposals may be found at the Congressional Research Service. Enforcing Immigration Law: The Role of State and Local Law Enforcement (RL32270). State Efforts to Deter Unauthorized Aliens: Legal Analysis of Arizona's S.B. 1070 (R41221). Authority of State and Local Police to Enforce Federal Immigration Law (R41423).

Please recall E-Verify is a *voluntary federal program*. The 2010 Census of Kansas estimates that there are over 236,000 businesses. A recent report of E-Verify participation noted that only 2,229 Kansas businesses participate.<sup>2</sup> Implementation of E-Verify is not without cost to businesses. According to Bloomberg News Service, making E-Verify mandatory nationwide would cost \$2.7 billion a year. The biggest burden would be on small businesses (those with less than 500 workers), which account for 99.7% of employers. Small businesses would have to pay \$2.6 billion a year.<sup>3</sup> In FY 2008, employers collectively spent \$43 million to use E-Verify. Small businesses spent \$36 million. It cost a business an average of \$63 to run a worker through E-Verify. It cost small businesses (the majority of all employers) \$127 to run one worker through the system.

Costs of this new requirement, coupled with the waiver of business privacy required of the memorandum of understanding between the federal government and business seeking to enroll in Everify will likely discourage many small businesses. It appears this policy may contradict policies to “grow” small business with government work. (Business risks associated with use of E-Verify will be discussed by Dina Cox).

If the committee considers HB 2372, the business coalition suggests this provision be modified to:

1. Exclude grants from the requirements; and
2. That language be added to clearly indicate that permits and licenses issued by the regulated governmental entities are NOT included in the definition of contract;
3. That small businesses as defined by the Small Business Administration be exempt from the provisions;<sup>4</sup>
4. That a transition period be used to implement the program;
5. That the requirements only apply to contracts like those to which the federal Everify mandates apply. A complete list of those requirements may be found at [https://www.acquisition.gov/far/html/Subpart%2022\\_18.html](https://www.acquisition.gov/far/html/Subpart%2022_18.html) and,
6. That the provisions only apply to contracts in excess of \$1,000,000.00

The business coalition objects to language requiring “sworn affidavits signed before a notary and under penalty of perjury, and by provision of documentation” (see Section 1(a) p. 1 lines 10-11) As attorneys know, these terms have legal significance that effectively limit a business’ ability to defend themselves against claims of violations of this requirement. It appears that HB 2372 is attempting to authorize additional sanctions for the employment of unauthorized aliens in violation of federal preemption laws. Federal laws §8 U.S.C. §1324a(a) and (b) outline robust penalties for the employment of unauthorized aliens and limits attestations of employees to enforcement of statutes governing false statements, false or stolen identification documents, or falsification of documents. Given the magnitude of the federal law and the proposed penalties of HB 2372, it is likely that businesses without teams of attorneys and auditors will not engage with the government reducing competitive bidding or will include a “risk costs” in their bids thus increasing costs to taxpayers.

<sup>2</sup> Migration Policy Institute – “E-Verify: Strengths, Weaknesses, and Proposals for Reform”, pg. 3, February 2011.

<sup>3</sup> <http://immigrationpolicy.org/just-facts/mandatory-e-verify-without-legalization>

<sup>4</sup> Manufacturing: Maximum number of employees may range from 500 to 1500, depending on the type of product manufactured;  
Wholesaling: Maximum number of employees may range from 100 to 500 depending on the particular product being provided;  
Services: Annual receipts may not exceed \$2.5 to \$21.5 million, depending on the particular service being provided;  
Retailing: Annual receipts may not exceed \$5.0 to \$21.0 million, depending on the particular product being provided;  
General and Heavy Construction: General construction annual receipts may not exceed \$13.5 to \$17 million, depending on the type of construction;  
Special Trade Construction: Annual receipts may not exceed \$7 million; and  
Agriculture: Annual receipts may not exceed \$0.5 to \$9.0 million, depending on the agricultural product

Section 1(b): the business coalition does not oppose the state mandating the use of E-Verify on itself. If enacted, the coalition asks that the state maintain records of costs of training, implementation, and verification results, and report such results to the legislature on February 1, 2012. The coalition suggests that the legislature would be prudent to review this information before further mandates to local units of government and that such mandates be done in segments over time to allow for training of human resources personnel.

Section 1(c) is an attempt to separate the actions of the general contractor from subcontractors and limit the general contractors' liability for violations under the act. The provision requires that the written contract between the parties include specific affirmations. Who enforces these provisions? Does this provision give the state or municipality the ability to investigate "subcontract" E-Verify participation? When does liability end? How many layers of contractors and sub-contractors may be affected? Is the protection only available if the parties have a written contract?

Section 1(d) allows the government to prosecute violators of the E-Verify contracting provisions for perjury. (See p.2 lines 5-7) **Perjury under this provision maybe a Level 9 or 7 nonperson felony.** (Section 128 of Chapter 136 of the 2010 Session Laws). Further, If a contractor or grant recipient fails to "affirm its enrollment and good faith participation" in the E-Verify program they may be subject additional damages and penalties. Who determines whether the business entity "affirmed its enrollment" and acted in "good faith"? What is the standard for good faith? It appears that this language would give the state or municipality the authority to judge the validity of the business' participation in E-Verify, a federal voluntary program operated by the federal government. If the business is found to have not acted in "good faith", the business could be found to have violated the contract leading to termination of the contract; suspension or debarment from governmental contracts; and liability for payment of liquidated damages up to 25% of the value of the contract. Section 1(d) (1) allows the state, or municipality or other government entity the discretion to terminate the contract and after notice and opportunity to be heard, "suspend or debar the business from doing business with the state or municipality for a period of three years". It is not clear whether this provision would only apply to the contracting governmental entity or whether the violation of one contract with one governmental entity may cause a suspension or debarment from other governmental contracts or grants. Upon a second violation, the business entity may be permanently barred from participation in governmental contracts and subject to all the previously mentioned damages. (See section (1) (d) (2)). The business coalition strongly opposes the remedies and criminal penalty provisions of section 1(d) (1) and the inclusion of a 25% liquidated damages provisions. These provisions are unreasonable, overreaching, and provide an incentive for governmental officials to breach contracts without regard to actual performance of the contract.

Section 1(e) provides that the state or municipality may be entitled to attorneys fees if it is a prevailing party. No such provision applies to the business entity. The business coalition opposes such provisions as they provide incentive for the state or municipality to breach contracts or grants without any relationship to the performance or nonperformance of the contract; and encourage costly litigation.

Section 1(f) seeks to give contractors or grant recipients protection from wrongful termination suits. It is important to understand that this provision is limited to state wrongful termination suits. It does not protect the business entity from federal litigation for discrimination. This provision is also limited to business entity covered by Section 1 of HB 2372. This does not provide any protection for the employer who is neither a contractor or grant recipient under this section. In other words, the employer who is using E-Verify does not have protection from state discrimination suits under this bill.

Section 2(a) prohibits the state, municipalities, or any of the many other governmental entities from adopting policies that limit or restrict the enforcement of federal immigration law to less than **the full extent permitted by federal law**. What is the “full extent of the federal law”? Section 2(b) requires all state officials, agencies and personnel to “fully comply with and to the full extent permitted by law, support the enforcement of federal immigration law. Nothing in this language allows for public officials, the state, municipalities or other entities to limit enforcement to resources available or what is “practical”.

Section 2(a) provides that the Attorney General shall enforce these provisions within the government. These provisions are confusing and create an unworkable situation within the Executive Branch of government. The Attorney General is the chief law enforcement officer and defender of the state. State agencies are under the purview of the Governor, who implements laws and budgets. As you all know, the legislature has the appropriations power.

If the Governor proposes an agency budget that may not “fully fund” programs to allow for enforcement of immigration laws by state officials to the “full extent of the federal law”, and the legislature adopts that budget, is the attorney general now authorized to override the Governor and Legislature? What Constitutional authority allows for this expansion of authority to the Attorney General? Further, what Constitutional authority allows for the Attorney General to make determinations of compliance of local units of government? Interpretation and judgment of compliance of laws is the role of the judiciary, not the attorney general.

This provision combined with Sections 2(h) (i) (j) is very concerning. Section 2 (h) allows for any legal resident to bring an action against any official, agency, or municipality (and all other entities discussed previously) for adopting a policy or practice that limits or restricts the enforcement of federal immigration laws to less than the “full extent permitted by federal law”. Fines may be assessed of not less than \$1,000.00 and not more than \$5,000.00 for each day the policy is in effect. Further the fines are to be deposited in the state general fund and the successful complainant will be awarded attorneys fees. These provisions are over reaching and create such a litigious environment it will be difficult for any government to operate. Third party litigation “enforcement” is never efficient and typically leads to judicial determinations or “settlements” that cost defending parties. Here, the defending party is the government. Taxpayers will lose in the chaos as they will be forced to fund the “war” through taxes. As taxpayers and entities that depend upon an operational government, the business coalition opposes such provisions.

Section 2(c) requires local law enforcement, upon a lawful stop, to verify the status of a person within the United States. Sections 2(e) and (f) further define what local law enforcement must



do. Section (h), again, allows third parties to litigate to enforce the provisions. These provisions are very controversial and similar provisions in other states have been stayed and are under judicial review. (See *United States v. Arizona*, 703 F.Supp.2d 980 (2010)). The legalities of these provisions will be discussed by others. As businesses we are asking whether this policy makes **economic sense** for the state. As businesses we oppose these provisions as they are unfunded mandates from the state and a huge expansion of government. We want less government not more. Taxpayers fund federal immigration policy and enforcement and will now be funding state and local enforcement of immigration laws. **We oppose paying twice.** We also oppose paying for the litigation costs this bill will most certainly generate. Why not demand that the federal government fix the issues rather than the state trying to build around the federal policies?

Some will argue that the policies of "attrition through enforcement" will save the state money. We ask that the legislature complete a thorough and complete economic analysis that includes costs and benefits of this legislation on the private sector, communities, and all state agencies and municipalities as defined in KSA 75-6102. We ask that the legislature seriously consider the impacts this type of legislation had in other states. Business prospers under stable consistent laws. There are significant economic, social, and political costs to this type of legislation. Please consider ALL factors when calculating a fiscal note. (See attached example from Kentucky and Checklist for calculating the costs of this type of legislation.) Mr. Todd Landfried, with the Arizona Employers for Immigration Reform will outline some of the realities of this type of legislation on Arizona businesses. Kansas taxpayers deserve to know the implications and costs of this legislation before it is adopted.

Section 3 establishes a new crime of harboring an alien. Section 3(a)(1) provides that it is unlawful for any person to intentionally conceal, harbor, or shield or attempt to conceal, harbor, or shield an alien from detection in any place in this state, including buildings and any means of transportation, if the person recklessly disregards the fact that the alien is in violation of federal law. Section 3(a)(2) makes it unlawful to "intentionally encourage or induce an alien to come to or reside in this state if the person recklessly disregards the fact that coming to, entering, or residing in this state is or will be in violation of federal law." What acts constitute concealing, harboring, or shielding? What acts constitute "reckless disregard"?

A person acts "recklessly" as defined in Chapter 36 of the 2010 Session Laws (Section 13 of HB 2668, 2010) or is "reckless", when such person consciously disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation. Under this section violators may be charged with a misdemeanor or a felony if the act (or acts?) involves 10 or more aliens over the age of 18. It is difficult to predict the scope and effect of this provision. Hopefully the simplest acts of charity will not become "felonies". This section of HB 2372 seeks to punish the very same conduct proscribed by federal law (8 USC§1324(a) and in our opinion is an impermissible attempt to regulate Kansans by imposing sanctions for federal crimes.

Section 4 directs the Attorney General to enter into an agreement with the US Department of Homeland Security to designate state and local law enforcement as qualified to enforce

immigration laws. In simplest terms this is authorizing and directing that the state of Kansas will assume the role of federal immigration enforcement. Again, the business coalition asks that the costs of training, enforcement, and detention be thoroughly investigated and published before adoption of these provisions.

Section 5 prohibits aliens who are unlawfully present in the US from receiving public benefits include a "grant, contract, loan or commercial or professional license provided by an agency of state or local government, or any retirement, welfare, health, disability, housing, food assistance or unemployment.." The business coalition cautions that this provision may impact some of the very persons communities ask to relocate to the US such as clergy or doctors. These persons may come to the US lawfully and for whatever reason stay beyond their authorization. Will this provision revoke their "licenses" while the individual is seeking to resolve their immigration status? How will this impact local communities dependent upon these persons?

Section 6 creates a new crime of failure to complete and carry immigration documentation. This provision is very similar to a provision that was found to be an "impermissible attempt to regulate alien registration" in the Arizona case. (See *United States vs. Arizona* 703 F.Supp.2d at 998-99) Again, the business coalition asks that the costs of litigation and enforcement be analyzed and reported before this provision is adopted.

Section 7 contains a severability clause and the coalition has no position on this provision.

Section 8 creates a new crime of knowingly manufacturing or selling falsified identification documents. The coalition supports and incorporates the comments of the Society of Human Resource Management regarding this section.

Section 9 addresses issues of persons charged with a crime and unable to prove citizenship and are thus deemed a flight risk for purposes of bonding. The business coalition again asks that costs of implementation be analyzed and published before the adoption of this legislation.

## Kansas Business Coalition

Associated Builders and Contractors – Heart of America Chapter

Bernie Koch – Kansas Economic Progress Council

Greater Topeka Chamber of Commerce

Kansas Agribusiness Retailers Association

Kansas Building Industry Association

Kansas Contractors Association

Kansas Cooperative Council

Kansas Dairy Association

Kansas Economic Development Alliance

Kansas Farm Bureau

Kansas Grain and Feed Association

Kansas Livestock Association

Kansas Manufactured Housing Association

Kansas Pork Association

Kansas Restaurant and Hospitality Association

Kansas Society for Human Resource Management

Manhattan Area Chamber of Commerce

Mira Mdivani – Corporate Immigration Compliance Institute

Overland Park Chamber of Commerce

Unified Government of Wyandotte County / Kansas City

COMMONWEALTH OF KENTUCKY  
STATE FISCAL NOTE STATEMENT

GENERAL ASSEMBLY  
2011 REGULAR SESSION

LEGISLATIVE RESEARCH COMMISSION

MEASURE

(X) 2011 BR No. 0045

(X) SB Bill No. 6 GA

( ) Resolution No.

( ) Amendment No.

SUBJECT/TITLE An ACT relating to unauthorized aliens.

SPONSOR Senator John Schickel

NOTE SUMMARY

Fiscal Analysis: Impact No Impact X Indeterminable Impact

Level(s) of Impact: X State X Local Federal

Budget Unit(s) Department of Corrections, Department of Public Advocacy, Department of Education, Cabinet  
Impact for Health and Family Services, Judicial Branch

Fund(s) Impact: X General Road Federal  
Restricted Agency (Type) (Other)

FISCAL SUMMARY

<u>Fiscal Estimates</u>	<u>2010-2011</u>	<u>2011-2012</u>	<u>Future Annual Rate of Change</u>
Revenues (+/-)		Indeterminable	Indeterminable
Expenditures (+/-)		Indeterminable	Indeterminable
Net Effect		Indeterminable	Indeterminable

**MEASURE'S PURPOSE:** The purpose of this measure is to allow law enforcement officers to determine a person's immigration status if they have reasonable suspicion that the person may be an unauthorized alien. The suspect can be arrested by the law enforcement officer if there is probable cause to believe the person is an unauthorized alien. If it is determined that the person is an unauthorized alien, they will also be charged with the state crime of trespassing.

**PROVISION/MECHANICS:**

Section 1 creates a new section of KRS Chapter 432 to define terms.

Section 2 creates a new section of KRS Chapter 432 to prevent the adoption of policies, administrative regulations, or laws that restrict the enforcement of federal immigration laws.

Section 3 creates a new section of KRS Chapter 432 to allow for determining the immigration status of a person on reasonable suspicion, the arrest of an unlawful alien upon probable cause, and the transference of an arrested unauthorized alien to a federal facility or into federal custody. This section also requires that an unauthorized alien that has been convicted of a violation of state or local law be transferred to the custody of the United States Immigration and Customs Enforcement of the United States Customs and Border Protection upon discharge from imprisonment.

Section 4 creates a new section of KRS Chapter 432 to specify that officials or agencies may not be prohibited from sharing the immigration status of a person under specific instances.

Section 5 creates a new section of KRS 432 to indemnify a governmental law enforcement officer where the officer has been brought into a legal action.

Section 6 creates a new section of KRS Chapter 432 to make it a Class D felony to intentionally smuggle persons for profit or commercial purposes, a Class B felony if the smuggled person is under 18 or the offense involved a deadly weapon, or a Class C felony if serious physical injury is used or threatened.

Section 7 creates a new section of KRS Chapter 432 to define trespassing by an unauthorized alien in the first degree and set out the penalties for conviction.

Section 8 creates a new section of KRS Chapter 432 make it a Class A misdemeanor for a person to transport or conceal unauthorized aliens, or encourage an unauthorized alien to come to this state; clarify procedure for seizing means of transportation and forfeiture procedures for offenses relating to assisting an unauthorized alien; provide defense for employer of unauthorized alien who has relied on identification documents or Federal E-Verify results

**FISCAL EXPLANATION:** If this bill is adopted by the General Assembly, numerous sectors of state and local government in the Commonwealth will be impacted in a significant manner. The extent of the impact will depend greatly on the level of enforcement. If the statute is vigorously enforced, impact will be substantial. Minimal enforcement will result in minimal impact.

Areas where costs would likely increase are:

- Local and state law enforcement officers will have a new responsibility that will require a substantial amount of additional time and effort, including transporting unauthorized aliens to an appropriate federal facility. To perform these tasks adequately, additional officers would be needed, or duties performed on other law enforcement tasks would have to be curtailed.
- Depending upon the level of enforcement, local jails would experience population increases, and additional costs of approximately \$33 per day for each additional person incarcerated should be expected.
- State Courts, particularly District Courts and County Attorneys, would experience an increase in the number of cases that would have to be considered. This would require additional court personnel, or inmates would spend longer periods of time in jail waiting for court, and this would increase jail costs.
- The Kentucky Department of Public Advocacy would experience an increase in caseloads since few unauthorized aliens would have the resources to hire private attorneys, and additional personnel would be needed for this task.
- The Kentucky Department of Corrections would experience an increase in population since a certain proportion of the unauthorized aliens detained would also be convicted of Class D and C felonies. It is likely that this would increase the costs for Corrections.
- Approximately 67% of unauthorized aliens are in the workforce, according to national estimates, and many pay state and local income, payroll, and sales taxes. Consequently, a decline in tax revenues is likely. Even if the jobs are filled by currently unemployed legal residents, it appears that some sales tax revenues would be lost.

It is also possible that costs in some areas of government may decrease if the number of unauthorized aliens residing in the state is reduced. These are:

- The PEW Hispanic Center estimates that there are about 11.1 million unauthorized aliens in the United States and about 10% of them are children. There are another 4 million children in the country that were born in the U.S., but have at least one parent that is unauthorized. An unknown amount of these children have both parents that are unauthorized. Consequently, if fewer unauthorized aliens reside in Kentucky, fewer children will be present to attend schools, and this could result in cost savings.

- The Cabinet for Health and Family Services provides a myriad of services for persons residing in the state, and will spend about \$2 billion in state General Fund for these services in fiscal year 2012. Although unauthorized aliens are generally not eligible for these services, they are eligible for emergency Medicaid, and it is probable that some, especially children, receive services from the local health departments. Others may receive services by utilizing unauthorized documentation. Consequently, fewer unauthorized aliens would probably reduce the number of persons requiring these services and expenditures could be decreased accordingly.

Due to the complexity of the scope of impact of this bill, it is impossible to reach a definitive conclusion concerning the costs and savings described above. However, it is possible to utilize national and state data to make assumptions and develop an example of what costs and savings may be expected. Although actual costs are indeterminable, this may provide some insight into the fiscal implications.

#### National Data

2010 Census of the United States – total population 308,746,000

PEW Hispanic Center estimates:

	<u>Number</u>	<u>% US Pop.</u>	<u># Working</u>	<u>% Working</u>
Unauthorized Males	5,800,000	1.88%	4,930,000	85%
Unauthorized Females	4,200,000	1.36%	2,436,000	58%
Unauthorized Children	1,100,000	0.36%		
Total Unauthorized	11,100,000	3.6%	7,366,000	67%
Children Born in US With at least 1 unauthorized Parent	4,000,000	1.3%		

#### State Data

2010 Census of the United States – Commonwealth of Kentucky - population 4,339,000

PEW Hispanic Center estimates there are between 35,000 and 60,000 unauthorized aliens in Kentucky, with a single best estimate of 50,000.

Assuming Kentucky's unauthorized aliens are similar to those on a national level:

	<u>Number</u>	<u>% KY Pop.</u>	<u># Working</u>	<u>% Working</u>
Unauthorized Males	26,125	0.6%	22,207	85%
Unauthorized Females	18,920	0.44%	10,973	58%
Unauthorized Children	4,955	0.11%		
Total Unauthorized	50,000	1.15%	33,500	67%
Children Born in US With at least 1 unauthorized Parent	18,018	0.42%		

#### Assumptions

- 33% of males will be identified as unauthorized and convicted of trespassing, for a reduction of 8,621.
- 25% of females will be identified as unauthorized and convicted of trespassing for a reduction of 4,730.
- 25% of children will be identified and will accompany their parents for a reduction of 1,239.
- 50% of the children born in the U.S. have both parents that are unauthorized aliens, and 25% of those accompany their parents for a reduction of 2,252. All children with one authorized parent will remain in the U.S.
- The 13,351 adults identified and convicted will be in jail for an average of 60 days, with a cost of \$33 per day.

- The 3,491 children that will accompany their parents spend 120 days in foster care at a cost of \$80 per day.
- 12% of the males (1,034) identified and convicted will also be convicted of a Class D felony, and will be imprisoned for one year.
- 8% of the females (378) identified and convicted will also be convicted of a Class D felony and will be imprisoned for one year.
- 1% of males (87) identified and convicted will also be convicted of a Class C felony and will be imprisoned for five years.
- 90% of unauthorized children and children born in the U.S. with at least one unauthorized parent are of school age and attend public schools.
- Per capita Human Services expenditures will be the same for unauthorized aliens as for the general Kentucky population.
- 25% of unauthorized aliens in the state will voluntarily move outside the state to avoid arrest and possible deportation.

#### Cost Calculations

Jail Costs:  $8,621 \text{ males} + 4,730 \text{ females} \times 60 \text{ days} \times \$33 \text{ per day} = \$26,435,000.$

Foster Care Costs:  $1,239 \text{ unauthorized} + 2,252 \text{ born in U.S.} \times 120 \text{ days} \times \$80 \text{ per day} = \$33,513,600.$

Prison Costs for Class D Convictions:  $1,034 \text{ class D felons} \times 365 \text{ days} \times \$40 \text{ per day} = \$15,096,400.$

Prison Costs Class C Convictions:  $87 \text{ class C felons} \times 1,825 \text{ days} \times \$50 \text{ per day} = \$7,938,800.$

Administrative Office of the Courts: (Caseload increase of about 14,000. Current caseload of almost 1,000,000, which is an increase of 1.4%. FY 2012 budget for Court Operations and Administration is \$230,000,000)  $\$230,000,000 \times 1.4\% = \$3,220,000.$

Department of Public Advocacy: (Current cost per case average \$224. Caseload increase of approximately 12,000.)  $12,000 \times \$224 = \$2,688,000.$

Total costs under this scenario = \$88.9 million.

Note: this does not include costs to local law enforcement for identifying and arresting unauthorized aliens, or the cost of transporting them to a federal facility. It also does not include the potential of lost tax revenue.

#### Savings Calculations (State General Fund Only)

Department of Education (for persons arrested and deported):  $1,239 \text{ unauthorized children accompany parents} + 2,252 \text{ children born in the U.S. accompany parents} \times 90\% \text{ attending public schools} \times \$4,000 \text{ state funding per student} = \$12,567,600.$

Department of Education (for persons leaving voluntarily):  $1,239 \text{ unauthorized children} + 4,504 \text{ children born in the U.S.} \times 90\% \text{ attending public schools} \times \$4,000 \text{ state funding} = \$20,674,800.$  This does not include potential savings in local educational spending.

Cabinet for Health and Family Services (for persons arrested and deported): General Fund expenditures of  $\$2,135,305,400 / 4,339,000 \text{ KY population} = \$492 \text{ spent per capita. } 16,842 \text{ adult and children removed from the state} \times \$492 \text{ per capita} = \$8,296,300.$

Cabinet for Health and Family Services (for persons leaving voluntarily):  $\$492 \text{ spent per capita} \times 17,000 \text{ persons leave the state} = \$8,364,000.$

Total savings under this scenario = \$49.9 million.

Summary

This example, using the assumptions indicated above, concludes that potential costs could be almost \$90 million with savings of about \$50 million, a difference of \$40 million. However, it should be noted that the official conclusion is that the fiscal impact of SB 6 is "indeterminable", and the cost/savings calculations provided are for illustrative purposes only.

DATA SOURCE(S) PEW Hispanic Center, Justice and Public Safety Cabinet, Cabinet for Health and Family Services

NOTE NO. 20 PREPARERS Mike Mullins & Jennifer Anglin REVIEW \_\_\_\_\_ DATE 1-13-2011

LRC 2011-BR0045SB6GA



January 19, 2011

**Checklist for Estimating the Costs of SB 1070-Style Legislation**

Arizona's infamous anti-immigrant law, SB 1070, has spawned many imitators. In a growing number of state houses around the country, bills have been passed or introduced which—like SB 1070—create new state immigration crimes and expand the power of police to enforce immigration laws.<sup>1</sup> State legislators who are thinking of jumping on the SB 1070 bandwagon, however, would be wise to consider the costs of such legislation. SB 1070-style laws impose unfunded mandates on the police, jails, and courts; drive away workers, taxpayers, and consumers upon whom the state economy depends; and invite costly lawsuits and tourist boycotts. These are economic consequences which few states can afford at a time of gaping budget deficits.

The following is a guide to calculating the costs associated with any SB 1070-type bill:

**Cost to Police**

- Projected increase in arrests by police.
- Average number of hours needed for police to detain someone for a particular offense, determine their legal status, transport them to a police station, book them, complete a report, prepare for court, and testify in court.
- Average cost per hour for police to complete these tasks.
- [Number of additional arrests] x [number of hours per arrest] x [cost per hour for an arrest] = cost to police.<sup>2</sup>

**Cost to Jails**

- Projected increase in jail population.
- Average number of days someone spends in jail for a particular offense.
- Average cost per day to jail someone.
- [Number of additional prisoners] x [number of days in prison] x [cost per day to jail someone] = cost to jails.<sup>3</sup>

## Other Criminal-Justice Costs

- Cost of projected increase in prosecutorial and public-defender staff, jail space, court rooms, and support offices needed to handle increased caseload.
- Cost of foster-care for children of detained immigrants.<sup>4</sup>

## Cost to the State Economy

- Decrease in economic output, tax revenue, and consumer purchasing power as the state loses workers, taxpayers, and consumers.
  - Undocumented immigrants (and their families) who are either deported or move out of the state.
  - Legal immigrants and U.S. citizens who move out of the state to avoid racial profiling.
- Decline in sales—and loss of jobs—among businesses in immigrant-heavy communities: grocery stores, department stores, restaurants, realtors, etc.
- Impact of negative publicity and protest boycotts on the tourism and convention industries.<sup>5</sup>

## Legal Costs

- Legal costs incurred by the state to defend against lawsuits.

## Endnotes

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<sup>1</sup> See Immigrant Policy Project, National Conference of State Legislatures, *2010 Immigration-Related Laws and Resolutions in the States (January 1 - December 31, 2010)*, January 5, 2011.

<sup>2</sup> See the fact sheet prepared by Sheriff Ralph E. Ogden of Yuma County, Arizona, in response to SB 1070-like legislation proposed in 2006.

<sup>3</sup> See the fiscal note statement prepared by the Kentucky Legislative Research Commission on State Senate Bill 6, January 11, 2011.

<sup>4</sup> Ibid.

<sup>5</sup> See Marshall Fitz and Angela Maria Kelley, *Stop the Conference: The Economic and Fiscal Consequences of Conference Cancellations Due to Arizona's S.B. 1070* (Washington, DC: Center for American Progress, November 18, 2010).

# **An Alternative Jobs Solution to the Immigration Problem**

Arizona Employers for Immigration Reform  
www.azeir.org

## Assumptions

1. The existing process seems adequate, however it is extremely slow and causes a significant bottleneck and backlog that contributes greatly to the need some feel to enter the country illegally.
2. Immigration of families and family members is already part of U.S. law and it, too, takes too long.
3. The primary reason people enter the United States is to find employment.
4. Clearance of foreigners into the United States seeking asylum can typically take up to 72 hours. The underlying processes used to perform background checks on these persons could be used to streamline background checks on people coming into the United States to work.
5. Current security-first proposals do little to stem the tide of people crossing wherever possible along the border because they fail to address labor needs.

## The Proposal – A Work in Progress:

1. Create immigration centers on U.S. territory on the border whose purpose is to process foreign citizens looking for work in the U.S.
  - a. Much like Ellis Island, these centers would assign legal social security numbers, issue photo identification cards with “smart chips” that include data such as finger prints, eye scans, and birth information. These cards could be used for basic identification, obtaining drivers licenses, insurance, medical care, and other legal services.
  - b. Those who do not use these centers and cross illegally will be subject to immediate arrest and deportation and permanently prohibited from reentry.
  - c. The centers will match up workers with job requests by U.S. employers.
2. Jobs can be listed on a centralized system by employers looking for specific skills, regardless of the level of skills desired. This system could be modeled after existing job search web sites such as Monster or Career Builder.
3. The data contained in this system can be used by Congress to set market-based, annual visa limits.
4. Upon application for job-based immigration, each person of employment age entering into the U.S. would pay a US\$2,000-\$3,500 fee for visa application and rapid processing of their application.
  - a. An additional fee could be charged for minor children accompanying their parent(s) or for senior citizens accompanying their own children.
  - b. Expediting fees could ensure documents and clearance could be completed in some time less than 30 days, allowing the government to provide access to labor as industry need it.

- c. A portion of the fee could be used to provide basic health insurance coverage during the time the immigrant is working in the U.S.
5. These funds would be used to cover the costs of operating the centers and for a transportation voucher to defray costs of traveling from the border to their job and back when their visa expires.
  - a. If the 6,000 person-per-day illegal crossing figures published by FAIR and CIS are correct, then this program would generate \$4.3-\$7.6 billion per year in revenue for the Border Patrol and Department of Homeland Security.
6. Employers would be required to provide information to the government on where these people will be working, for how long, at what wage, and other relevant data that would allow the government to track the workers while in the U.S.
7. Workers would be permitted to change jobs, but a single form would have to be filed with Immigration using a modified W-4 signed by both worker, current and future employer as to the change in employment.
8. Center construction costs could be about \$150-\$200 million each or less (similar to prison construction costs). Compare these costs to the tens of billions for fences, prisons, staff and high-tech equipment and you can see the savings for the taxpayer.
  - a. These centers would create thousands of jobs on the border for U.S. citizens that can be paid for by the fees collected from those entering the country.
9. The cost of building three prisons in California is approximately \$1.5 billion. Bills by Senator Kyl spend about \$25 billion and former Congressman Hayworth claims the government spends \$30 billion on prisons to hold illegal aliens. If you use basic prison construction costs (closer to \$80 million) the price for building two entry centers near Tucson and Yuma would be \$160 million, which would save taxpayers billions of dollars. If you put ten of these along the U.S./Mexico border, the cost would be \$800 million for an annual saving to the taxpayer of \$44,200,000,000.
10. These centers would stimulate economic development along both sides of the border and will create thousands of jobs in the food, hospitality and transportation industries.
11. According to data from the Mexican Migration Project, 85% of undocumented immigrants would prefer to return home. This means full citizenship may not be desired and the issuance of work permits could address much of the problem.
12. Those who wish to return to their homeland can do so. However, to return to the U.S. to work, they must obtain a job offer prior to reentry (see above) and enter through one of the border immigration centers or other legal ports of entry with the proper documentation.
13. Workers who can prove they have been employed in the United States and can provide a legal address (with no threat of penalty to the property owner or the employer) are eligible to apply for legal work (not permanent) status at a local Immigration office provided they pay an additional application fee of \$2,500 plus an additional penalty for each year they have been in the country with an undocumented status.

14. Entry of families would be consistent with current laws regarding any immigrants entering the U.S. legally. This process and law is well formed and implementation of this plan should not require major changes although processing times should be reduced.
15. The number of entry visas would be based on real employment needs and not an arbitrary figure. Having artificially low quotas does little to address the real issue, which is the need for labor.
16. Those here already could obtain legal status (though not automatic citizenship) by participating in the new program and paying a fee or fine based on the amount of time they have been in the country without proper documentation.

### **Benefits of this solution**

1. Provides a practical means for immigrants to enter the country legally.
2. Matches workers to jobs prior to entering the country, as current law prescribes.
3. Provides ability for employers to let the government know specifically what jobs are available and at what wage level.
4. Uses existing entry points along public highways thereby reducing the need for job seekers to cross in dangerous parts of the border, saving lives.
5. Eliminates the criminal aspect of immigration by allowing them to enter through the "front door."
6. Supports family-centric immigration policies already in place.
7. Uses existing laws, existing forms, existing processes to handle immigration applications.
8. Reduces workload and injury risk of border patrol agents and state law enforcement.
9. Self-funding in that costs are paid by entry fees and not the taxpayer.
10. Much less expensive than other plans that do little to address labor needs of the country.
11. Fees are less than those paid to coyotes, but are similar to employer sponsorship fees currently being collected by the U.S. Government.
12. Puts the coyotes out of human smuggling business.
13. Increases security because the Border Patrol is now free to focus on people who are trying to sneak in to do us harm, smuggle drugs and arms to and from the U.S.
14. Is a much more humane means of controlling borders and does not treat or label people coming here to work as criminals.

# Map of U.S. Mexico Border Crossing Locations



## Testimony of Todd Landfried

### Arizona Employers for Immigration Reform

Members of the Committee. Thank you for the opportunity to speak to about the economic impacts SB 1070 has had on the Arizona economy.

Arizona Employers for Immigration Reform is made up of 350+ Arizona-based small, medium and large businesses from all segments of the economy including agriculture, retail, construction, hospitality, manufacturing and high-tech industries. AZEIR does not believe in "open borders." We do not believe in "amnesty." We do not believe in hiring people illegally. We do not "just want cheap labor." We don't support anyone breaking laws. We do support a sensible immigration solution that gives us access to the labor we need when we need it and to pay competitive and fair wages and secures our border.

Kansas is the fourth state legislature AZEIR has testified before and I'd like to make an important observation about those involved in this debate. The proponents of these bills include non-profit organizations, community groups, politicians and academics; none of whom create jobs. Government doesn't create jobs. Think tanks don't create jobs. Political parties don't create jobs. Local, state and national anti-immigration groups don't create jobs. OUR MEMBERS DO.

Proponents of Arizona-like bills don't have to find labor to plant and harvest crops. They don't have to attract employees to their communities. They don't have to live with the consequences of *their* laws. OUR MEMBERS DO.

So when I'm talking about impacts, I'm talking about reality. Not hypotheticals. This isn't an academic exercise for us. We've been there and our experience tells us that

Arizona-like bills are not the solution you hope them to be—unless you *want* to damage your economy.

So, what are the impacts of SB 1070 on the Arizona economy?

A study titled “Stop the Conference: The Economic and Fiscal Consequences of Conference Cancellations Due to Arizona’s S.B. 1070,” shows the overall near-term damage to just the conference sector of Arizona’s Tourism industry is \$752M.<sup>1</sup> That’s three-quarters of a billion dollars from ONE sector of the economy. That’s \$492M in known cancellations and lost spending and an additional \$262M in losses projected through the end of 2011. When you consider other lost recreational and business travel, those numbers could easily double or triple. The report also shows 4,236 convention-related jobs will be lost because of SB 1070.

Economists say that for every 50,000 jobs lost, the state’s economy will lose \$1B in direct economic impact. Since SB 1070 went into effect, the Pew Hispanic Center estimates that 100,000 immigrants and their families have left Arizona.<sup>2</sup> That means Arizona has lost \$2B in direct economic impact at a time it faces \$1B-plus deficits. But before you jump to the conclusion that “attrition through enforcement works,” you need to know this: Arizona’s unemployment rate increased after SB 1070 was passed. It went up. You know, the opposite of down. According to the Arizona Office of Strategic Planning and Budget, Arizona’s unemployment rate jumped from 8.8% in December 2010 to 10.0% in August of 2010.<sup>3</sup>

How can that be if all of the jobs that were “stolen by the illegals” are now open?

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<sup>1</sup> [http://www.americanprogress.org/issues/2010/11/pdf/az\\_tourism.pdf](http://www.americanprogress.org/issues/2010/11/pdf/az_tourism.pdf)

<sup>2</sup> <http://pewhispanic.org/files/reports/133.pdf>

<sup>3</sup> <http://www.workforce.az.gov/?PAGEID=67&SUBID=142>



The answer is simple and can be found in any Economics 101 textbook. These people are consumers and the businesses that cater to this unwanted population employ citizens who provide goods and services to these and other customers. When their markets collapse, so do their businesses. When businesses close, they lay off workers. Closed businesses no longer buy from suppliers, who, in turn, lay off workers and reduce their purchases. Without customers, you're out of business and when you're out of business, your suppliers and partners suffer as well. I can show you blocks and blocks of vacant strip malls and fenced-in apartment complexes throughout our state. What about those land owners and landlords? What happens to property values if they foreclose? What does that do to the tax base? Is that an acceptable outcome?

Corporate investment is also a casualty of S.B. 1070. I know from personal experience that one of the world's largest investors in solar energy projects will not invest a penny in Arizona. I know from personal experience that a large Chinese manufacturer decided in the days after passage of SB 1070 to locate their new plant in Texas rather than Arizona because they didn't want to expose their executives and their families to the threat of being profiled and jailed because they weren't "speaking American." The loss of these two firms alone is estimated to be \$750M to \$1B over five years.

SB 1070 is dramatically affecting agriculture and let me give you two quick examples. First, Arizona was hit by a cold snap in early January that dropped nighttime temperatures in some of the world's prime winter lettuce and vegetable growing areas to 19 degrees for three days straight. The result of this freeze is an estimated 50-60% of all winter lettuce crops were lost due to frost and in some fields, 90% of the crops were lost. These farmers knew the freeze was coming. They watch the Weather Channel. They knew if

they could bring in the crops, they may not get all 24's out of the fields, they could certainly get 30's. But they couldn't bring the crops in at all. Why, because they didn't have enough available workers.

Second, what does this mean for consumers? Before the freeze, the price for a 24-head carton of lettuce was \$12.50. The day after the freeze, the price jumped to \$21.56. Restaurants, hotels, schools and the moms at home are feeling that price increase—all because growers didn't have access to the labor it needed.

Agricultural and industry labor requirements are a serious issue and bills like HB 2372 will do nothing to alleviate it. In fact, it will make it worse. The Arizona Roofing Contractors Association recently terminated their apprentice program because there aren't enough Arizonans who want to be roofers. Where, exactly, are these businesses supposed to get the workers?

But, at the end of the day we are realists. We understand the complaints of those who argue that just because the Federal government isn't doing its job, "s-o-m-e-t-h-i-n-g" needs to be done. But "doing s-o-m-e-t-h-i-n-g" doesn't mean "do anything," especially when "anything" happens to be the first idea that comes along that includes a lot of unintended and unconsidered consequences that demonstrably hurt the state's economy.

Members of the Committee, if you really want to solve this problem, stop criticizing Congress for doing nothing and work with your Congressional delegation and the business community and others to develop a federal solution to the problem that is based on factual information and addresses the real economic and jobs issues. Your time is valuable. Spend it working with them instead of against them. You owe it to your state. Do the right thing and avoid the economic train wreck that is heading towards you. You can do better.

# The Economic Impacts of SB 1070

## On The Arizona Economy

Since its passage and signing into law in April 2010, SB1070 has had a significant negative impact on Arizona's economy. Below are a few of the known ramifications from the bill.

- Arizona's unemployment rate increased in the months leading up to and for the eight months after the passage of SB 1070.
- Total losses from cancellations and booking declines
  - \$217 million in lost direct spending by convention attendees
  - 4,236 lost jobs
  - \$133 million in lost earnings
  - \$388 million in lost economic output
  - \$14.4 million in lost tax revenue
  - TOTAL: \$752M
- Losses from conventions already cancelled
  - \$141 million in lost direct spending by convention attendees
  - 2,761 lost jobs
  - \$86.5 million in lost earnings
  - \$253 million in lost economic output
  - \$9.4 million in lost tax revenues
  - TOTAL ACTUAL LOSS: \$490M
- Potential losses from future convention booking declines
  - \$76 million in lost direct spending by convention attendees
  - 1,475 lost jobs
  - \$46 million in lost earnings
  - \$135 million in lost economic output
  - \$5 million in lost taxes
  - TOTAL POTENTIAL LOSS: \$262M
- Loss of Phoenix Convention Center bookings directly impacts 124 Phoenix businesses
- Chinese solar manufacturing company decides to open its new plant in Texas rather than Arizona. Total loss: \$750-\$1B over five years
- Yuma lettuce farmers lost 60% to 100% of winter harvest due to the lack the labor needed to bring in crops before the January 2011 freeze. Total loss: \$ millions of dollars and doubling of price for lettuce and winter vegetables
- Farmers unable to accurately predict how much to plant because they don't know how many workers they will have access to at planting and harvesting time.
- Retail sales down 60% or more in Latino neighborhoods and in border trade areas like Yuma, Nogales and Douglas. Rental vacancy rates increased to 60-65%.



February 1, 2011

# Unauthorized Immigrant Population: National and State Trends, 2010

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**FOR FURTHER INFORMATION CONTACT:**

Jeffrey S. Passel, Senior Demographer

D'Vera Cohn, Senior Writer

1615 L St, N.W., Suite 700

Washington, D.C. 20036

Tel (202) 419-3600

Fax (202) 419-3608

[www.pewhispanic.org](http://www.pewhispanic.org)

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## Overview

As of March 2010, 11.2 million unauthorized immigrants were living in the United States, virtually unchanged from a year earlier, according to new estimates from the Pew Hispanic Center, a project of the Pew Research Center. This stability in 2010 follows a two-year decline from the peak of 12 million in 2007 to 11.1 million in 2009 that was the first significant reversal in a two-decade pattern of growth.

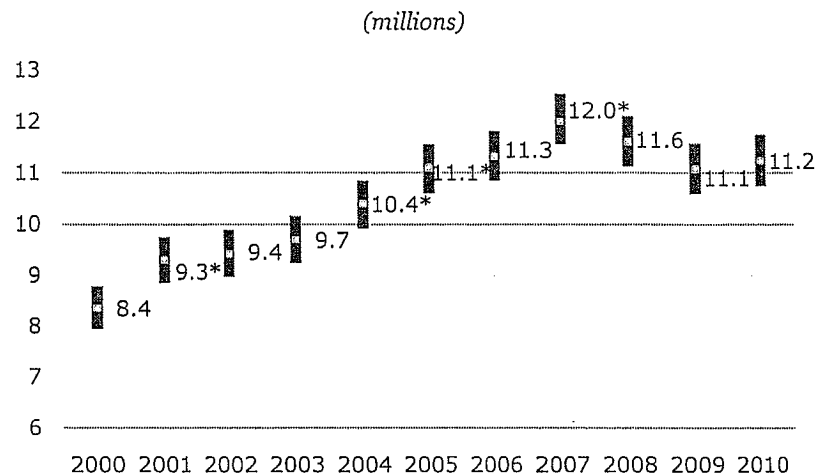
The number of unauthorized immigrants

in the nation's workforce, 8 million in March 2010, also did not differ from the Pew Hispanic Center estimate for 2009. As with the population total, the number of unauthorized immigrants in the labor force had decreased in 2009, from its peak of 8.4 million in 2007.

The number of children born to at least one unauthorized-immigrant parent in 2009 was 350,000, essentially the same as it was a year earlier. An analysis of the year of entry of unauthorized immigrant parents of babies born in 2009 indicates that 61% arrived before 2004, 30% arrived from 2004 to 2007, and 9% arrived from 2008 to 2010.

According to the Pew Hispanic Center, unauthorized immigrants made up 3.7% of the nation's population and 5.2% of its labor force in March 2010. Births to unauthorized immigrant parents accounted for 8% of newborns from March 2009 to March 2010, according to the center's estimates, which are based mainly on data from the government's Current Population Survey.

**Figure 1**  
**Estimates of the U.S. Unauthorized Immigrant Population, 2000-2010**



Notes: Bars indicate low and high points of the estimated 90% confidence interval. The symbol \* indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

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The decline in the population of unauthorized immigrants from its peak in 2007 appears due mainly to a decrease in the number from Mexico, which went down to 6.5 million in 2010 from 7 million in 2007. Mexicans remain the largest group of unauthorized immigrants, accounting for 58% of the total.

The decline in the population of unauthorized immigrants since 2007 has been especially marked in some states that recently had attracted large numbers of unauthorized immigrants. The number has decreased in Colorado, Florida, New York and Virginia. The combined unauthorized immigrant population of three contiguous Mountain West states—Arizona, Nevada and Utah—also declined.

**Table 1**  
**States with Changes in**  
**Unauthorized Immigrant**  
**Populations, 2007-2010**

(thousands)

	2010	2007	Change
<b>Decline</b>			
Florida	825	1,050	-230
New York	625	825	-200
Virginia	210	325	-100
Colorado	180	240	-65
AZ-UT-NV	700	850	-160
<b>Increase</b>			
TX-LA-OK	1,800	1,550	+240

Note: Changes shown are statistically significant based on 90% confidence interval, and are the only statistically significant changes for 2007 to 2010 for individual states. Unauthorized estimates are rounded. Change is computed from unrounded data and independently rounded.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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The number of unauthorized immigrants may have declined in other states as well, but this cannot be stated conclusively because the measured change was within the margin of error for these estimates.

In contrast to the national trend, the number of unauthorized immigrants has grown in some West South Central states. From 2007 to 2010, there was a statistically significant increase in the combined unauthorized immigrant population of Louisiana, Oklahoma and Texas. The change was not statistically significant for these states individually, but it was for the combined three states. Texas has the second largest number of unauthorized immigrants, trailing only California.

Despite the recent decline and leveling off, the number of unauthorized immigrants living in the United States has tripled since 1990, when it was 3.5 million. The size of this population grew by a third since 2000, when it was 8.4 million.

The estimates are produced using a multistage method that subtracts the legal foreign-born population from the total adjusted foreign-born population, with the residual then used as the source of information about unauthorized immigrants. The source of these data is the U.S. Census Bureau's March Current Population Surveys.

Because these estimates are derived from sample surveys, they are subject to uncertainty from sampling error, as well as other types of error. Each annual estimate of the unauthorized population is actually the middle point of a range of possible values that could be the true number. Additionally, the change from one year to the next has its own margin of error.

Because of the margin of error in these estimates, two numbers may look different but cannot be said definitively to be different. For example, there is no statistically significant difference between the estimate of the unauthorized population for 2009 (11.1 million) and the estimate for 2010 (11.2 million). Similarly, some state estimates for single years are based on small samples; especially in less populous states, two single years should not be compared.

These ranges represent 90% confidence intervals, meaning that there is a 90% probability that the range contains the true value.

Although the estimates presented here indicate trends in the size and composition of the unauthorized-immigrant population, they are not designed to answer the question of why these changes occurred. There are many possible factors. The deep recession that began in the U.S. economy in late 2007 officially ended in 2009, but recovery has been slow to take hold and unemployment remains high. Immigration flows have tended to decrease in previous periods of economic distress.

The period covered by this analysis also has been accompanied by changes in the level of immigration enforcement and in enforcement strategies, not only by the federal government but also at state and local levels. Immigration also is subject to pressure by demographic and economic conditions in sending countries. This analysis does not attempt to quantify the relative impact of these forces on levels of unauthorized immigration.

## About this Report

This report estimates the size of the unauthorized immigrant population, as well as the unauthorized immigrant labor force for the nation and each state in March 2010. For the nation, it also describes this population by region or country of birth and arrival period. For some of these variables, the report provides annual trends from 2000 onward. Updating and expanding on an earlier report about U.S.-born children of unauthorized immigrants, the report provides estimates and trends for the status of children of unauthorized immigrants as well as information about their parents' period of arrival and country of origin.

The Pew Hispanic Center estimates the unauthorized immigrant population using the "residual method," a well-developed and widely accepted technique that is based on official government data. Under this methodology, a demographic estimate of the legal foreign-born population—naturalized citizens, legal permanent residents, temporary legal residents and refugees—is subtracted from the total foreign-born population. The remainder, or residual, is the source of population estimates and characteristics of unauthorized immigrants.

These Pew Hispanic Center estimates use data mainly from the Current Population Survey (CPS), a monthly survey of about 55,000 households conducted jointly by the U.S. Bureau of Labor Statistics and the Census Bureau. It is best known as the source for monthly unemployment statistics. Each March, the CPS sample size and questionnaire are expanded to produce additional data on the foreign-born population and other topics. The Pew Hispanic Center estimates make adjustments to the government data to compensate for undercounting of some groups, and therefore its population totals differ somewhat from the ones the government uses. Estimates for any given year are based on a March reference date.

Because of small sample size in many states and potentially large sampling variability, some state estimates presented are based on multiyear averages. For the 34 states with fewer than 50 cases of unauthorized immigrant households in the 2010 sample survey, the estimates for that year are an average of 2009 and 2010. These states are Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin and Wyoming. Estimates for other states and for the District of Columbia are based solely on 2010 data.



All 2007 state estimates were derived by calculating the average share of the national unauthorized immigrant population for 2006-2008 that was held by each state, then applying that share to the 2007 national total.

For more detail, see the Methodology appendix.

### **A Note on Terminology**

“Foreign born” refers to an individual who is not a U.S. citizen at birth or, in other words, who is born outside the U.S., Puerto Rico or other U.S. territories and whose parents are not U.S. citizens. The terms “foreign born” and “immigrant” are used interchangeably.

“U.S. born” refers to an individual who is a U.S. citizen at birth, including people born in the United States, Puerto Rico or other U.S. territories, as well as those born elsewhere to parents who are U.S. citizens.

The “legal immigrant” population is defined as people granted legal permanent residence; those granted asylum; people admitted as refugees; and people admitted under a set of specific authorized temporary statuses for longer-term residence and work. This group includes “naturalized citizens,” legal immigrants who have become U.S. citizens through naturalization; “legal permanent resident aliens,” who have been granted permission to stay indefinitely in the U.S. as permanent residents, asylees or refugees; and “legal temporary migrants,” who are allowed to live and, in some cases, work in the U.S. for specific periods of time (usually longer than one year).

“Unauthorized immigrants” are all foreign-born non-citizens residing in the country who are not “legal immigrants.” These definitions reflect standard and customary usage by the Department of Homeland Security and academic researchers. The vast majority of unauthorized immigrants entered the country without valid documents or arrived with valid visas but stayed past their visa expiration date or otherwise violated the terms of their admission. Some who entered as unauthorized immigrants or violated terms of admission have obtained work authorization by applying for adjustment to legal permanent status or by obtaining Temporary Protected Status (TPS). Data are very limited, but this “quasi-legal” group could account for as much as 10% of the unauthorized population. Many could also revert to unauthorized status.

“Children” are people under age 18 who are not married. “Adults” are ages 18 and older.

“Children of unauthorized immigrants” or “children of unauthorized immigrant parents” include both foreign-born and U.S.-born children who live with at least one unauthorized immigrant parent.

### **About the Authors**

**Jeffrey S. Passel** is a senior demographer at the Pew Hispanic Center. He is a nationally known expert on immigration to the United States and on the demography of racial and ethnic groups. In 2005, Dr. Passel was made a fellow of the American Statistical Association, which cited his outstanding contributions to the measurement of population composition and change. He formerly served as principal research associate at the Urban Institute’s Labor, Human Services and Population Center. From 1987 to 1989, he was assistant chief for population estimates and projections in the Population Division of the U.S. Census Bureau.

**D’Vera Cohn** is a senior writer at the Pew Research Center. From 1985 to 2006, she was a reporter at The Washington Post, where she wrote chiefly about demographic trends and immigration. She was the newspaper’s lead reporter for the 2000 Census.

### **Recommended Citation**

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## About the Pew Hispanic Center

The Pew Hispanic Center is a nonpartisan research organization that seeks to improve public understanding of the diverse Hispanic population in the United States and to chronicle Latinos' growing impact on the nation. It does not take positions on policy issues. The Center is part of the Pew Research Center, a nonpartisan "fact tank" based in Washington, D.C., and it is funded by The Pew Charitable Trusts, a Philadelphia-based public charity. All of the Center's reports are available at [www.pewhispanic.org](http://www.pewhispanic.org).

The staff of the Pew Hispanic Center is:

*Paul Taylor, Director*

*Rakesh Kochhar, Associate Director for Research*

*Richard Fry, Senior Research Associate*

*Gretchen Livingston, Senior Researcher*

*Daniel Dockterman, Research Assistant*

*Mark Hugo Lopez, Associate Director*

*Jeffrey S. Passel, Senior Demographer*

*Gabriel Velasco, Research Analyst*

*Mary Seaborn, Administrative Manager*

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## Current Estimates and Trends

The shrinkage of the unauthorized immigrant population from its 2007 peak apparently has halted, at least temporarily. According to Pew Hispanic Center estimates, there were 11.2 million unauthorized immigrants living in the United States in March 2010, statistically unchanged from the March 2009 estimate of 11.1 million.

The Pew Hispanic Center's March 2009 estimate had represented the first reversal in the size of the unauthorized-immigrant population in two decades. There were 3.5 million unauthorized immigrants living in the United States in 1990, a number that grew to 8.4 million in 2000. The population leveled off for two years and grew steadily from 2003 to 2007, when it peaked at 12 million. From 2007 to 2009, it shrank by 8%.<sup>1</sup>

Unauthorized immigrants represented 28% of the nation's foreign-born population of 40.2 million in March 2010, according to the Pew Hispanic Center estimates. The share is the same as it was in 2009 but a decline from 2007's 31%.

The other components of the foreign-born population are its 29 million legal immigrants: 14.9 million naturalized citizens, 12.4 million

permanent residents and 1.7 million legal temporary migrants. The number of naturalized citizens grew significantly from 13.7 million in 2007; this increase is part of a longer-term trend in which more immigrants are choosing to naturalize. The number of legal permanent residents or legal temporary migrants showed no significant change.

**Table 2**  
**Estimates of the U.S. Unauthorized Immigrant Population, 2000-2010**

(millions)

Year	Estimate	Range
2010	11.2	(10.7 - 11.7)
2009	11.1	(10.6 - 11.6)
2008	11.6	(11.1 - 12.1)
2007	<b>12.0</b>	(11.5 - 12.5)
2006	11.3	(10.8 - 11.8)
2005	<b>11.1</b>	(10.6 - 11.6)
2004	<b>10.4</b>	(9.9 - 10.8)
2003	9.7	(9.2 - 10.2)
2002	9.4	(9.0 - 9.9)
2001	<b>9.3</b>	(8.8 - 9.7)
2000	8.4	(7.9 - 8.8)

Notes: Range represents the bounds of the estimated 90% confidence interval. Boldface indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

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<sup>1</sup> These trends are consistent with estimates from the Department of Homeland Security, which uses a similar methodology but a different data source, the Census Bureau's American Community Survey. The DHS estimates also indicate that the unauthorized immigrant population peaked in 2007, at 11.8 million.

The decline in the size of the unauthorized immigrant population from its peak in 2007 appears to be driven mainly by a decrease in the number of such immigrants from Mexico. In 2007, there were an estimated 7 million unauthorized immigrants from Mexico. In 2010, the number of Mexican unauthorized immigrants had declined to 6.5 million.

The unauthorized population from Mexico had grown steadily from 2001, when it was 4.8 million, to its peak level in 2007. After that, there were no statistically significant changes in the Mexican-born unauthorized population until 2010, when the number showed a decline from three years earlier.

In a report last year, the Pew Hispanic Center concluded that inflows of unauthorized immigrants from Mexico had fallen off sharply, presaging the decline found in the 2010 estimates. According to the center's estimates, an average of 150,000 unauthorized immigrants from Mexico arrived annually during the period from March 2007 to March 2009, which was 70% below the annual average of 500,000 during the first half of the decade.

In addition to reduced inflows, the other ways in which an unauthorized population could decline are via an increase in the number of migrants voluntarily leaving the country, deportations, deaths or conversion to legal status. As the Pew Hispanic Center has previously reported, although many Mexican migrants voluntarily return home each year, there is no evidence that this number has grown in recent years.

Removals (deportations) have more than doubled over the past decade, reaching almost 400,000 in fiscal 2009. Mexicans have constituted the majority of deportations for at least the past decade. In 2009, more than 70% of deportees were Mexican, according to the Department of Homeland Security.

**Table 3**  
**Foreign-born Population**  
**by Legal Status, 2010**

*(population in millions)*

	Population	Share of Foreign Born
<b>Total foreign born</b>	40.2	100%
<b>Legal immigrants</b>	29.0	72%
Naturalized citizens	14.9	37%
Legal permanent resident aliens	12.4	31%
Legal temporary migrants	1.7	4%
<b>Unauthorized immigrants</b>	11.2	28%

Notes: Numbers may not sum to total due to rounding.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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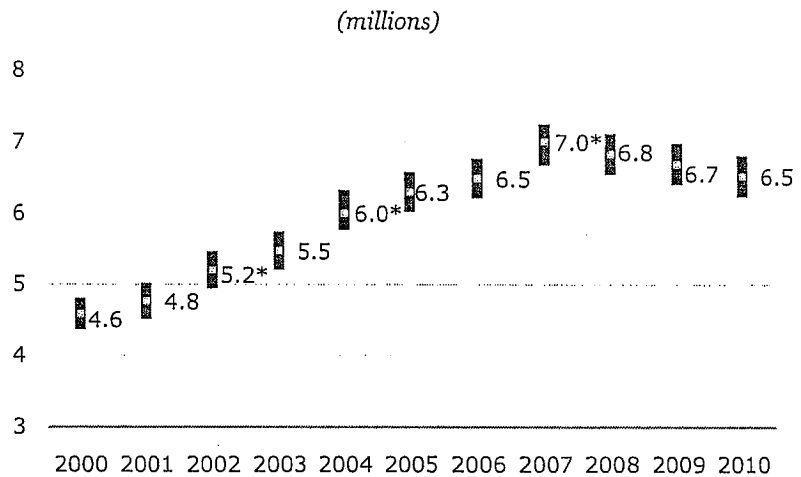
Because this population is relatively young, mortality is not likely to be an important factor. As for conversion to legal status, that is more difficult now than in the 1990s or earlier; the number of all status adjustments in the last three years is unchanged from average levels for 2001-2006, according to figures from the Department of Homeland Security's Yearbook of Immigration Statistics.

By contrast to the decline of Mexican unauthorized immigrants, the total estimated unauthorized population from other nations in Latin America was similar to what it was in 2007. The population from nations outside Latin America in 2010 also was no different from its 2007

total. Estimating change in unauthorized immigration from these nations is difficult, because the relatively small sample size makes for more volatility in year-to-year population changes.

Mexicans make up the majority of the unauthorized immigrant population, 58%, or 6.5 million. Other nations in Latin America account for 23% of unauthorized immigrants, or 2.6 million. Asia accounts for 11%, or about 1.3 million, and Europe and Canada account for 4%, or 500,000. African countries and other nations represent about 3%, or 400,000.

**Figure 2**  
**Estimates of the U.S. Unauthorized Immigrant Population from Mexico, 2000-2010**



Notes: Bars indicate low and high points of the approximate 90% confidence interval. The symbol \* indicates the change from the previous year is statistically significant.

Source: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

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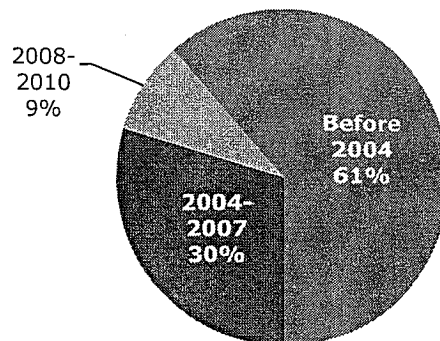
## Births and Children

Among births from March 2009 to March 2010, 350,000 newborns had at least one unauthorized parent, a number that statistically is no different from the estimate of 340,000 published by the Pew Hispanic Center for 2008-2009.

These newborns represented 8% of all births during this period, the same share as for the previous year. Unauthorized immigrants represent about 4% of the U.S. population but are relatively young and have high birthrates, which is why their newborns make up a higher share of all births.

Among all births in the U.S. in 2009-2010, 74% were to U.S.-born parents and 17% to legal immigrants.

**Figure 3**  
Parents' Period of Arrival for U.S. Births to Unauthorized Immigrants in 2009

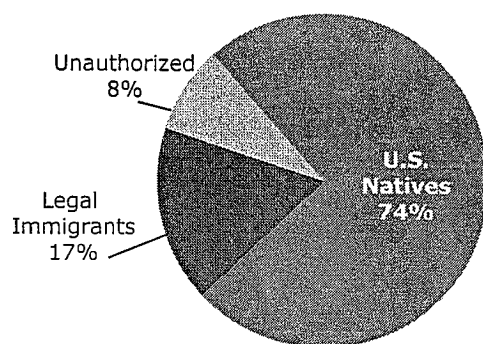


Notes: Births occurring March 2009–March 2010 based on population under age 1. Estimate is based on the most recently arrived parent. Percentages may not add to 100% because of rounding.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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**Figure 4**  
Parents' Status for Births in 2009



Notes: Births occurring March 2009–March 2010 based on population under age 1. Percentages may not add to 100% because of rounding.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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The Pew Hispanic Center analysis also examined year-of-arrival patterns for unauthorized immigrant parents of babies born from March 2009 to March 2010, to see how long the parents had been in the United States before their children were born. If year of arrival was available for both parents, the analysis used the most recently arrived parent.

According to the analysis, 9% of these unauthorized immigrants who had babies in 2009-2010 had arrived in the U.S. in 2008 or later. An additional 30% arrived from 2004 to 2007, and the remaining 61% arrived in the United States before 2004.



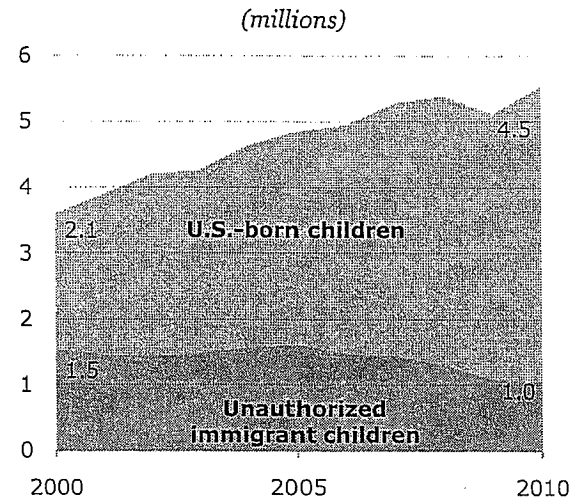
As with previous analyses, the Pew Hispanic Center finds that among all children of unauthorized immigrants—an estimated 5.5 million in 2010—a growing share was born in the United States and therefore they are U.S. citizens by birthright.

Among children of unauthorized immigrants, an estimated 4.5 million are U.S.-born; 1 million are foreign-born and therefore unauthorized. The number of unauthorized children has declined from a peak of 1.6 million in 2005. The number of U.S.-born children has more than doubled from 2.1 million in 2000.<sup>2</sup>

The 14th Amendment to the U.S. Constitution, adopted in 1868, grants an automatic right to citizenship to anyone born in the United States. In recent months, some prominent national and state elected officials have urged that this right be repealed at the national or state level, on the grounds that it attracts unauthorized immigrants to the United States. A nationwide survey by the Pew Research Center in October found that registered voters are split (46% to 46%) about whether to amend the Constitution to end birthright citizenship. A majority of Republican respondents (67%) favor amending the Constitution, compared with about half of independents (48%) and a minority of Democrats (30%).

Mexico is more dominant as a country of origin among unauthorized-immigrant parents than it is among all unauthorized immigrants. Among children with at least one unauthorized immigrant parent, 70% have parents from Mexico, 17% from other Latin American countries, 7% from Asia, 2% from Europe and Canada, and 3% from Africa and other nations.

**Figure 5**  
**Children with at Least One**  
**Unauthorized Immigrant Parent,**  
**by Status, 2000-2010**



Note: Children are persons under age 18 who are not married.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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<sup>2</sup> In 2009, there were an estimated 4 million U.S.-born children of unauthorized immigrants. Users are cautioned that the estimates for demographic components of change, such as births, may not be entirely consistent with apparent population change because of the potentially large sampling error in year-to-year differences.

## State Settlement Patterns

Analysis of state trends from 2007 to 2010 indicates that four states had a statistically significant decline in their populations of unauthorized immigrants, and the combined population of three other contiguous states in the Mountain West decreased. There was a statistically significant increase in the combined population of three contiguous West South Central states. No other states had statistically significant change over this period.

The four individual states where the number of unauthorized immigrants declined from March 2007 to March 2010 were New York, Florida, Virginia and Colorado. Additionally, the combined unauthorized immigrant population in Arizona, Nevada and Utah also decreased during that period, although the change was not statistically significant for any of those states individually.

Florida had an estimated 825,000 unauthorized immigrants in 2010, a decline from 1.05 million in 2007. Nevertheless, Florida continued to rank third among states in the size of its unauthorized immigrant population. New York's estimated unauthorized immigrant population in 2010, 625,000, declined from an estimated 825,000 in 2007. New York ranked fourth in the size of its unauthorized population in 2010, as it did in 2007.

There were an estimated 210,000 unauthorized immigrants living in Virginia in 2010, a decline from 325,000 in 2007. In Colorado, an estimated 180,000 unauthorized immigrants lived in the state in 2010, compared with 240,000 in 2007.

In the Mountain West, the combined unauthorized immigrant population of Arizona, Nevada and Utah declined to an estimated 700,000 from an estimated 850,000 in 2007.

**Table 4**  
**States with Largest Unauthorized Immigrant Populations, 2010**  
(thousands)

	Estimated Population	Range
<b>U.S. Total</b>	<b>11,200</b>	<b>(10,700 - 11,700)</b>
California	2,550	(2,350 - 2,750)
Texas	1,650	(1,450 - 1,850)
Florida	825	(725 - 950)
New York	625	(525 - 725)
New Jersey	550	(425 - 650)
Illinois	525	(425 - 625)
Georgia	425	(300 - 550)
Arizona	400	(275 - 500)
North Carolina	325	(240 - 425)
Maryland	275	(200 - 325)
Washington	230	(140 - 325)
Virginia	210	(170 - 250)

Note: Range represents approximate 90% confidence interval around estimated population.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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Counter to the national trend, the combined unauthorized immigrant population grew in some West South Central states. In 2007, Louisiana, Oklahoma and Texas had a combined 1.55 million unauthorized immigrants living within their borders. In 2010, that number had grown to 1.8 million. Texas, with an unauthorized immigrant population of 1.65 million, ranks second only to California in the size of this group.

California has by far the largest unauthorized-immigrant population (2.55 million). It also is among the states where unauthorized immigrants constitute the largest shares of the overall populations. In addition to California (6.8%), other top states are Nevada (7.2%) and Texas (6.7%).

Unauthorized immigrants are concentrated in a relatively small number of states. The dozen states with the largest unauthorized numbers account for more than three-quarters (77%) of this population. Nearly a quarter (23%) lives in California. Nonetheless, unauthorized immigrants live in every state, and several of their top destinations, including Georgia and North Carolina, housed relatively few unauthorized immigrants two decades ago.

Mexicans account for half or more of the unauthorized population in all but 22 states and Washington, D.C. In seven states, they make up 80% or more of the unauthorized immigrant population. At the national level, 58% of unauthorized immigrants are Mexicans.

Among the five states with the largest unauthorized populations, Mexicans constitute less than half the stock in three of them—New York, New Jersey and Florida.

Because of small sample size in many states and potentially large sampling variability, some state estimates presented here are based on multiyear averages. For the 34 states with fewer than 50 cases of unauthorized immigrant households in the 2010 sample survey, the estimates

**Table 5**  
**States with Largest Share of**  
**Unauthorized Immigrants in the**  
**Population, 2010**

(thousands)

	Total Population	Unauthorized Population	Share
<b>U.S. Total</b>	<b>305,999</b>	<b>11,200</b>	<b>3.7%</b>
Nevada	2,655	190	7.2%
California	37,21	2,550	6.8%
Texas	24,85	1,650	6.7%
New Jersey	8,743	550	6.2%
Arizona	6,559	400	6.0%
Maryland	5,702	275	4.6%
District of Columbia	600	25	4.5%
Florida	18,49	825	4.5%
Georgia	9,722	425	4.4%
New Mexico	1,997	85	4.3%
Oregon	3,854	160	4.3%
Illinois	12,84	525	4.1%

Note: Unauthorized estimates are rounded. Percentages are computed from unrounded data. In an earlier version of this table, "District of Columbia" was incorrectly labeled "Washington."

Source: Pew Hispanic Center estimates based on augmented March 2010 Supplement to the Current Population Survey. See Methodology.

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for that year are an average of 2009 and 2010. These states are Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin and Wyoming. Estimates for other states and for the District of Columbia are based solely on 2010 data.

All 2007 state estimates were derived by calculating the average share of the national unauthorized immigrant population for 2006-2008 that was held by each state, then applying that share to the 2007 national total.

## Workers

There were 8 million unauthorized immigrants in the workforce in March 2010, down slightly from 2007, when there were 8.4 million. They represent 5.2% of the workforce, similar to their proportion for the past half-decade, when they represented 5% to 5.5% of workers.

State patterns differ widely, but generally states with large numbers or shares of unauthorized immigrants also have relatively large numbers or shares in the workforce.

States with the largest share of unauthorized immigrants in the workforce include Nevada (10%), California (9.7%), Texas (9%) and New Jersey (8.6%). Because unauthorized immigrants are more likely than the overall population to be of working age, their share in a state's workforce is substantially higher than their share of a state's population.

California also has the largest number of people in the labor force who are unauthorized immigrants (1.85 million), followed by Texas (1.1 million), Florida (600,000) and New York (450,000.).

**Table 6**  
**Unauthorized Immigrants in U.S.**  
**Civilian Labor Force, 2000-2010**

Year	(millions)	
	Estimated Labor Force	Share of Labor Force
2010	8.0	5.2%
2009	7.8	5.1%
2008	8.2	5.3%
2007	8.4	5.5%
2006	7.8	5.2%
2005	7.4	5.0%
2004	6.8	4.6%
2003	6.5	4.4%
2002	6.4	4.4%
2001	6.3	4.3%
2000	5.5	3.8%

Note: Includes employed and unemployed workers.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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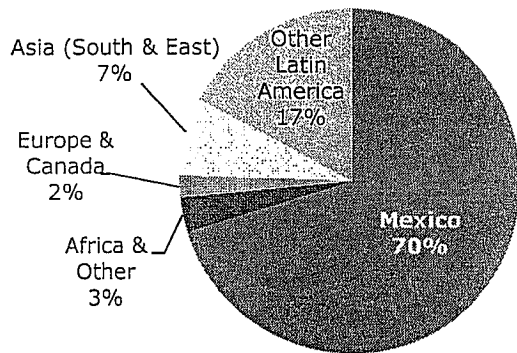
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**Figure A1**  
**Parents' Country of Birth for**  
**Children of Unauthorized**  
**Immigrants, 2010**

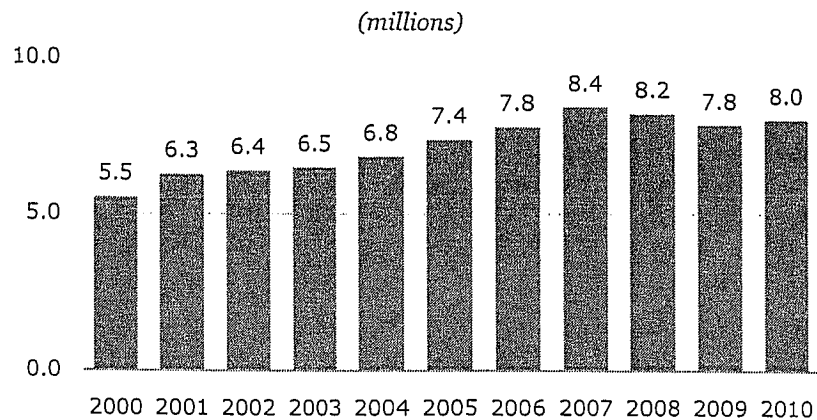


Notes: Includes parents of U.S.-born and immigrant children under 18 years old. Percentages may not add to 100% because of rounding.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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**Figure A2**  
**Unauthorized Immigrants in the U.S. Civilian**  
**Labor Force, 2000-2010**



Note: Includes employed and unemployed workers.

Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

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**Table A3 – Estimates of Unauthorized Immigrant Population by State, Selected Years 1990 to 2010**

(thousands)

	2010		2007		2005	2000	1990
	Estimated Population	Range	Estimated Population	Range	Estimated Population	Estimated Population	Estimated Population
<b>U.S. Total</b>	<b>11,200</b>	<b>10,700 - 11,700</b>	<b>12,000</b>	<b>11,500 - 12,500</b>	<b>11,100</b>	<b>8,375</b>	<b>3,525</b>
Alabama	120	(75 - 160)	110	(55 - 160)	60	25	5
Alaska	<10	<10	<10	<10	<10	<10	<5
Arizona	400	(275 - 500)	500	(400 - 575)	450	300	90
Arkansas	55	(35 - 75)	55	(40 - 70)	45	30	5
California	2,550	(2,350 - 2,750)	2,750	(2,600 - 2,900)	2,650	2,300	1,500
Colorado	180	(140 - 230)	240	(210 - 275)	240	160	30
Connecticut	120	(90 - 150)	110	(90 - 140)	85	75	20
Delaware	25	(20 - 35)	30	(25 - 40)	25	15	5
District of Columbia	25	(20 - 35)	30	(25 - 35)	25	25	15
Florida	825	(725 - 950)	1,050	(950 - 1,150)	925	575	240
Georgia	425	(300 - 550)	475	(400 - 575)	425	250	35
Hawaii	40	(30 - 50)	30	(25 - 40)	25	25	5
Idaho	35	(20 - 45)	35	(25 - 40)	30	25	10
Illinois	525	(425 - 625)	500	(425 - 550)	350	475	200
Indiana	110	(70 - 160)	100	(80 - 130)	85	65	10
Iowa	75	(45 - 100)	55	(40 - 75)	55	25	5
Kansas	65	(45 - 85)	70	(55 - 90)	60	55	15
Kentucky	80	(40 - 120)	45	(30 - 60)	50	20	5
Louisiana	65	(35 - 90)	35	(20 - 55)	25	20	15
Maine	<10	<10	<10	<10	<10	<10	<5
Maryland	275	(200 - 325)	275	(220 - 300)	250	120	35
Massachusetts	160	(120 - 200)	190	(140 - 230)	200	150	55
Michigan	150	(110 - 190)	120	(85 - 140)	120	95	25
Minnesota	85	(60 - 100)	110	(85 - 140)	85	55	15
Mississippi	45	(20 - 70)	40	(20 - 60)	40	10	5
Missouri	55	(35 - 75)	45	(25 - 65)	40	30	10
Montana	<10	<10	<10	<10	<10	<10	<5
Nebraska	45	(25 - 60)	50	(35 - 60)	45	30	5
Nevada	190	(150 - 230)	240	(200 - 275)	190	140	25
New Hampshire	15	(10 - 20)	20	(10 - 25)	15	<10	<5
New Jersey	550	(425 - 650)	600	(525 - 675)	475	325	95
New Mexico	85	(60 - 110)	80	(60 - 100)	65	55	20
New York	625	(525 - 725)	825	(725 - 925)	675	725	350
North Carolina	325	(240 - 425)	375	(300 - 450)	375	210	25
North Dakota	<10	<10	<10	<10	<10	<10	<5
Ohio	100	(65 - 140)	100	(70 - 130)	100	55	10
Oklahoma	75	(55 - 95)	55	(40 - 70)	60	50	15
Oregon	160	(110 - 220)	140	(100 - 180)	140	110	25
Pennsylvania	160	(110 - 210)	140	(90 - 180)	150	85	25
Rhode Island	30	(25 - 35)	30	(25 - 35)	30	20	10
South Carolina	55	(30 - 75)	70	(45 - 95)	55	45	5
South Dakota	<10	<10	<10	<10	<10	<10	<5
Tennessee	140	(95 - 180)	160	(110 - 210)	130	50	10
Texas	1,650	(1,450 - 1,850)	1,450	(1,350 - 1,600)	1,400	1,100	450
Utah	110	(70 - 150)	120	(90 - 150)	95	65	15
Vermont	<10	<10	<10	<10	<10	<10	<5
Virginia	210	(170 - 250)	325	(250 - 375)	275	150	50
Washington	230	(140 - 325)	170	(120 - 220)	200	160	40
West Virginia	<10	<10	<10	<10	<10	<10	<5
Wisconsin	100	(65 - 140)	90	(65 - 120)	100	50	10
Wyoming	<10	<10	<10	<10	<10	<10	<5

Notes: State ranges represent approximate 90 percent confidence intervals. Estimates for 2010 are averages of 2009 and 2010 for 34 states; estimates for 2009 are derived from the average distribution across states in 2006-2008.

Sources: Estimates for 2010, 2007 and 2005 are Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. Estimates for 2000 based on tabulations from 5 percent Public-Use Microdata Sample (PUMS) by Passel et al. 2004. Estimates for 1990 from Warren 2003. See Methodology.

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**Table A4 – Number and Share for Labor Force and Total Population of Unauthorized Immigrants, for States, 2010**  
(thousands)

	<u>Labor Force</u>			<u>Population</u>		
	Total	Unauthorized Immigrants Estimate	Share	Total	Unauthorized Immigrants Estimate	Share
<b>U.S. Total</b>	<b>154,939</b>	<b>8,000</b>	<b>5.2%</b>	<b>305,999</b>	<b>11,200</b>	<b>3.7%</b>
Alabama	2,263	95	4.2%	4,695	120	2.5%
Alaska	358	<10	<1.5%	690	<10	<1%
Arizona	3,116	230	7.4%	6,559	400	6.0%
Arkansas	1,305	40	3.0%	2,865	55	1.8%
California	18,811	1,850	9.7%	37,210	2,550	6.8%
Colorado	2,664	120	4.6%	4,994	180	3.6%
Connecticut	1,853	85	4.5%	3,497	120	3.4%
Delaware	434	20	4.5%	883	25	3.0%
District of Columbia	339	20	6.1%	600	25	4.5%
Florida	9,064	600	6.6%	18,492	825	4.5%
Georgia	4,777	325	7.0%	9,722	425	4.4%
Hawaii	612	30	4.6%	1,253	40	3.1%
Idaho	768	20	2.8%	1,529	35	2.2%
Illinois	6,719	375	5.6%	12,841	525	4.1%
Indiana	3,168	70	2.3%	6,382	110	1.8%
Iowa	1,741	55	3.2%	2,996	75	2.5%
Kansas	1,417	45	3.3%	2,750	65	2.4%
Kentucky	2,081	55	2.6%	4,276	80	1.8%
Louisiana	2,068	40	2.0%	4,462	65	1.4%
Maine	678	<10	<1%	1,301	<10	<0.5%
Maryland	3,100	190	6.2%	5,702	275	4.6%
Massachusetts	3,509	130	3.7%	6,658	160	2.4%
Michigan	4,886	100	2.0%	9,873	150	1.5%
Minnesota	2,947	60	2.1%	5,228	85	1.6%
Mississippi	1,223	35	2.9%	2,871	45	1.6%
Missouri	3,057	40	1.3%	5,983	55	0.9%
Montana	513	<10	<1%	975	<10	<0.5%
Nebraska	1,006	30	3.0%	1,788	45	2.4%
Nevada	1,367	140	10.0%	2,655	190	7.2%
New Hampshire	754	10	1.6%	1,316	15	1.2%
New Jersey	4,679	400	8.6%	8,743	550	6.2%
New Mexico	909	50	5.6%	1,997	85	4.3%
New York	9,742	450	4.7%	19,474	625	3.2%
North Carolina	4,658	250	5.4%	9,387	325	3.5%
North Dakota	375	<10	<0.5%	634	<10	<0.5%
Ohio	5,922	70	1.2%	11,493	100	0.9%
Oklahoma	1,798	55	3.0%	3,646	75	2.0%
Oregon	2,024	110	5.3%	3,854	160	4.3%
Pennsylvania	6,264	110	1.7%	12,439	160	1.3%
Rhode Island	570	20	3.7%	1,034	30	3.0%
South Carolina	2,171	45	2.1%	4,514	55	1.2%
South Dakota	443	<10	<1.5%	802	<10	<1%
Tennessee	3,020	95	3.1%	6,262	140	2.2%
Texas	12,261	1,100	9.0%	24,858	1,650	6.7%
Utah	1,359	75	5.4%	2,812	110	3.8%
Vermont	360	<10	<0.5%	618	<10	<0.5%
Virginia	4,082	160	3.9%	7,808	210	2.7%
Washington	3,623	190	5.1%	6,748	230	3.4%
West Virginia	769	<10	<0.5%	1,806	<10	<0.5%
Wisconsin	3,093	65	2.0%	5,600	100	1.8%
Wyoming	292	<10	<1.5%	542	<10	<1.5%

Notes: Labor force estimates include both employed and unemployed workers. Percentages are computed from unrounded data.

Sources: Pew Hispanic Center estimates based on residual methodology applied to March Supplements to the Current Population Survey. See Methodology.

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## Appendix B: Methodology

### Unauthorized Immigrants—Overview

The data presented in this report on unauthorized and legal immigrants were developed with essentially the same methods used for previous reports (Passel and Cohn 2010, 2009, 2008). The state-level estimates for 2010 and 2007 are based on a variant of previous methods (e.g., Passel and Cohn 2010, Pew Hispanic Center 2006). The national and state estimates use a multistage estimation process, principally using March Supplements to the Current Population Survey (CPS). The CPS is a monthly survey of about 55,000 households conducted by the Census Bureau for the U.S. Bureau of Labor Statistics; the sample is expanded to about 80,000 households for the March supplement.

The first stage in the estimation process uses CPS data as a basis for estimating the number of legal and unauthorized immigrants included in the survey and the total number in the country using a residual estimation methodology. This method compares an estimate of the number of immigrants residing legally in the country with the total number in the CPS; the difference is assumed to be the number of unauthorized immigrants in the CPS. The legal resident immigrant population is estimated by applying demographic methods to counts of legal admissions covering the period from 1980 to the present, which are obtained from the Department of Homeland Security's Office of Immigration Statistics and its predecessor at the Immigration and Naturalization Service. The initial estimates here are calculated separately for age-gender groups in six states (California, Texas, Florida, New York, Illinois and New Jersey) and the balance of the country; within these areas, the estimates are further subdivided into immigrant populations from 35 countries or groups of countries by period of arrival in the United States. Variants of the residual method have been widely used and are generally accepted as the best current estimates. For more details, see Passel and Cohn 2010, 2008; and Passel 2007.

Then, having estimated the number of legal and unauthorized immigrants in the March CPS Supplements, we assign individual foreign-born respondents in the survey a specific status (one option being unauthorized immigrant) based on the individual's demographic, social, economic, geographic and family characteristics. The data and methods for the overall process were developed initially at the Urban Institute by Passel and Clark (especially 1998) and were extended by work of Passel, Van Hook and Bean (2004) and by subsequent work at the Pew Hispanic Center.

The final step adjusts the estimates of legal and unauthorized immigrants counted in the survey for omissions. The basic information on coverage is drawn principally from comparisons with Mexican data, U.S. mortality data and specialized surveys conducted at the time of the 2000 Census (Bean et al. 1998; Capps et al. 2002; Marcelli and Ong 2002). These adjustments increase the estimate of the legal foreign-born population, generally by 1-3% and the unauthorized immigrant population by 10-15%. The individual survey weights are adjusted to account for immigrants missing from the survey. These augmented files serve as a basis for the detailed tabulations of the family, social, economic and geographic characteristics presented here and in previous reports.

All estimates shown for 2000-2009 are identical to those in Passel and Cohn 2010 and Passel and Taylor 2010. The estimates for 2000-2008 use specially developed survey weights for the CPS to ensure consistency across the years in the underlying population figures. (See Passel and Cohn 2010 for a detailed discussion of the need for these weights and about their development.)

### **State-level Estimates**

State-level estimates should be treated with some caution because they are based on much smaller samples than the national estimates. Estimates from single years can be extremely volatile, so measurement of trends over time can be unreliable. To provide interpretable trends, previous estimates have relied on multiyear averages and regression methods (Passel and Cohn 2010, 2009; Pew Hispanic Center 2006).

The estimates presented here for states in 2010 are based on tabulations of the augmented March 2010 CPS file where the sample sizes exceed 50 unauthorized immigrant households (unweighted). There are 16 states and the District of Columbia where the single-year estimates are used for 2010: Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Illinois, Maryland, Nevada, New Jersey, New York, North Carolina, Oregon, Texas, Virginia and Washington. These states had more than 81% of the nation's estimated unauthorized immigrants in 2010. For the 34 states with fewer than 50 unauthorized immigrant households, the estimates shown for 2010 are an average of 2009 and 2010 CPS-based estimates. These states are Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin and Wyoming. For these same states, the workforce estimates in 2010 also are based on 2009-2010 averages. The total number of unauthorized

immigrants does not differ significantly for these two years and the distribution across states is more similar for 2009 and 2010 than for any pair of years between 2000 and 2010. The very high degree of similarity suggests that averaging to reduce sampling variability does not distort the trend analysis.

The state estimates for 2007 are derived by averaging the distributions of unauthorized immigrants across states. These average percentages were then applied to the national total for 2007 of 12.0 million unauthorized immigrants to derive the state estimates. The use of three years of data reduces substantially the margin of error of the resulting estimates. The distributions across states are quite similar for these years. The dissimilarity index for the 2006-2007 pair is smaller than all others except the 2009-2010 pair noted above. The index for 2007-2008 is the fifth smallest, behind 2009-2010, 2006-2007, 2000-2001 and 2001-2002. Margins of error for the state-level estimates are derived with replicate weights developed by the Census Bureau for the March Current Population Surveys of 2005-2010 (U.S. Census Bureau, 2010).

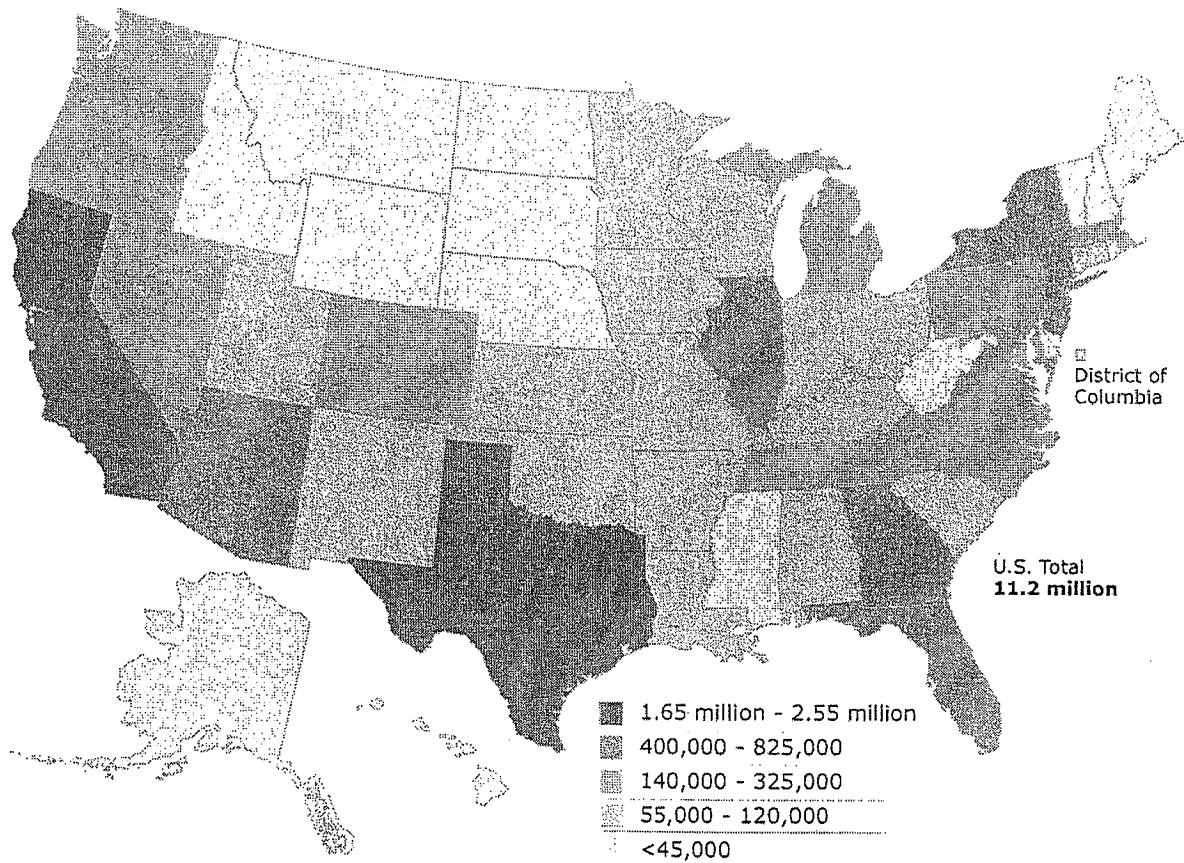
### **Rounding of Estimates**

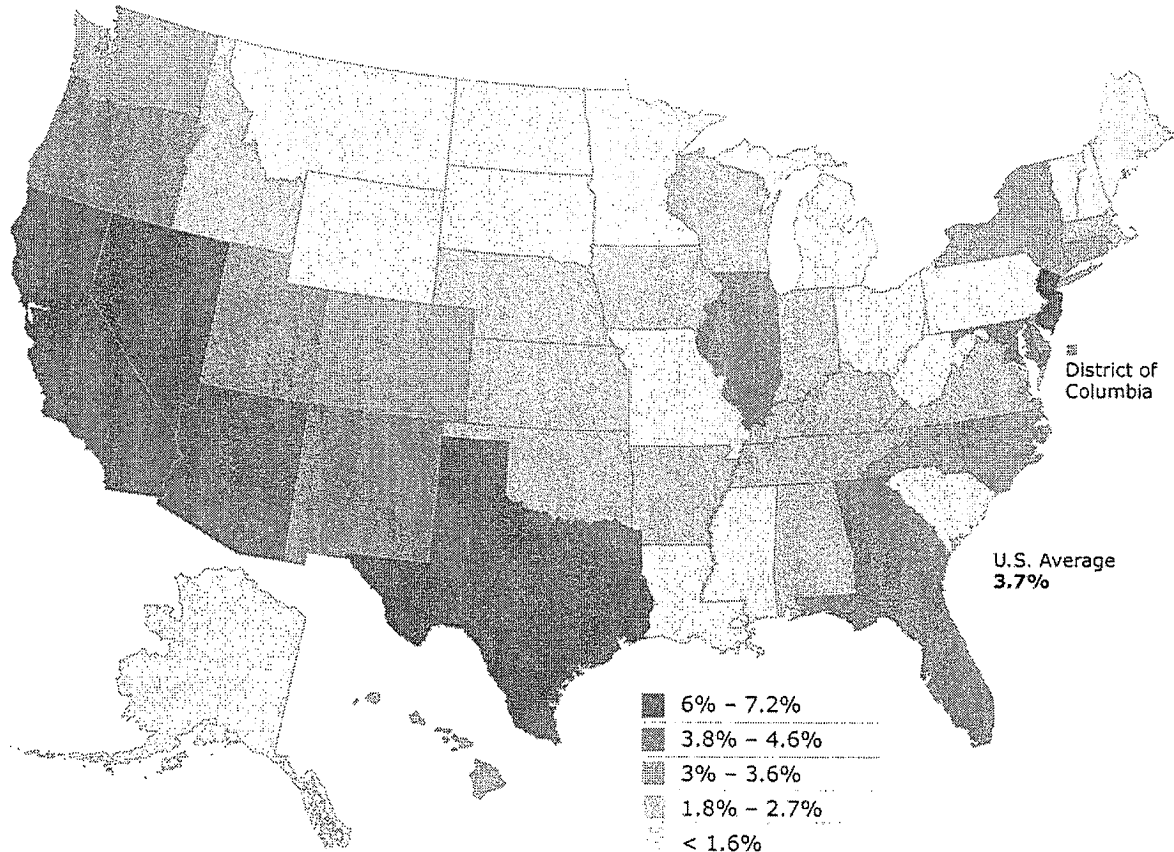
All state-level estimates for unauthorized immigrant populations are presented as rounded numbers to avoid the appearance of unwarranted precision in the estimates. No estimates smaller than 10,000 are shown. Estimates in the range of 10,000-100,000 are rounded to the nearest 5,000; estimates in the range of 100,000-250,000 to the nearest 10,000; estimates smaller than 1 million to the nearest 25,000; and estimates larger than that to the nearest 50,000. The same rounding conventions are applied to all state-level estimates of unauthorized immigrant populations and labor force for 2000 and later and, more generally, to most of the data presented on unauthorized immigrants.

## Appendix C: Maps

### Map C1: Population by State

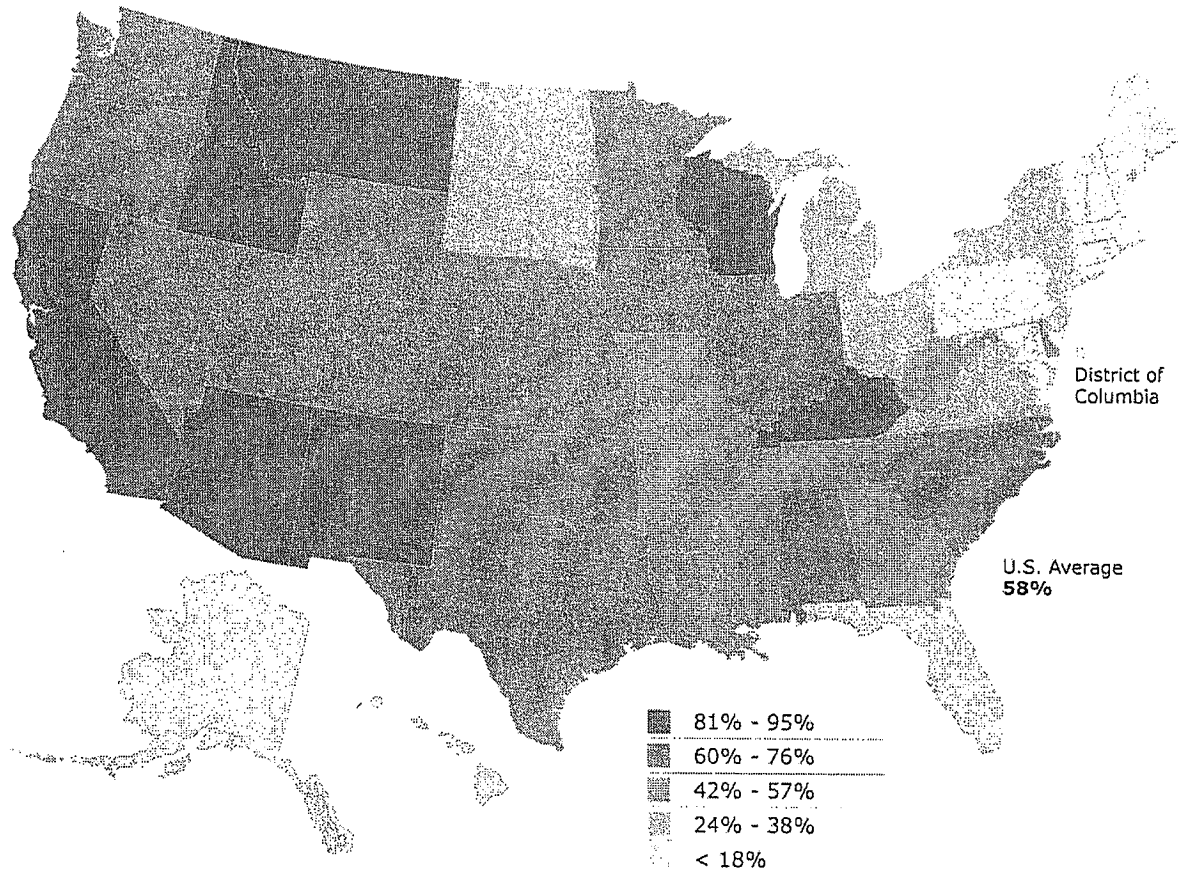
#### Unauthorized Immigrant Population by State, 2010

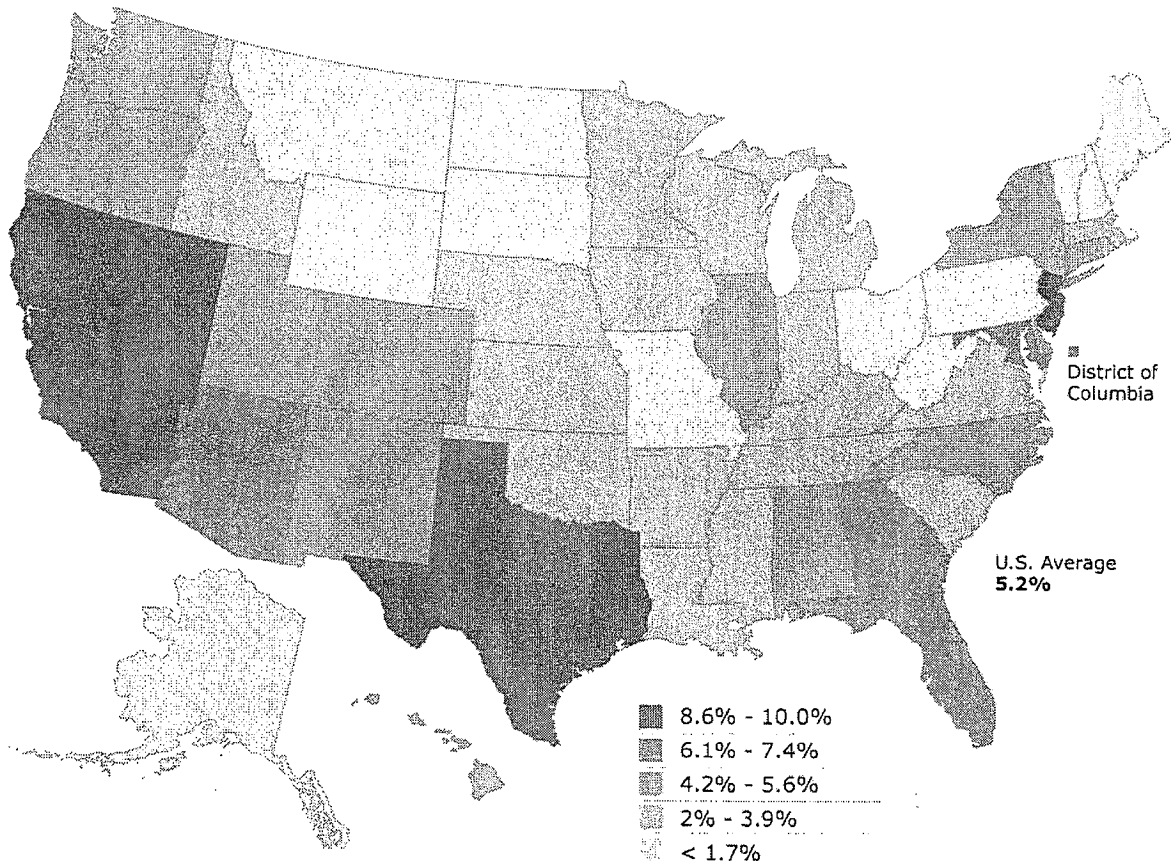


**Map C2: Share of State Population****Unauthorized Immigrant Share of Population  
by State, 2010**



## Map C3: Share Mexican

**Mexicans as Share of Unauthorized Immigrants**  
by State, 2010

**Map C4: Percent of Labor Force****Unauthorized Immigrants as Share of Labor Force**  
by State, 2010

**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2005**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	476.8	477.8	479.9	481.8	482.3	482.3	485.8	487.2	490.1	494.4	507.7	516.8	488.6
<b>Wholesale Trade</b>	97.6	98.6	99.2	99.3	99.3	99.6	100.0	99.9	100.2	100.9	102.2	104.1	100.1
<b>Retail Trade</b>	299.5	299.1	300.6	302.7	302.3	302.0	305.0	305.8	307.8	311.5	322.4	328.1	307.2
<b>Motor Vehicles and Parts</b>	44.1	44.6	44.9	44.8	44.7	44.9	45.0	45.4	45.4	45.2	45.2	45.3	45.0
<b>Furniture and Home Furnishings</b>	13.6	13.6	13.6	13.6	13.7	13.5	13.9	13.9	14.1	14.8	15.2	15.5	14.1
<b>Building Material, Garden Supply</b>	22.5	23.2	24.0	24.6	24.6	24.8	24.5	24.5	24.9	25.3	25.9	26.0	24.6
<b>Food and Beverage</b>	54.2	54.1	54.0	54.7	55.0	55.3	55.8	55.3	56.3	56.1	56.2	56.8	55.3
<b>Clothing and Accessories</b>	20.8	20.2	20.7	20.7	20.5	20.7	20.9	21.1	20.7	20.9	22.8	24.4	21.2
<b>General Merchandise</b>	58.9	57.6	57.9	57.5	57.3	56.9	58.5	58.8	59.1	60.1	65.7	67.4	59.6
<b>Department Stores</b>	31.5	30.3	30.2	29.5	29.3	29.3	30.7	31.2	31.3	31.9	35.2	36.6	31.4
<b>Other General merchandise</b>	27.4	27.3	27.7	28.0	28.0	27.6	27.8	27.6	27.8	28.2	30.5	30.8	28.2
<b>Transp., Warehousing, and Utilities</b>	79.7	80.1	80.1	79.8	80.7	80.7	80.8	81.5	82.1	82.0	83.1	84.6	81.3
<b>Utilities</b>	11.4	11.5	11.5	11.6	11.8	11.8	11.8	11.9	11.9	12.0	12.0	12.2	11.8
<b>Transportation and Warehousing</b>	68.3	68.6	68.6	68.2	68.9	68.9	69.0	69.6	70.2	70.0	71.1	72.4	69.5
<b>Air Transportation</b>	14.9	14.9	14.5	15.2	15.4	15.6	15.4	15.5	15.6	15.2	15.5	15.6	15.3
<b>Truck Transportation</b>	18.8	18.9	19.2	19.4	19.6	19.9	19.8	19.9	20.0	20.1	20.4	20.4	19.7
<b>Information</b>	44.2	44.8	45.1	45.9	46.1	45.7	45.3	45.0	44.6	44.9	45.5	46.1	45.3
<b>Telecommunications</b>	16.0	16.3	16.2	16.3	16.2	16.3	16.1	16.1	16.1	16.0	16.4	16.4	16.2

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2005**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,799.2	2,807.8	2,812.6	2,837.5	2,840.3	2,861.9	2,871.3	2,876.8	2,894.8	2,900.9	2,900.0	2,901.0	2,858.7
<b>Total Unemployment</b>	130.6	127.3	128.3	126.8	128.0	140.4	145.8	141.5	145.2	138.5	130.6	122.6	133.8
<b>Rate</b>	4.7%	4.5%	4.6%	4.5%	4.5%	4.9%	5.1%	4.9%	5.0%	4.8%	4.5%	4.2%	4.7%
<b>Rate (Sea. Adj.)</b>	4.6%	4.6%	4.6%	4.7%	4.7%	4.8%	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.7%
<b>Total Employment</b>	2,668.6	2,680.5	2,684.2	2,710.7	2,712.3	2,721.5	2,725.5	2,735.4	2,749.5	2,762.3	2,769.4	2,778.4	2,724.9
<b>Total Nonfarm</b>	2,413.1	2,454.6	2,473.7	2,506.0	2,507.8	2,481.1	2,468.1	2,507.4	2,545.7	2,558.1	2,585.5	2,604.6	2,508.8
<b>Total Private</b>	2,017.5	2,040.0	2,061.8	2,093.5	2,098.0	2,102.5	2,102.7	2,118.4	2,134.6	2,143.2	2,169.1	2,189.3	2,105.9
<b>Goods Producing</b>	386.4	391.6	396.7	403.2	406.3	413.0	415.5	418.0	419.7	420.5	423.9	428.2	410.3
<b>Service-Providing</b>	2,026.7	2,063.0	2,077.0	2,102.8	2,101.5	2,068.1	2,052.6	2,089.4	2,126.0	2,137.6	2,161.6	2,176.4	2,098.6
<b>Private Service-Providing</b>	1,631.1	1,648.4	1,665.1	1,690.3	1,691.7	1,689.5	1,687.2	1,700.4	1,714.9	1,722.7	1,745.2	1,761.1	1,695.6
<b>Natural Resources and Mining</b>	8.6	8.7	8.8	9.0	9.1	9.3	8.1	8.0	8.0	8.0	8.4	9.0	8.6
<b>Metal Ore Mining</b>	6.1	6.1	6.2	6.2	6.3	6.4	5.3	5.2	5.3	5.3	5.8	6.4	5.9
<b>Construction</b>	199.2	203.3	207.9	213.7	215.9	220.8	224.1	226.0	228.2	228.8	231.6	233.3	219.4
<b>Construction of Buildings</b>	36.9	37.3	38.0	39.3	39.9	40.9	42.1	42.5	43.0	43.5	44.2	45.1	41.1
<b>Heavy and Civil Engineering</b>	25.5	26.5	26.8	27.1	26.7	27.5	28.3	28.5	28.8	29.4	30.0	29.9	27.9
<b>Specialty Trade Contractors</b>	136.8	139.5	143.1	147.3	149.3	152.4	153.7	155.0	156.4	155.9	157.4	158.3	150.4
<b>Manufacturing</b>	178.6	179.6	180.0	180.5	181.3	182.9	183.3	184.0	183.5	183.7	183.9	185.9	182.3
<b>Durable Goods</b>	143.3	144.2	144.5	145.5	146.2	147.7	148.2	149.0	148.4	148.7	148.9	149.8	147.0
<b>Fabricated Metal Products</b>	17.6	17.7	17.8	18.3	18.4	18.6	18.7	18.6	18.7	18.7	18.6	18.9	18.4
<b>Computer and Electronic Prod.</b>	44.3	44.4	44.5	44.3	44.4	45.1	45.3	45.6	45.4	45.2	45.2	45.7	45.0
<b>Aerospace Products and Parts</b>	26.3	26.6	26.5	26.4	26.4	26.7	26.7	27.0	26.5	26.5	26.5	26.6	26.6
<b>Non-Durable Goods</b>	35.3	35.4	35.5	35.0	35.1	35.2	35.1	35.0	35.1	35.0	35.0	36.1	35.2

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2004**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	234.7	239.5	244.9	246.2	246.0	241.8	237.2	238.1	239.4	242.4	244.5	246.0	241.7
<b>Arts, Entertainment, and Recreation</b>	29.4	30.5	31.4	31.3	30.6	30.3	29.3	28.9	29.1	29.3	29.5	30.1	30.0
<b>Accommodation and Food Services</b>	205.3	209.0	213.5	214.9	215.4	211.5	207.9	209.2	210.3	213.1	215.0	215.9	211.8
<b>Accommodation</b>	42.8	43.4	44.4	45.6	46.0	45.3	44.4	43.9	43.4	44.9	45.0	45.1	44.5
<b>Food Svcs and Drinking Places</b>	162.5	165.6	169.1	169.3	169.4	166.2	163.5	165.3	166.9	168.2	170.0	170.8	167.2
<b>Other Services</b>	87.8	89.1	89.6	88.8	88.9	89.2	89.5	89.6	89.4	90.2	90.2	90.6	89.4
<b>Government</b>	390.4	406.1	406.7	408.1	405.8	377.0	357.0	384.4	408.8	415.8	415.7	416.7	399.4
<b>Federal Government</b>	50.1	50.3	50.2	50.8	51.0	51.5	50.7	51.7	51.4	51.3	51.2	51.9	51.0
<b>State Government</b>	85.3	89.0	89.3	89.5	88.3	83.5	78.5	79.8	88.5	92.8	91.2	91.6	87.3
<b>State Government Education</b>	43.5	47.2	47.6	47.6	46.6	42.0	37.4	38.4	47.0	50.5	49.8	50.2	45.7
<b>Local Government</b>	255.0	266.8	267.2	267.8	266.5	242.0	227.8	252.9	268.9	271.7	273.3	273.2	261.1
<b>Local Government Education</b>	134.7	145.8	145.7	145.8	143.4	116.3	102.2	128.5	144.9	147.3	150.1	149.5	137.9

Adjusted to the Current Population Survey (CPS 2009) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/30/09

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2004**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	160.3	161.2	162.2	164.3	164.0	164.2	165.1	165.5	165.2	167.4	168.0	169.2	164.7
<b>Finance and Insurance</b>	116.1	116.8	117.6	119.1	118.6	118.7	119.4	119.6	119.4	120.8	121.0	121.5	119.1
<b>Credit Intermed., Monetary Auth.</b>	70.1	70.6	71.1	72.6	72.2	72.3	72.5	72.7	72.6	73.4	73.6	73.9	72.3
<b>Insurance, Funds, and Trusts</b>	36.5	36.6	36.7	36.9	36.7	36.7	37.1	37.1	37.1	37.5	37.5	37.7	37.0
<b>Securities, Investments, related</b>	9.5	9.6	9.8	9.6	9.7	9.7	9.8	9.8	9.7	9.9	9.9	9.9	9.7
<b>Real Estate, Rental, and Leasing</b>	44.2	44.4	44.6	45.2	45.4	45.5	45.7	45.9	45.8	46.6	47.0	47.7	45.7
<b>Professional and Business Services</b>	319.0	322.7	327.5	335.2	335.1	338.3	340.4	341.7	343.9	351.3	352.6	356.1	338.7
<b>Professional and Tech. Services</b>	105.4	107.7	108.4	109.9	107.5	107.6	107.9	108.0	107.8	111.7	112.7	114.5	109.1
<b>Management of Companies</b>	21.5	21.5	21.7	21.7	22.2	22.5	22.8	22.8	22.8	22.6	22.8	23.0	22.3
<b>Administrative and Waste Services</b>	192.1	193.5	197.4	203.6	205.4	208.2	209.7	210.9	213.3	217.0	217.1	218.6	207.2
<b>Employment Services</b>	97.1	97.4	100.2	104.7	106.6	109.0	109.7	110.3	112.0	114.5	114.9	116.0	107.7
<b>Business Support Services</b>	23.6	24.1	24.2	24.3	24.0	23.6	23.6	23.9	23.7	24.1	24.1	24.1	23.9
<b>Services to Buildings</b>	35.2	35.4	36.1	37.0	37.4	37.8	38.0	38.4	38.4	38.8	38.4	38.4	37.4
<b>Educational and Health Services</b>	253.6	255.2	256.5	258.8	259.4	258.8	256.1	260.9	263.3	267.2	268.6	270.4	260.7
<b>Educational Services</b>	36.3	37.2	37.3	38.3	38.4	36.9	34.3	37.2	39.1	40.4	41.2	40.9	38.1
<b>Health Care and Social Assistance</b>	217.3	218.0	219.2	220.5	221.0	221.9	221.8	223.7	224.2	226.8	227.4	229.5	222.6
<b>Ambulatory Health Care Services</b>	93.1	93.8	94.3	94.8	95.2	95.4	95.8	96.4	96.6	98.6	99.2	100.5	96.1
<b>Hospitals</b>	61.5	61.2	61.5	61.4	61.4	62.2	61.9	62.1	62.5	62.5	62.7	63.2	62.0
<b>Nursing and Residential Care</b>	32.6	32.8	32.9	34.1	34.1	34.4	34.6	34.7	34.6	35.2	35.2	35.5	34.2
<b>Social Assistance</b>	30.1	30.2	30.5	30.2	30.3	29.9	29.5	30.5	30.5	30.5	30.3	30.3	30.2

Adjusted to the Current Population Survey (CPS 2009) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/30/09

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2004**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	453.6	453.1	455.0	456.8	458.4	458.8	459.1	460.5	459.0	468.4	481.0	488.8	462.7
<b>Wholesale Trade</b>	94.3	94.5	94.8	94.5	94.9	95.3	95.8	95.8	94.5	96.4	97.0	98.5	95.5
<b>Retail Trade</b>	282.4	281.8	282.7	284.5	285.5	285.5	285.1	286.4	286.6	292.0	303.9	309.9	288.9
<b>Motor Vehicles and Parts</b>	43.0	43.4	43.7	43.8	43.9	44.1	44.3	44.3	44.1	44.1	44.1	44.0	43.9
<b>Furniture and Home Furnishings</b>	12.3	12.4	12.3	12.3	12.4	12.5	12.5	12.6	12.7	13.2	14.0	14.1	12.8
<b>Building Material, Garden Supply</b>	20.6	21.0	21.6	22.5	22.6	22.4	22.3	22.3	22.5	22.6	23.0	22.9	22.2
<b>Food and Beverage</b>	50.3	50.8	51.0	52.1	51.9	51.7	51.8	51.9	52.2	53.1	54.3	55.5	52.2
<b>Clothing and Accessories</b>	19.6	19.0	19.2	19.4	19.3	19.4	19.3	19.6	19.0	19.8	22.1	23.3	19.9
<b>General Merchandise</b>	54.7	53.7	53.6	53.9	54.5	54.6	54.4	54.9	55.3	56.3	61.7	63.5	55.9
<b>Department Stores</b>	31.1	30.2	30.0	29.7	29.8	29.7	29.5	29.8	29.5	29.8	33.4	34.5	30.6
<b>Other General merchandise</b>	23.6	23.5	23.6	24.2	24.7	24.9	24.9	25.1	25.8	26.5	28.3	29.0	25.3
<b>Transp., Warehousing, and Utilities</b>	76.9	76.8	77.5	77.8	78.0	78.0	78.2	78.3	77.9	80.0	80.1	80.4	78.3
<b>Utilities</b>	11.4	11.3	11.4	11.5	11.5	11.6	11.5	11.5	11.6	11.6	11.6	11.7	11.5
<b>Transportation and Warehousing</b>	65.5	65.5	66.1	66.3	66.5	66.4	66.7	66.8	66.3	68.4	68.5	68.7	66.8
<b>Air Transportation</b>	14.5	14.6	14.9	14.9	15.1	15.1	15.3	15.1	15.0	15.4	15.3	14.8	15.0
<b>Truck Transportation</b>	18.0	17.8	18.0	18.3	18.4	18.5	18.7	18.7	18.9	19.0	19.0	19.2	18.5
<b>Information</b>	48.5	48.5	48.8	48.7	48.0	47.7	46.8	45.9	44.6	44.8	45.3	44.9	46.9
<b>Telecommunications</b>	19.3	19.3	19.3	18.9	18.7	18.7	18.3	18.0	17.6	17.4	18.0	17.8	18.4

Adjusted to the Current Population Survey (CPS 2009) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/30/09

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2004**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,764.4	2,763.7	2,764.5	2,770.5	2,767.9	2,792.9	2,797.1	2,793.2	2,801.3	2,817.9	2,820.1	2,814.1	2,789.0
<b>Total Unemployment</b>	154.8	140.4	140.9	136.8	133.6	147.7	147.0	142.7	139.6	136.3	125.7	118.8	138.7
<b>Rate</b>	5.6%	5.1%	5.1%	4.9%	4.8%	5.3%	5.3%	5.1%	5.0%	4.8%	4.5%	4.2%	5.0%
<b>Rate (Sea. Adj.)</b>	5.3%	5.3%	5.2%	5.2%	5.0%	5.0%	5.0%	4.9%	4.8%	4.7%	4.7%	4.5%	5.0%
<b>Total Employment</b>	2,609.7	2,623.3	2,623.5	2,633.6	2,634.3	2,645.2	2,650.1	2,650.5	2,661.7	2,681.7	2,694.4	2,695.2	2,650.3
<b>Total Nonfarm</b>	2,308.5	2,339.1	2,357.8	2,375.8	2,377.2	2,352.9	2,331.7	2,368.3	2,396.8	2,435.9	2,455.8	2,475.8	2,381.3
<b>Total Private</b>	1,918.1	1,933.0	1,951.1	1,967.7	1,971.4	1,975.9	1,974.7	1,983.9	1,988.0	2,020.1	2,040.1	2,059.1	1,981.9
<b>Goods Producing</b>	360.6	363.7	366.6	368.9	371.6	377.1	380.5	381.7	383.2	388.4	389.9	393.1	377.1
<b>Service-Providing</b>	1,947.9	1,975.4	1,991.2	2,006.9	2,005.6	1,975.8	1,951.2	1,986.6	2,013.6	2,047.5	2,065.9	2,082.7	2,004.2
<b>Private Service-Providing</b>	1,557.5	1,569.3	1,584.5	1,598.8	1,599.8	1,598.8	1,594.2	1,602.2	1,604.8	1,631.7	1,650.2	1,666.0	1,604.8
<b>Natural Resources and Mining</b>	7.8	7.9	7.9	8.1	8.3	8.4	8.4	8.5	8.5	8.7	8.7	8.7	8.3
<b>Metal Ore Mining</b>	5.4	5.4	5.5	5.6	5.7	5.7	5.8	5.9	5.9	6.0	6.0	6.1	5.8
<b>Construction</b>	178.3	180.6	183.0	185.8	187.9	191.4	194.3	195.7	197.1	201.0	201.8	203.8	191.7
<b>Construction of Buildings</b>	33.0	33.2	33.5	34.3	34.9	35.4	36.2	36.3	36.1	37.2	37.0	37.5	35.4
<b>Heavy and Civil Engineering</b>	23.0	23.9	24.1	24.2	24.2	24.7	24.8	25.1	25.3	25.6	25.8	25.6	24.7
<b>Specialty Trade Contractors</b>	122.3	123.5	125.4	127.3	128.8	131.3	133.3	134.3	135.7	138.2	139.0	140.7	131.7
<b>Manufacturing</b>	174.5	175.2	175.7	175.0	175.4	177.3	177.8	177.5	177.6	178.7	179.4	180.6	177.1
<b>Durable Goods</b>	139.4	140.0	140.6	140.7	141.1	142.3	142.7	142.9	142.8	143.8	144.0	144.6	142.1
<b>Fabricated Metal Products</b>	16.8	16.9	16.9	17.0	17.2	17.3	17.5	17.5	17.6	17.7	17.7	18.0	17.3
<b>Computer and Electronic Prod.</b>	44.1	44.2	44.4	44.2	44.2	44.2	44.2	44.4	44.2	44.2	44.3	44.3	44.2
<b>Aerospace Products and Parts</b>	26.2	26.2	26.2	26.2	26.2	26.4	26.5	26.5	26.4	26.4	26.4	26.6	26.4
<b>Non-Durable Goods</b>	35.1	35.2	35.1	34.3	34.3	35.0	35.1	34.6	34.8	34.9	35.4	36.0	35.0

Adjusted to the Current Population Survey (CPS 2009) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/30/09

Data is in thousands, rounded to the nearest hundred.



**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2003**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	228.0	232.2	235.8	238.0	236.8	232.4	227.5	228.5	230.2	234.6	236.4	237.7	233.2
<b>Arts, Entertainment, and Recreation</b>	27.9	29.1	29.7	30.5	30.5	29.8	28.8	28.6	28.6	29.2	29.0	29.5	29.3
<b>Accommodation and Food Services</b>	200.1	203.1	206.1	207.5	206.3	202.6	198.7	199.9	201.6	205.4	207.4	208.2	203.9
<b>Accommodation</b>	43.1	44.0	44.6	44.5	44.3	43.5	42.6	42.2	42.4	43.4	43.7	43.4	43.5
<b>Food Svcs and Drinking Places</b>	157.0	159.1	161.5	163.0	162.0	159.1	156.1	157.7	159.2	162.0	163.7	164.8	160.4
<b>Other Services</b>	85.0	85.3	86.1	85.5	85.8	86.1	87.4	88.3	88.5	89.1	89.6	89.7	87.2
<b>Government</b>	388.8	404.0	403.8	403.3	401.9	374.7	352.6	378.1	396.9	405.9	405.7	406.3	393.5
<b>Federal Government</b>	49.8	49.9	50.1	50.2	50.7	51.4	50.5	51.0	51.0	50.3	50.3	51.0	50.5
<b>State Government</b>	86.0	89.3	89.2	89.2	88.3	83.4	78.4	79.4	86.9	90.7	89.3	89.5	86.6
<b>State Government Education</b>	43.9	47.3	47.4	47.4	46.6	41.8	36.8	38.0	45.4	48.3	47.7	47.8	44.9
<b>Local Government</b>	253.0	264.8	264.5	263.9	262.9	239.9	223.7	247.7	259.0	264.9	266.1	265.8	256.4
<b>Local Government Education</b>	134.0	145.7	145.3	143.8	142.3	116.7	99.9	126.8	138.7	144.3	145.8	145.4	135.7

Adjusted to the Current Population Survey (CPS 2008) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.

Equal Opportunity Employer / Program available in alternative format / reasonable accommodations: 602-542-3871, TDD 1-800-367-8939

**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2003**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	156.5	157.4	158.9	158.7	159.5	160.0	160.8	162.0	161.3	161.2	161.5	162.4	160.0
<b>Finance and Insurance</b>	113.3	114.1	115.3	115.3	115.9	116.3	117.4	118.3	117.6	117.3	117.5	117.7	116.3
<b>Credit Intermed., Monetary Auth.</b>	67.1	67.7	68.4	68.6	69.3	69.7	70.7	71.4	70.9	71.0	71.2	71.1	69.8
<b>Insurance, Funds, and Trusts</b>	36.2	36.4	36.9	36.8	36.8	36.7	36.6	36.8	36.6	36.6	36.6	36.9	36.7
<b>Securities, Investments, related</b>	10.0	10.0	10.0	9.9	9.8	9.9	10.1	10.1	10.1	9.7	9.7	9.7	9.9
<b>Real Estate, Rental, and Leasing</b>	43.2	43.3	43.6	43.4	43.6	43.7	43.4	43.7	43.7	43.9	44.0	44.7	43.7
<b>Professional and Business Services</b>	308.8	313.2	317.3	319.7	320.6	321.6	318.2	321.1	322.7	326.0	326.3	329.3	320.4
<b>Professional and Tech. Services</b>	103.0	104.1	104.4	104.7	102.3	102.9	102.1	102.6	102.5	104.1	105.6	107.5	103.8
<b>Management of Companies</b>	20.4	20.5	20.6	20.6	20.9	21.3	21.1	21.2	21.3	21.4	21.6	21.7	21.1
<b>Administrative and Waste Services</b>	185.4	188.6	192.3	194.4	197.4	197.4	195.0	197.3	198.9	200.5	199.1	200.1	195.5
<b>Employment Services</b>	90.7	93.1	96.5	98.0	100.0	100.0	99.0	100.4	102.6	103.4	102.1	102.9	99.1
<b>Business Support Services</b>	25.0	24.9	24.7	24.9	24.8	24.4	23.6	23.7	23.7	24.0	24.0	23.9	24.3
<b>Services to Buildings</b>	33.2	33.7	34.0	34.8	35.6	36.0	35.7	36.1	36.0	36.2	35.9	35.9	35.3
<b>Educational and Health Services</b>	239.8	242.5	243.1	245.7	246.2	245.1	243.2	247.9	250.3	251.3	252.8	254.2	246.8
<b>Educational Services</b>	33.1	33.7	33.6	34.5	34.5	33.0	30.8	33.5	35.1	35.9	36.1	36.2	34.2
<b>Health Care and Social Assistance</b>	206.7	208.8	209.5	211.2	211.7	212.1	212.4	214.4	215.2	215.4	216.7	218.0	212.7
<b>Ambulatory Health Care Services</b>	86.3	87.3	87.7	88.9	89.0	90.0	90.0	90.7	91.5	92.3	93.2	94.1	90.1
<b>Hospitals</b>	57.7	58.1	58.1	58.3	58.4	58.9	59.4	59.6	60.0	60.3	60.7	61.1	59.2
<b>Nursing and Residential Care</b>	33.5	33.7	33.9	33.9	33.9	33.6	33.8	33.8	33.5	32.9	32.8	32.8	33.5
<b>Social Assistance</b>	29.2	29.7	29.8	30.1	30.4	29.6	29.2	30.3	30.2	29.9	30.0	30.0	29.9

Adjusted to the Current Population Survey (CPS 2008) to reflect place of residence. Benchmark year 2006, quarter 1.  
Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2003**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	442.6	441.7	442.7	440.7	441.1	440.5	439.5	441.4	441.9	450.3	461.3	469.0	446.1
<b>Wholesale Trade</b>	94.3	94.6	94.4	93.2	93.3	92.9	91.8	91.7	91.6	91.9	92.7	94.1	93.0
<b>Retail Trade</b>	271.5	270.3	271.4	270.9	271.2	271.3	271.7	273.5	273.9	281.1	291.2	297.0	276.3
<b>Motor Vehicles and Parts</b>	42.2	42.6	42.5	42.6	42.5	42.9	43.0	43.2	43.1	43.1	43.2	43.3	42.9
<b>Furniture and Home Furnishings</b>	11.4	11.3	11.2	11.5	11.5	11.4	11.2	11.5	11.8	12.1	12.7	13.0	11.7
<b>Building Material, Garden Supply</b>	19.9	20.1	20.8	21.0	21.2	21.2	21.0	20.7	20.6	20.9	21.1	20.9	20.8
<b>Food and Beverage</b>	48.3	48.6	49.2	49.0	48.8	48.3	48.9	48.7	48.9	50.4	51.1	51.3	49.3
<b>Clothing and Accessories</b>	18.8	18.2	18.2	18.2	18.2	18.3	18.2	18.6	18.2	18.7	20.7	21.9	18.9
<b>General Merchandise</b>	50.6	49.9	50.1	49.5	49.4	49.6	50.0	51.0	51.3	54.4	59.0	60.9	52.1
<b>Department Stores</b>	29.0	28.0	27.6	27.6	27.5	27.4	27.7	28.5	28.6	31.3	34.5	35.4	29.4
<b>Other General merchandise</b>	21.6	21.9	22.5	21.9	21.9	22.2	22.3	22.5	22.7	23.1	24.5	25.5	22.7
<b>Transp., Warehousing, and Utilities</b>	76.8	76.8	76.9	76.6	76.6	76.3	76.0	76.2	76.4	77.3	77.4	77.9	76.8
<b>Utilities</b>	11.3	11.3	11.3	11.3	11.3	11.3	11.4	11.4	11.4	11.5	11.5	11.5	11.4
<b>Transportation and Warehousing</b>	65.5	65.5	65.6	65.3	65.3	65.0	64.6	64.8	65.0	65.8	65.9	66.4	65.4
<b>Air Transportation</b>	14.9	14.7	14.7	14.6	14.3	14.3	14.1	14.1	14.2	14.0	14.0	14.2	14.3
<b>Truck Transportation</b>	18.1	18.1	18.1	18.1	18.2	18.3	18.2	18.2	18.0	17.8	17.9	17.9	18.1
<b>Information</b>	49.6	49.9	50.1	50.1	50.0	50.1	49.5	49.3	48.6	48.7	49.7	49.5	49.6
<b>Telecommunications</b>	20.2	20.3	20.2	19.8	19.7	19.7	19.5	19.6	19.6	19.8	20.0	19.9	19.9

Adjusted to the Current Population Survey (CPS 2008) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration  
**2003**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,700.6	2,706.2	2,707.9	2,715.9	2,714.5	2,742.0	2,728.3	2,732.6	2,740.6	2,749.2	2,754.2	2,755.4	2,729.0
<b>Total Unemployment</b>	161.8	154.5	155.0	150.7	152.6	171.4	169.9	166.9	159.7	149.7	140.9	136.8	155.8
<b>Rate</b>	6.0%	5.7%	5.7%	5.5%	5.6%	6.3%	6.2%	6.1%	5.8%	5.4%	5.1%	5.0%	5.7%
<b>Rate (Sea. Adj.)</b>	5.8%	5.9%	5.9%	5.9%	6.0%	5.9%	5.9%	5.8%	5.6%	5.4%	5.3%	5.3%	5.7%
<b>Total Employment</b>	2,538.8	2,551.8	2,552.9	2,565.2	2,561.9	2,570.6	2,558.3	2,565.6	2,580.9	2,599.6	2,613.3	2,618.6	2,573.1
<b>Total Nonfarm</b>	2,253.0	2,279.4	2,292.3	2,297.7	2,300.0	2,271.3	2,239.4	2,279.5	2,302.9	2,330.7	2,347.1	2,363.2	2,296.4
<b>Total Private</b>	1,864.2	1,875.4	1,888.5	1,894.4	1,898.1	1,896.6	1,886.8	1,901.4	1,906.0	1,924.8	1,941.4	1,956.9	1,902.9
<b>Goods Producing</b>	353.9	353.2	354.5	356.0	358.1	360.8	360.7	362.9	362.5	363.6	363.8	365.1	359.6
<b>Service-Providing</b>	1,899.1	1,926.2	1,937.8	1,941.7	1,941.9	1,910.5	1,878.7	1,916.6	1,940.4	1,967.1	1,983.3	1,998.1	1,936.8
<b>Private Service-Providing</b>	1,510.3	1,522.2	1,534.0	1,538.4	1,540.0	1,535.8	1,526.1	1,538.5	1,543.5	1,561.2	1,577.6	1,591.8	1,543.3
<b>Natural Resources and Mining</b>	8.2	8.0	7.9	8.0	8.0	8.1	8.1	8.1	8.0	8.0	8.0	8.0	8.0
<b>Metal Ore Mining</b>	5.7	5.4	5.5	5.4	5.5	5.5	5.5	5.5	5.4	5.4	5.4	5.4	5.5
<b>Construction</b>	168.7	169.0	170.5	172.0	174.7	177.1	177.7	179.8	180.1	181.6	181.5	181.7	176.2
<b>Construction of Buildings</b>	31.5	31.6	31.6	31.7	32.4	32.7	32.8	33.2	33.1	33.8	33.6	33.6	32.6
<b>Heavy and Civil Engineering</b>	26.9	26.5	27.0	26.7	25.8	24.9	24.2	24.0	24.2	23.6	23.4	23.2	25.0
<b>Specialty Trade Contractors</b>	110.3	110.9	111.9	113.6	116.5	119.5	120.7	122.6	122.8	124.2	124.5	124.9	118.5
<b>Manufacturing</b>	177.0	176.2	176.1	176.0	175.4	175.6	174.9	175.0	174.4	174.0	174.3	175.4	175.4
<b>Durable Goods</b>	141.1	140.1	139.9	140.5	140.3	140.5	140.4	140.6	140.0	139.6	139.5	140.1	140.2
<b>Fabricated Metal Products</b>	16.8	16.7	16.8	16.5	16.6	16.6	16.5	16.5	16.5	16.6	16.6	17.0	16.6
<b>Computer and Electronic Prod.</b>	45.2	44.5	44.2	45.6	45.2	45.2	45.2	45.0	44.6	44.1	44.1	44.2	44.8
<b>Aerospace Products and Parts</b>	27.1	26.9	26.9	26.7	26.6	26.6	26.5	26.5	26.3	26.3	26.2	26.3	26.6
<b>Non-Durable Goods</b>	35.9	36.1	36.2	35.5	35.1	35.1	34.5	34.4	34.4	34.4	34.8	35.3	35.1

Adjusted to the Current Population Survey (CPS 2008) to reflect place of residence. Benchmark year 2006, quarter 1.  
Data is in thousands, rounded to the nearest hundred.

**STATE OF ARIZONA**  
**NONFARM EMPLOYMENT**  
 Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
 Arizona Department of Commerce, Research Administration

**2002**  
 (continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	223.0	228.4	232.5	235.7	235.2	230.8	224.3	225.1	225.3	228.3	232.6	232.2	229.5
<b>Arts, Entertainment, and Recreation</b>	27.8	28.7	29.0	29.7	29.8	29.1	28.0	28.0	27.7	28.1	27.7	27.5	28.4
<b>Accommodation and Food Services</b>	195.2	199.7	203.5	206.0	205.4	201.7	196.3	197.1	197.6	200.2	204.9	204.7	201.0
<b>Accommodation</b>	41.4	42.7	43.8	44.0	43.7	42.9	41.2	41.2	41.3	41.7	42.8	43.1	42.5
<b>Food Svcs and Drinking Places</b>	153.8	157.0	159.7	162.0	161.7	158.8	155.1	155.9	156.3	158.5	162.1	161.6	158.5
<b>Other Services</b>	84.9	85.6	86.6	86.7	87.0	87.7	86.0	86.1	86.2	86.2	86.3	86.4	86.3
<b>Government</b>	382.3	395.3	396.7	400.5	394.7	371.2	350.5	374.0	396.7	405.0	412.4	405.7	390.4
<b>Federal Government</b>	48.1	47.8	48.2	48.3	48.9	49.7	49.0	49.5	49.4	49.9	50.1	51.4	49.2
<b>State Government</b>	89.1	92.2	91.8	92.2	90.8	86.0	82.5	80.3	87.6	91.4	90.4	89.9	88.7
<b>State Government Education</b>	45.5	48.6	48.7	49.3	48.1	43.4	40.0	37.9	45.2	48.0	48.2	47.7	45.9
<b>Local Government</b>	245.1	255.3	256.7	260.0	255.0	235.5	219.0	244.2	259.7	263.7	271.9	264.4	252.5
<b>Local Government Education</b>	129.2	138.4	139.4	140.8	134.6	112.4	94.8	122.3	138.1	143.0	144.8	144.8	131.9

Adjusted to the Current Population Survey (CPS 2007) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2002**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	153.2	154.7	154.2	155.2	154.6	154.5	154.2	154.4	154.5	155.7	157.7	158.6	155.1
<b>Finance and Insurance</b>	109.8	111.0	110.2	111.2	110.5	110.3	110.5	110.7	110.7	111.8	113.6	114.1	111.2
<b>Credit Intermed., Monetary Auth.</b>	65.1	65.7	65.1	66.2	65.2	64.9	64.8	64.9	64.8	65.8	67.2	67.4	65.6
<b>Insurance, Funds, and Trusts</b>	34.7	34.9	35.0	35.0	35.3	35.4	35.7	35.8	35.9	36.0	36.2	36.4	35.5
<b>Securities, Investments, related</b>	10.0	10.4	10.1	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.2	10.3	10.1
<b>Real Estate, Rental, and Leasing</b>	43.4	43.7	44.0	44.0	44.1	44.2	43.7	43.7	43.8	43.9	44.1	44.5	43.9
<b>Professional and Business Services</b>	303.6	307.7	313.1	316.9	315.9	316.7	313.7	317.2	315.5	314.8	317.2	317.2	314.1
<b>Professional and Tech. Services</b>	100.5	101.4	102.0	102.4	99.9	100.1	99.8	100.1	99.9	101.2	102.6	104.2	101.2
<b>Management of Companies</b>	19.8	19.9	20.4	20.3	20.6	20.8	20.7	20.7	20.6	20.7	20.5	20.5	20.5
<b>Administrative and Waste Services</b>	183.3	186.4	190.7	194.2	195.4	195.8	193.2	196.4	195.0	192.9	194.1	192.5	192.5
<b>Employment Services</b>	88.8	90.4	94.2	96.2	96.8	96.6	94.5	96.2	95.7	94.6	95.8	95.0	94.6
<b>Business Support Services</b>	27.7	27.7	27.6	27.6	27.7	27.9	27.8	27.9	27.8	27.9	27.8	27.5	27.7
<b>Services to Buildings</b>	32.3	32.8	33.3	34.5	35.1	35.2	34.7	35.5	35.2	34.7	35.0	34.6	34.4
<b>Educational and Health Services</b>	227.3	229.4	230.7	230.0	231.6	231.0	226.9	232.0	233.9	237.5	239.9	240.7	232.6
<b>Educational Services</b>	30.4	31.5	31.5	31.4	31.6	29.7	27.8	30.1	31.5	32.7	33.1	32.7	31.2
<b>Health Care and Social Assistance</b>	196.9	197.9	199.2	198.6	200.0	201.3	199.1	201.9	202.4	204.8	206.8	208.0	201.4
<b>Ambulatory Health Care Services</b>	78.2	79.0	79.7	80.2	81.0	81.8	81.7	83.2	83.7	85.2	86.4	87.4	82.3
<b>Hospitals</b>	57.4	57.8	58.0	56.8	57.1	58.0	57.0	57.2	57.2	57.4	57.5	57.6	57.4
<b>Nursing and Residential Care</b>	32.6	32.3	32.6	32.9	33.0	33.1	32.8	33.1	33.0	33.4	33.7	33.8	33.0
<b>Social Assistance</b>	28.7	28.8	28.9	28.7	28.9	28.4	27.6	28.4	28.5	28.8	29.2	29.2	28.7

Adjusted to the Current Population Survey (CPS 2007) to reflect place of residence. Benchmark year 2006, quarter 1.  
Data is in thousands, rounded to the nearest hundred.

**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2002**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	437.2	434.0	436.7	437.4	439.1	439.9	435.3	436.8	438.1	442.1	452.9	460.9	440.9
<b>Wholesale Trade</b>	94.2	94.4	95.0	93.5	94.3	94.0	93.4	93.4	93.3	94.0	94.6	95.4	94.1
<b>Retail Trade</b>	268.9	265.6	267.0	268.6	269.2	269.4	265.8	266.8	268.4	270.6	280.7	287.8	270.7
<b>Motor Vehicles and Parts</b>	41.7	41.8	42.1	42.5	42.5	42.8	42.8	43.0	43.1	42.9	42.8	42.9	42.6
<b>Furniture and Home Furnishings</b>	11.4	10.9	10.9	10.9	11.1	10.9	10.8	11.0	11.1	11.2	11.7	12.0	11.2
<b>Building Material, Garden Supply</b>	18.6	18.8	20.1	20.9	21.0	21.2	20.5	20.3	21.0	20.4	20.5	21.5	20.4
<b>Food and Beverage</b>	48.7	48.4	48.1	47.8	47.8	47.7	47.5	47.6	47.8	48.1	48.7	48.9	48.1
<b>Clothing and Accessories</b>	18.3	17.4	17.7	17.8	17.7	17.8	17.7	18.2	17.9	18.1	19.4	20.8	18.2
<b>General Merchandise</b>	50.1	48.7	49.1	49.8	49.8	49.7	48.8	48.4	48.7	50.3	55.8	57.7	50.6
<b>Transp., Warehousing, and Utilities</b>	74.1	74.0	74.7	75.3	75.6	76.5	76.1	76.6	76.4	77.5	77.6	77.7	76.0
<b>Utilities</b>	11.4	11.2	11.2	11.2	11.2	11.2	11.2	11.2	11.1	10.9	10.9	10.9	11.1
<b>Transportation and Warehousing</b>	62.7	62.8	63.5	64.1	64.4	65.3	64.9	65.4	65.3	66.6	66.7	66.8	64.9
<b>Air Transportation</b>	14.0	14.1	14.2	14.3	14.3	14.6	14.5	14.6	14.7	15.2	15.3	15.3	14.6
<b>Truck Transportation</b>	17.7	17.6	17.8	18.1	18.3	18.5	18.4	18.6	18.4	18.5	18.5	18.5	18.2
<b>Information</b>	53.2	53.2	52.7	52.7	52.3	51.7	51.6	51.4	50.6	49.9	50.7	50.8	51.7
<b>Telecommunications</b>	21.7	21.5	21.1	21.0	21.2	20.8	20.6	20.3	19.9	19.7	20.1	20.2	20.7

Adjusted to the Current Population Survey (CPS 2007) to reflect place of residence. Benchmark year 2006, quarter 1.  
Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2002**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,617.4	2,658.6	2,662.5	2,651.5	2,667.4	2,688.3	2,663.9	2,696.7	2,693.5	2,703.6	2,689.5	2,699.4	2,674.4
<b>Total Unemployment</b>	164.0	156.5	157.0	153.6	155.6	172.7	174.5	170.7	164.4	161.2	157.2	152.4	161.6
<b>Rate</b>	6.3%	5.9%	5.9%	5.8%	5.8%	6.4%	6.6%	6.3%	6.1%	6.0%	5.8%	5.6%	6.0%
<b>Rate (Sea. Adj.)</b>	5.9%	6.0%	6.0%	5.9%	6.1%	6.2%	6.2%	6.1%	6.1%	6.1%	6.1%	5.9%	6.0%
<b>Total Employment</b>	2,453.4	2,502.1	2,505.5	2,497.9	2,511.8	2,515.6	2,489.4	2,526.0	2,529.1	2,542.4	2,532.3	2,546.9	2,512.7
<b>Total Nonfarm</b>	2,228.2	2,251.8	2,268.3	2,279.9	2,276.0	2,250.9	2,209.5	2,245.4	2,265.9	2,282.2	2,310.9	2,311.9	2,265.1
<b>Total Private</b>	1,845.9	1,856.5	1,871.6	1,879.4	1,881.3	1,879.7	1,859.0	1,871.4	1,869.2	1,877.2	1,898.5	1,906.2	1,874.7
<b>Goods Producing</b>	363.5	363.5	365.1	364.8	365.6	367.4	367.0	368.4	365.1	362.7	361.2	359.4	364.5
<b>Service-Providing</b>	1,864.7	1,888.3	1,903.2	1,915.1	1,910.4	1,883.5	1,842.5	1,877.0	1,900.8	1,919.5	1,949.7	1,952.5	1,900.6
<b>Private Service-Providing</b>	1,482.4	1,493.0	1,506.5	1,514.6	1,515.7	1,512.3	1,492.0	1,503.0	1,504.1	1,514.5	1,537.3	1,546.8	1,510.2
<b>Natural Resources and Mining</b>	8.9	8.9	8.9	9.0	8.8	8.9	8.7	8.7	8.7	8.6	8.4	8.4	8.7
<b>Metal Ore Mining</b>	6.3	6.4	6.3	6.3	6.3	6.2	5.9	6.0	5.9	5.9	5.8	5.8	6.1
<b>Construction</b>	167.0	167.4	169.7	170.1	172.0	174.0	174.1	176.6	174.8	174.3	173.9	172.4	172.2
<b>Construction of Buildings</b>	31.1	30.9	30.9	31.0	31.1	31.5	31.7	32.3	32.1	32.2	32.5	32.2	31.6
<b>Heavy and Civil Engineering</b>	27.4	27.8	28.6	28.7	28.6	29.0	28.5	29.1	29.3	28.2	28.1	27.7	28.4
<b>Specialty Trade Contractors</b>	108.5	108.7	110.2	110.4	112.3	113.5	113.9	115.2	113.4	113.9	113.3	112.5	112.2
<b>Manufacturing</b>	187.6	187.2	186.5	185.7	184.8	184.5	184.2	183.1	181.6	179.8	178.9	178.6	183.5
<b>Durable Goods</b>	151.7	151.1	150.3	149.5	148.9	148.6	148.4	147.2	145.8	144.1	143.0	142.5	147.6
<b>Fabricated Metal Products</b>	17.5	17.3	17.4	17.3	17.4	17.4	17.5	17.5	17.3	17.1	17.0	17.0	17.3
<b>Computer and Electronic Prod.</b>	51.4	50.9	50.4	50.0	49.7	49.6	49.3	48.7	47.9	47.0	46.5	46.5	49.0
<b>Aerospace Products and Parts</b>	29.5	29.1	29.0	29.0	28.8	28.5	28.8	28.4	28.1	27.7	27.5	27.3	28.5
<b>Non-Durable Goods</b>	35.9	36.1	36.2	36.2	35.9	35.9	35.8	35.9	35.8	35.7	35.9	36.1	36.0

Adjusted to the Current Population Survey (CPS 2007) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.



**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2001**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	226.7	232.8	236.9	236.9	235.4	231.7	224.4	225.6	226.5	227.4	227.9	228.0	230.0
<b>Arts, Entertainment, and Recreation</b>	27.6	29.0	29.7	30.2	29.9	29.8	28.8	28.2	28.3	29.0	28.9	28.6	29.0
<b>Accommodation and Food Services</b>	199.1	203.8	207.2	206.7	205.5	201.9	195.6	197.4	198.2	198.4	199.0	199.4	201.0
<b>Accommodation</b>	46.5	47.6	48.1	47.8	47.4	46.2	44.4	44.1	44.0	42.8	42.5	42.3	45.3
<b>Food Svcs and Drinking Places</b>	152.6	156.2	159.1	158.9	158.1	155.7	151.2	153.3	154.2	155.6	156.5	157.1	155.7
<b>Other Services</b>	81.9	83.4	84.8	84.1	84.9	86.6	85.5	85.9	86.1	84.2	84.7	84.8	84.7
<b>Government</b>	365.5	383.9	385.1	386.7	383.6	353.6	340.7	360.9	387.4	393.6	396.7	395.5	377.8
<b>Federal Government</b>	47.1	47.0	47.4	47.5	48.4	49.0	48.4	48.9	49.0	48.6	48.5	49.6	48.3
<b>State Government</b>	87.3	90.2	90.0	90.5	88.8	85.2	79.4	80.6	89.8	92.7	93.0	90.8	88.2
<b>State Government Education</b>	45.3	48.2	48.0	48.4	46.6	43.0	37.0	38.0	47.2	48.7	49.7	47.5	45.6
<b>Local Government</b>	231.1	246.7	247.7	248.7	246.4	219.4	212.9	231.4	248.6	252.3	255.2	255.1	241.3
<b>Local Government Education</b>	120.9	135.6	135.9	135.8	132.5	101.9	94.2	114.1	131.9	137.0	139.7	139.2	126.6

Adjusted to the Current Population Survey (CPS 2006) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2001**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	149.2	150.8	152.3	152.4	152.8	153.5	154.4	154.6	154.7	154.6	155.3	156.3	153.4
<b>Finance and Insurance</b>	105.9	107.1	108.3	108.0	108.5	108.9	109.5	110.1	110.7	111.1	111.6	112.1	109.3
<b>Credit Intermed., Monetary Auth.</b>	61.3	62.2	62.9	62.8	63.5	63.5	64.8	65.3	65.9	66.0	66.5	66.7	64.3
<b>Insurance, Funds, and Trusts</b>	33.4	33.7	34.1	33.9	33.8	34.3	34.3	34.4	34.5	34.6	34.6	34.8	34.2
<b>Securities, Investments, related</b>	11.2	11.2	11.3	11.3	11.2	11.1	10.4	10.4	10.3	10.5	10.5	10.6	10.8
<b>Real Estate, Rental, and Leasing</b>	43.3	43.7	44.0	44.4	44.3	44.6	44.9	44.5	44.0	43.5	43.7	44.2	44.1
<b>Professional and Business Services</b>	319.1	324.5	328.7	326.4	324.1	324.7	318.1	318.4	317.3	314.5	310.6	312.2	319.9
<b>Professional and Tech. Services</b>	105.7	106.8	107.0	105.8	103.6	103.7	102.5	102.3	101.5	101.6	100.5	102.9	103.7
<b>Management of Companies</b>	20.2	20.6	20.8	21.2	21.5	21.7	21.0	20.7	20.5	19.9	20.0	20.3	20.7
<b>Administrative and Waste Services</b>	193.2	197.1	200.9	199.4	199.0	199.3	194.6	195.4	195.3	193.0	190.1	189.0	195.5
<b>Employment Services</b>	100.5	101.8	104.7	102.3	101.2	100.8	97.0	97.4	98.2	95.1	93.3	92.7	98.8
<b>Business Support Services</b>	26.3	27.7	27.7	27.8	28.2	28.2	28.0	28.5	28.0	28.9	28.6	28.6	28.0
<b>Services to Buildings</b>	32.5	33.1	33.7	34.6	35.1	35.3	35.3	35.2	35.0	34.3	33.7	33.1	34.2
<b>Educational and Health Services</b>	214.5	216.8	218.6	218.5	218.2	218.5	215.3	220.1	221.8	223.5	225.3	227.6	219.9
<b>Educational Services</b>	27.5	27.9	28.0	28.4	27.9	26.5	25.5	27.5	29.2	30.3	30.7	30.6	28.3
<b>Health Care and Social Assistance</b>	187.0	188.9	190.6	190.1	190.3	192.0	189.8	192.6	192.6	193.2	194.6	197.0	191.6
<b>Ambulatory Health Care Services</b>	74.0	75.2	75.7	75.5	75.9	76.1	76.8	77.2	77.2	77.5	78.1	79.2	76.5
<b>Hospitals</b>	55.5	55.5	56.3	55.7	55.5	56.3	53.8	55.3	55.8	55.8	56.2	57.3	55.8
<b>Nursing and Residential Care</b>	31.2	31.4	31.6	31.6	31.5	32.1	31.9	32.3	32.0	32.0	32.1	32.1	31.8
<b>Social Assistance</b>	26.3	26.8	27.0	27.3	27.4	27.5	27.3	27.8	27.6	27.9	28.2	28.4	27.5

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2001**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	444.1	441.9	440.9	439.7	438.4	438.5	434.8	434.9	434.7	439.1	447.2	452.5	440.6
<b>Wholesale Trade</b>	97.6	98.3	98.5	97.3	96.3	95.8	94.8	94.6	94.0	94.0	94.3	95.2	95.9
<b>Retail Trade</b>	270.0	266.8	265.7	265.6	264.7	265.1	262.9	263.3	264.2	269.0	277.4	282.4	268.1
<b>Motor Vehicles and Parts</b>	41.4	41.7	41.7	42.0	42.4	42.6	42.4	42.6	42.5	42.1	42.1	42.0	42.1
<b>Furniture and Home Furnishings</b>	11.1	11.1	10.9	11.0	11.0	10.9	10.4	10.5	10.3	10.7	11.1	11.2	10.9
<b>Building Material, Garden Supply</b>	18.5	18.1	18.5	19.5	18.9	18.9	18.4	18.3	18.8	18.7	18.7	18.8	18.7
<b>Food and Beverage</b>	49.6	49.2	48.8	48.4	47.5	47.3	47.9	47.7	47.8	48.0	48.8	49.3	48.4
<b>Clothing and Accessories</b>	17.8	16.9	17.0	16.8	16.6	16.8	16.6	16.7	16.4	17.2	18.9	20.0	17.3
<b>General Merchandise</b>	49.8	47.9	47.3	46.7	47.0	47.6	47.0	47.1	47.9	50.5	54.5	56.4	49.2
<b>Transp., Warehousing, and Utilities</b>	76.5	76.8	76.7	76.8	77.4	77.6	77.1	77.0	76.5	76.1	75.5	74.9	76.6
<b>Utilities</b>	10.8	10.9	10.8	10.9	10.9	11.0	10.9	10.9	10.9	11.1	11.1	11.1	10.9
<b>Transportation and Warehousing</b>	65.7	65.9	65.9	65.9	66.5	66.6	66.2	66.1	65.6	65.0	64.4	63.8	65.6
<b>Air Transportation</b>	16.5	16.6	16.6	16.7	16.7	16.7	16.7	16.6	16.5	15.8	15.2	15.0	16.3
<b>Truck Transportation</b>	17.5	17.4	17.2	17.4	17.7	18.1	17.9	18.0	18.1	18.0	18.1	17.8	17.8
<b>Information</b>	53.7	54.9	54.4	54.4	53.8	54.2	53.7	53.8	53.2	53.0	54.0	53.2	53.9
<b>Telecommunications</b>	22.4	22.6	22.3	22.2	21.7	21.8	21.5	21.6	21.7	21.9	21.9	21.5	21.9

Adjusted to the Current Population Survey (CPS 2006) to reflect place of residence. Benchmark year 2006, quarter 1.

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration  
**2001**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,547.5	2,549.6	2,560.8	2,568.8	2,553.8	2,575.9	2,577.3	2,556.0	2,595.3	2,597.5	2,599.9	2,617.2	2,575.0
<b>Total Unemployment</b>	107.8	101.6	107.7	104.8	103.1	119.5	120.5	133.5	135.7	141.9	138.7	143.4	121.5
<b>Rate</b>	4.2%	4.0%	4.2%	4.1%	4.0%	4.6%	4.7%	5.2%	5.2%	5.5%	5.3%	5.5%	4.7%
<b>Rate (Sea. Adj.)</b>	4.0%	4.0%	4.2%	4.3%	4.4%	4.6%	4.6%	4.8%	5.1%	5.3%	5.6%	5.8%	4.7%
<b>Total Employment</b>	2,439.7	2,448.0	2,453.1	2,464.1	2,450.8	2,456.3	2,456.8	2,422.5	2,459.6	2,455.6	2,461.2	2,473.8	2,453.5
<b>Total Nonfarm</b>	2,239.4	2,275.4	2,291.5	2,287.0	2,279.8	2,251.8	2,216.2	2,243.8	2,266.6	2,269.7	2,276.8	2,281.5	2,265.0
<b>Total Private</b>	1,873.9	1,891.5	1,906.4	1,900.3	1,896.2	1,898.2	1,875.5	1,882.9	1,879.2	1,876.1	1,880.1	1,886.0	1,887.2
<b>Goods Producing</b>	384.7	386.4	389.8	387.9	388.6	390.5	389.3	389.6	384.9	379.8	375.1	371.4	384.8
<b>Service-Providing</b>	1,854.7	1,889.0	1,901.7	1,899.1	1,891.2	1,861.3	1,826.9	1,854.2	1,881.7	1,889.9	1,901.7	1,910.1	1,880.1
<b>Private Service-Providing</b>	1,489.2	1,505.1	1,516.6	1,512.4	1,507.6	1,507.7	1,486.2	1,493.3	1,494.3	1,496.3	1,505.0	1,514.6	1,502.4
<b>Natural Resources and Mining</b>	9.6	9.6	9.6	9.6	9.7	9.7	9.6	9.6	9.5	9.5	9.4	9.2	9.6
<b>Metal Ore Mining</b>	7.1	7.1	7.0	7.0	7.0	7.0	6.9	6.9	6.8	6.7	6.7	6.6	6.9
<b>Construction</b>	166.5	168.8	172.4	172.1	173.6	176.7	177.5	179.6	177.3	174.9	172.9	170.4	173.6
<b>Construction of Buildings</b>	30.4	30.7	31.6	31.2	31.3	31.9	32.4	32.6	32.5	33.0	32.8	32.6	31.9
<b>Heavy and Civil Engineering</b>	26.0	26.1	26.5	26.7	26.9	27.2	27.3	27.3	27.4	26.9	27.1	27.2	26.9
<b>Specialty Trade Contractors</b>	110.1	112.0	114.3	114.2	115.4	117.6	117.8	119.7	117.4	115.0	113.0	110.6	114.8
<b>Manufacturing</b>	208.6	208.0	207.8	206.2	205.3	204.1	202.2	200.4	198.1	195.4	192.8	191.8	201.7
<b>Durable Goods</b>	169.9	169.5	169.3	167.6	166.9	165.9	164.1	162.7	160.9	158.7	156.1	154.8	163.9
<b>Fabricated Metal Products</b>	20.2	20.2	20.0	19.8	19.8	19.7	19.2	19.0	18.6	18.3	17.8	17.5	19.2
<b>Computer and Electronic Prod.</b>	59.9	59.9	59.6	58.5	57.8	57.3	56.5	56.0	55.2	54.2	53.5	53.0	56.8
<b>Aerospace Products and Parts</b>	29.6	29.6	29.8	30.1	30.2	30.3	30.5	30.4	30.4	30.2	29.9	29.7	30.1
<b>Non-Durable Goods</b>	38.7	38.5	38.5	38.6	38.4	38.2	38.1	37.7	37.2	36.7	36.7	37.0	37.9

Adjusted to the Current Population Survey (CPS 2006) to reflect place of residence. Benchmark year 2006, quarter 1.  
Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2005**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	167.3	168.8	169.4	172.1	172.5	173.5	174.9	176.6	177.6	179.0	179.8	181.2	174.4
<b>Finance and Insurance</b>	120.4	121.5	121.6	123.4	123.9	124.5	126.0	127.3	128.3	128.8	129.4	130.0	125.4
Credit Intermed., Monetary Auth.	73.2	74.1	74.1	75.5	76.0	76.4	77.7	78.8	79.6	79.4	80.3	80.7	77.2
Insurance, Funds, and Trusts	37.4	37.6	37.7	38.0	37.9	37.9	38.1	38.3	38.5	38.7	38.6	38.6	38.1
Securities, Investments, related	9.8	9.8	9.8	9.9	10.0	10.2	10.2	10.2	10.2	10.7	10.5	10.7	10.2
<b>Real Estate, Rental, and Leasing</b>	46.9	47.3	47.8	48.7	48.6	49.0	48.9	49.3	49.3	50.2	50.4	51.2	49.0
<b>Professional and Business Services</b>	346.0	351.5	356.1	363.6	363.2	366.5	367.7	371.5	374.8	374.2	377.2	379.7	366.0
<b>Professional and Tech. Services</b>	111.9	113.9	114.5	115.8	113.7	114.9	115.6	116.0	116.7	118.5	119.2	121.8	116.0
<b>Management of Companies</b>	22.4	22.2	22.4	22.5	22.7	22.5	22.8	22.7	22.6	22.8	22.9	23.0	22.6
<b>Administrative and Waste Services</b>	211.7	215.4	219.2	225.3	226.8	229.1	229.3	232.8	235.5	232.9	235.1	234.9	227.3
Employment Services	109.3	111.7	114.9	119.2	120.0	121.1	121.8	124.1	126.0	122.6	123.6	122.8	119.8
Business Support Services	26.6	27.0	27.2	26.8	26.7	27.2	27.4	27.7	27.5	27.5	28.1	28.5	27.4
Services to Buildings	37.7	38.3	39.1	40.3	40.9	41.4	40.8	41.4	41.7	42.0	42.1	41.7	40.6
<b>Educational and Health Services</b>	266.2	268.4	271.4	275.6	276.7	273.7	271.5	277.0	279.6	281.0	282.9	284.3	275.7
<b>Educational Services</b>	40.2	41.1	41.0	41.5	41.4	39.1	37.2	40.1	41.6	42.1	42.3	42.4	40.8
<b>Health Care and Social Assistance</b>	226.0	227.3	230.4	234.1	235.3	234.6	234.3	236.9	238.0	238.9	240.6	241.9	234.9
Ambulatory Health Care Services	99.5	100.6	103.3	103.3	104.1	104.3	104.3	105.2	105.5	106.8	107.6	108.1	104.4
Hospitals	61.8	61.8	62.0	64.9	65.0	64.8	65.2	65.5	65.7	65.3	65.6	66.3	64.5
Nursing and Residential Care	34.5	34.5	34.4	35.0	34.9	34.9	35.1	35.5	35.7	35.9	36.3	36.1	35.2
Social Assistance	30.2	30.4	30.7	30.9	31.3	30.6	29.7	30.7	31.1	30.9	31.1	31.4	30.8

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2005**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	242.5	248.1	252.9	259.9	259.0	255.7	250.6	251.8	256.1	256.6	258.8	259.4	254.3
<b>Arts, Entertainment, and Recreation</b>	29.2	30.2	31.4	32.9	32.5	31.7	31.0	30.9	31.4	31.9	32.0	31.7	31.4
<b>Accommodation and Food Services</b>	213.3	217.9	221.5	227.0	226.5	224.0	219.6	220.9	224.7	224.7	226.8	227.7	222.9
<b>Accommodation</b>	44.5	45.6	46.1	47.1	46.8	46.1	45.8	45.4	46.2	46.0	46.6	46.5	46.1
<b>Food Svcs and Drinking Places</b>	168.8	172.3	175.4	179.9	179.7	177.9	173.8	175.5	178.5	178.7	180.2	181.2	176.8
<b>Other Services</b>	88.1	89.0	90.3	91.4	91.9	92.1	91.4	91.3	92.1	92.6	93.3	93.6	91.4
<b>Government</b>	395.6	414.6	411.9	412.5	409.8	378.6	365.4	389.0	411.1	414.9	416.4	415.3	402.9
<b>Federal Government</b>	50.7	50.7	51.0	51.2	51.7	52.6	52.1	52.7	52.5	51.9	51.9	52.1	51.8
<b>State Government</b>	83.8	88.8	87.7	87.2	86.2	81.5	79.6	80.2	86.0	87.8	88.0	86.6	85.3
<b>State Government Education</b>	42.3	46.9	46.2	45.6	44.8	40.1	38.2	38.9	44.5	45.7	46.0	45.1	43.7
<b>Local Government</b>	261.1	275.1	273.2	274.1	271.9	244.5	233.7	256.1	272.6	275.2	276.5	276.6	265.9
<b>Local Government Education</b>	138.0	150.4	149.4	149.8	146.5	116.5	105.6	131.3	147.6	149.9	152.1	151.6	140.7

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2006, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
 Arizona Department of Commerce, Research Administration

**2006**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	2,905.6	2,919.0	2,922.5	2,933.8	2,939.3	2,969.3	2,970.0	2,970.1	2,988.1	3,004.4	3,009.5	3,014.9	2,962.2
<b>Total Unemployment</b>	131.4	123.2	117.0	117.9	117.5	133.6	138.3	127.1	126.2	121.8	116.1	113.0	123.6
<b>Rate</b>	4.5%	4.2%	4.0%	4.0%	4.0%	4.5%	4.7%	4.3%	4.2%	4.1%	3.9%	3.7%	4.2%
<b>Rate (Sea. Adj.)</b>	4.4%	4.3%	4.3%	4.2%	4.2%	4.3%	4.2%	4.1%	4.1%	4.1%	4.0%	3.9%	4.2%
<b>Total Employment</b>	2,774.2	2,795.8	2,805.5	2,815.9	2,821.8	2,835.7	2,831.7	2,843.0	2,861.9	2,882.6	2,893.3	2,901.9	2,838.6
<b>Total Nonfarm</b>	2,562.0	2,606.5	2,629.1	2,634.7	2,643.5	2,615.9	2,586.9	2,624.2	2,655.8	2,669.2	2,687.4	2,698.6	2,634.5
<b>Total Private</b>	2,161.6	2,190.2	2,212.8	2,218.5	2,225.8	2,233.4	2,216.4	2,230.1	2,239.1	2,244.3	2,261.9	2,277.5	2,226.0
<b>Goods Producing</b>	423.7	430.4	435.0	437.9	440.4	445.0	443.5	442.6	439.8	434.6	430.1	428.5	436.0
<b>Service-Providing</b>	2,138.3	2,176.1	2,194.1	2,196.8	2,203.1	2,170.9	2,143.4	2,181.6	2,216.0	2,234.6	2,257.3	2,270.1	2,198.5
<b>Private Service-Providing</b>	1,737.9	1,759.8	1,777.8	1,780.6	1,785.4	1,788.4	1,772.9	1,787.5	1,799.3	1,809.7	1,831.8	1,849.0	1,790.0
<b>Natural Resources and Mining</b>	9.0	9.1	9.2	9.5	9.7	10.1	10.2	10.3	10.4	10.4	10.5	10.5	9.9
<b>Metal Ore Mining</b>	6.5	6.6	6.8	6.9	7.0	7.3	7.4	7.5	7.6	7.6	7.7	7.8	7.2
<b>Construction</b>	229.7	234.4	238.7	241.1	244.0	247.5	246.1	245.6	243.8	240.0	237.8	235.4	240.3
<b>Construction of Buildings</b>	45.1	45.9	46.6	46.8	46.6	46.9	46.4	46.3	45.9	46.1	45.5	45.1	46.1
<b>Heavy and Civil Engineering</b>	29.0	29.2	29.2	28.8	29.1	29.2	28.7	28.5	28.6	28.6	28.7	28.9	28.9
<b>Specialty Trade Contractors</b>	155.6	159.3	162.9	165.5	168.3	171.4	171.0	170.8	169.3	165.3	163.6	161.4	165.4
<b>Manufacturing</b>	185.0	186.9	187.1	187.3	186.7	187.4	187.2	186.7	185.6	184.2	181.8	182.6	185.7
<b>Durable Goods</b>	149.5	151.2	151.2	151.6	151.6	152.4	152.2	151.7	150.5	149.2	146.7	146.9	150.4
<b>Fabricated Metal Products</b>	18.7	19.0	18.9	19.0	19.2	19.4	19.4	19.6	19.7	19.6	19.7	19.9	19.3
<b>Computer and Electronic Prod.</b>	45.4	45.9	46.2	45.9	45.7	45.7	45.5	45.0	44.5	44.1	43.4	43.3	45.1
<b>Aerospace Products and Parts</b>	26.5	26.9	26.5	26.5	26.7	26.9	27.1	27.1	27.0	27.0	25.8	26.0	26.7
<b>Non-Durable Goods</b>	35.5	35.7	35.9	35.7	35.1	35.0	35.0	35.0	35.1	35.0	35.1	35.7	35.3

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2007, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2006**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	502.1	501.6	505.9	505.7	506.4	506.4	507.8	509.8	510.9	517.9	531.3	540.4	512.2
<b>Wholesale Trade</b>	103.5	104.3	104.8	104.6	104.7	105.3	105.6	105.8	106.2	106.8	107.9	109.4	105.7
<b>Retail Trade</b>	316.0	314.8	318.2	317.8	318.2	317.6	318.2	319.2	319.1	325.7	337.4	343.1	322.1
<b>Motor Vehicles and Parts</b>	45.0	45.5	45.8	45.9	46.0	46.3	46.6	46.9	47.0	46.9	47.1	47.2	46.4
<b>Furniture and Home Furnishings</b>	15.2	15.1	15.1	15.1	15.1	15.0	15.0	15.1	15.2	15.4	15.9	16.0	15.3
<b>Building Material, Garden Supply</b>	25.8	26.5	27.4	28.5	29.0	28.8	28.3	27.9	28.0	28.3	28.5	28.4	28.0
<b>Food and Beverage</b>	56.6	56.7	57.5	57.6	57.5	57.1	57.9	58.2	58.1	59.3	60.9	60.8	58.2
<b>Clothing and Accessories</b>	21.6	21.0	21.2	21.2	21.3	21.6	22.0	21.9	21.8	22.2	24.7	26.2	22.2
<b>General Merchandise</b>	61.9	60.4	61.3	59.7	59.5	58.9	59.5	59.8	59.5	61.6	65.9	68.7	61.4
<b>Department Stores</b>	28.0	26.8	26.8	25.7	25.8	25.8	26.3	26.7	26.2	27.2	29.9	31.8	27.3
<b>Other General merchandise</b>	33.9	33.6	34.5	34.0	33.7	33.1	33.2	33.1	33.3	34.4	36.0	36.9	34.1
<b>Transp., Warehousing, and Utilities</b>	82.6	82.5	82.9	83.3	83.5	83.5	84.0	84.8	85.6	85.4	86.0	87.9	84.3
<b>Utilities</b>	12.0	12.1	12.1	12.2	12.3	12.5	12.5	12.4	12.5	12.5	12.6	12.6	12.4
<b>Transportation and Warehousing</b>	70.6	70.4	70.8	71.1	71.2	71.0	71.5	72.4	73.1	72.9	73.4	75.3	72.0
<b>Air Transportation</b>	14.8	14.8	14.9	15.7	15.7	15.7	15.4	15.7	16.0	16.3	16.2	16.1	15.6
<b>Truck Transportation</b>	20.0	20.0	20.1	20.1	20.1	20.3	20.6	20.7	20.8	20.7	20.6	20.8	20.4
<b>Information</b>	45.4	45.5	45.5	44.5	44.7	44.6	43.8	43.7	42.9	42.5	43.1	43.3	44.1
<b>Telecommunications</b>	15.9	15.8	15.7	15.6	15.6	15.7	15.9	16.2	16.1	16.5	16.7	17.4	16.1

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2007, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.



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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2006**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	178.5	179.9	180.9	181.4	182.2	182.7	182.8	183.5	184.0	185.1	185.3	187.2	182.8
<b>Finance and Insurance</b>	127.9	129.0	129.6	129.8	130.3	130.9	131.1	131.7	132.1	132.5	132.5	133.3	130.9
<b>Credit Intermed., Monetary Auth.</b>	80.0	80.9	81.4	81.8	82.1	82.2	82.5	83.0	83.3	83.6	83.3	83.7	82.3
<b>Insurance, Funds, and Trusts</b>	37.3	37.4	37.5	37.0	37.0	37.3	37.0	37.0	37.1	37.0	37.1	37.3	37.2
<b>Securities, Investments, related</b>	10.6	10.7	10.7	11.0	11.2	11.4	11.6	11.7	11.7	11.9	12.1	12.3	11.4
<b>Real Estate, Rental, and Leasing</b>	50.6	50.9	51.3	51.6	51.9	51.8	51.7	51.8	51.9	52.6	52.8	53.9	51.9
<b>Professional and Business Services</b>	374.0	382.7	386.6	389.6	391.8	396.5	394.7	398.9	402.3	403.5	404.9	407.2	394.4
<b>Professional and Tech. Services</b>	122.0	124.5	125.1	126.6	124.8	126.7	127.4	127.7	128.3	130.9	131.1	133.8	127.4
<b>Management of Companies</b>	24.0	24.1	24.2	24.1	24.4	24.8	25.1	25.3	25.8	25.8	25.9	26.3	25.0
<b>Administrative and Waste Services</b>	228.0	234.1	237.3	238.9	242.6	245.0	242.2	245.9	248.2	246.8	247.9	247.1	242.0
<b>Employment Services</b>	116.8	120.7	122.8	123.4	125.6	126.7	124.3	126.4	127.9	126.0	126.0	124.8	124.3
<b>Business Support Services</b>	28.1	29.1	29.0	29.4	29.5	29.9	29.0	29.4	29.5	29.6	30.2	30.3	29.4
<b>Services to Buildings</b>	40.5	41.6	42.3	43.0	44.3	45.1	44.8	45.5	46.1	46.0	46.2	46.1	44.3
<b>Educational and Health Services</b>	282.5	286.3	288.8	289.3	290.3	289.0	286.6	292.5	295.1	297.3	299.4	302.4	291.6
<b>Educational Services</b>	42.3	43.5	43.9	43.9	43.9	41.8	39.5	43.1	44.0	44.4	44.9	45.3	43.4
<b>Health Care and Social Assistance</b>	240.2	242.8	244.9	245.4	246.4	247.2	247.1	249.4	251.1	252.9	254.5	257.1	248.3
<b>Ambulatory Health Care Services</b>	107.6	109.1	109.9	111.0	111.5	111.9	112.1	113.0	113.4	114.6	115.3	116.4	112.2
<b>Hospitals</b>	66.4	66.6	67.4	66.9	67.0	67.4	67.3	67.7	68.5	68.9	69.2	69.8	67.8
<b>Nursing and Residential Care</b>	35.2	35.7	35.8	35.5	35.5	36.0	36.1	36.2	36.2	36.1	36.2	36.5	35.9
<b>Social Assistance</b>	31.0	31.4	31.8	32.0	32.4	31.9	31.6	32.5	33.0	33.3	33.8	34.4	32.4

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2007, quarter 1. rev. 4/22/10

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2006**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	258.1	264.2	268.9	271.6	270.1	267.6	261.3	262.6	266.6	267.5	271.0	271.1	266.7
<b>Arts, Entertainment, and Recreation</b>	31.2	32.4	33.5	34.6	34.4	34.2	33.0	33.5	33.9	33.9	34.8	34.4	33.7
<b>Accommodation and Food Services</b>	226.9	231.8	235.4	237.0	235.7	233.4	228.3	229.1	232.7	233.6	236.2	236.7	233.1
<b>Accommodation</b>	45.9	46.7	47.2	47.9	47.6	47.3	45.9	45.5	46.0	46.9	47.6	47.5	46.8
<b>Food Svcs and Drinking Places</b>	181.0	185.1	188.2	189.1	188.1	186.1	182.4	183.6	186.7	186.7	188.6	189.2	186.2
<b>Other Services</b>	97.3	99.6	101.2	98.5	99.9	101.6	95.9	96.5	97.5	95.9	96.8	97.4	98.2
<b>Government</b>	400.4	416.3	416.3	416.2	417.7	382.5	370.5	394.1	416.7	424.9	425.5	421.1	408.5
<b>Federal Government</b>	51.5	51.5	51.5	51.7	52.3	52.8	52.1	52.7	52.7	52.0	52.0	52.4	52.1
<b>State Government</b>	82.2	86.4	87.1	86.8	86.4	78.0	77.5	79.9	87.9	90.0	90.0	85.4	84.8
<b>State Government Education</b>	40.8	45.0	45.8	45.4	44.8	36.3	35.8	38.0	45.9	46.9	47.0	42.9	42.9
<b>Local Government</b>	266.7	278.4	277.7	277.7	279.0	251.7	240.9	261.5	276.1	282.9	283.5	283.3	271.6
<b>Local Government Education</b>	141.2	152.6	151.4	151.2	150.8	120.1	108.8	131.6	146.9	153.3	154.4	154.6	143.1

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2007, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

Equal Opportunity Employer / Program available in alternative format / reasonable accommodations: 602-771-1100, TDD 1-800-367-8939

**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2007**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	3,002.4	2,999.9	3,003.8	2,993.9	2,993.7	3,021.2	3,026.4	3,016.0	3,042.0	3,047.7	3,068.6	3,068.1	3,023.6
<b>Total Unemployment</b>	125.0	111.6	107.9	105.0	101.3	116.7	125.6	121.7	121.3	124.1	126.7	136.4	118.6
<b>Rate</b>	4.2%	3.7%	3.6%	3.5%	3.4%	3.9%	4.2%	4.0%	4.0%	4.1%	4.1%	4.4%	3.9%
<b>Rate (Sea. Adj.)</b>	3.9%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.8%	4.0%	4.2%	4.3%	4.3%	3.9%
<b>Total Employment</b>	2,877.4	2,888.3	2,895.9	2,888.9	2,892.4	2,904.5	2,900.8	2,894.3	2,920.6	2,923.6	2,941.9	2,931.7	2,905.0
<b>Total Nonfarm</b>	2,630.7	2,668.5	2,686.3	2,676.8	2,682.0	2,649.8	2,623.9	2,662.6	2,683.2	2,695.1	2,712.3	2,713.6	2,673.7
<b>Total Private</b>	2,220.9	2,242.9	2,259.4	2,250.3	2,256.1	2,258.2	2,238.8	2,250.6	2,250.1	2,258.3	2,272.4	2,274.4	2,252.7
<b>Goods Producing</b>	418.8	421.9	422.7	419.1	420.3	425.2	423.1	423.7	418.8	414.0	408.1	402.2	418.2
<b>Service-Providing</b>	2,211.9	2,246.6	2,263.6	2,257.7	2,261.7	2,224.6	2,200.8	2,238.9	2,264.4	2,281.1	2,304.2	2,311.4	2,255.6
<b>Private Service-Providing</b>	1,802.1	1,821.0	1,836.7	1,831.2	1,835.8	1,833.0	1,815.7	1,826.9	1,831.3	1,844.3	1,864.3	1,872.2	1,834.5
<b>Natural Resources and Mining</b>	10.5	10.5	10.7	10.7	10.9	11.2	11.8	12.1	12.1	12.3	12.4	12.5	11.5
<b>Metal Ore Mining</b>	7.8	7.9	8.1	7.9	8.1	8.3	8.8	9.1	9.3	9.6	9.7	9.9	8.7
<b>Construction</b>	226.7	227.6	228.5	226.4	227.6	231.7	228.7	229.1	225.9	221.4	215.7	210.0	224.9
<b>Construction of Buildings</b>	43.3	43.3	43.3	43.0	43.1	43.6	43.4	43.4	42.7	42.4	41.7	40.6	42.8
<b>Heavy and Civil Engineering</b>	27.8	27.9	28.0	27.9	28.2	28.4	28.0	28.4	28.7	28.5	28.0	27.6	28.1
<b>Specialty Trade Contractors</b>	155.6	156.4	157.2	155.5	156.3	159.7	157.3	157.3	154.5	150.5	146.0	141.8	154.0
<b>Manufacturing</b>	181.6	183.8	183.5	182.0	181.8	182.3	182.6	182.5	180.8	180.3	180.0	179.7	181.7
<b>Durable Goods</b>	146.2	147.9	147.5	146.8	146.9	147.6	147.4	147.1	146.1	145.1	144.3	144.0	146.4
<b>Fabricated Metal Products</b>	19.8	19.8	19.9	19.8	20.0	20.1	20.1	20.0	19.9	19.8	19.7	19.7	19.9
<b>Computer and Electronic Prod.</b>	42.9	43.2	43.1	43.2	43.1	43.4	43.4	43.0	42.6	42.6	42.4	42.4	42.9
<b>Aerospace Products and Parts</b>	26.0	27.8	27.2	27.2	27.2	27.4	27.5	27.5	27.5	27.4	27.5	27.6	27.3
<b>Non-Durable Goods</b>	35.4	35.9	36.0	35.2	34.9	34.7	35.2	35.4	34.7	35.2	35.7	35.7	35.3

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2008, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

2007

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2007**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	522.0	520.8	523.2	522.7	524.0	523.8	524.2	525.2	526.0	528.8	542.4	549.2	527.7
<b>Wholesale Trade</b>	107.7	108.3	108.9	108.1	108.2	108.9	108.9	108.7	108.5	108.9	110.0	110.9	108.8
<b>Retail Trade</b>	328.5	326.6	328.5	328.4	329.0	327.7	328.6	329.3	330.0	332.8	344.7	348.4	331.9
<b>Motor Vehicles and Parts</b>	46.7	47.1	47.4	47.6	47.7	47.6	47.6	47.5	47.4	46.8	46.5	46.2	47.2
<b>Furniture and Home Furnishings</b>	15.6	15.4	15.2	15.1	15.0	14.2	14.3	14.1	14.1	14.1	14.4	14.4	14.7
<b>Building Material, Garden Supply</b>	27.5	27.7	28.0	28.4	28.6	28.5	27.9	27.5	27.2	27.0	27.0	26.7	27.7
<b>Food and Beverage</b>	59.4	59.7	59.7	60.0	59.9	60.0	60.4	60.3	60.7	61.1	62.6	62.0	60.5
<b>Clothing and Accessories</b>	23.2	22.4	22.6	22.7	22.4	22.4	22.7	23.0	22.3	22.9	25.3	26.3	23.2
<b>General Merchandise</b>	64.1	62.2	63.8	63.1	63.4	62.9	63.7	64.3	64.9	66.4	71.9	74.0	65.4
<b>Department Stores</b>	28.7	26.9	26.6	26.7	26.9	27.1	27.5	27.9	28.7	30.1	33.8	35.1	28.8
<b>Other General merchandise</b>	35.4	35.3	37.2	36.4	36.5	35.8	36.2	36.4	36.2	36.3	38.1	38.9	36.6
<b>Transp., Warehousing, and Utilities</b>	85.8	85.9	85.8	86.2	86.8	87.2	86.7	87.2	87.5	87.1	87.7	89.9	87.0
<b>Utilities</b>	12.6	12.6	12.6	12.7	12.6	12.7	12.8	12.7	12.7	12.7	12.8	12.8	12.7
<b>Transportation and Warehousing</b>	73.2	73.3	73.2	73.5	74.2	74.5	73.9	74.5	74.8	74.4	74.9	77.1	74.3
<b>Air Transportation</b>	16.2	16.6	16.4	16.2	16.3	16.2	16.3	16.3	16.3	16.0	16.0	15.9	16.2
<b>Truck Transportation</b>	20.2	20.3	20.4	20.7	20.9	21.2	20.9	21.0	20.9	20.8	20.7	20.6	20.7
<b>Information</b>	41.5	42.4	42.3	42.6	43.3	43.1	42.8	42.5	42.2	41.9	42.8	42.4	42.5
<b>Telecommunications</b>	16.0	16.1	16.0	16.0	15.8	15.9	15.7	15.7	15.6	15.6	15.6	15.5	15.8

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2007**  
(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	184.3	185.9	186.5	186.5	186.3	185.9	185.2	182.9	181.8	180.5	180.3	181.0	183.9
<b>Finance and Insurance</b>	132.4	133.5	133.8	134.1	133.7	133.1	132.4	130.0	129.3	127.9	127.6	127.3	131.3
<b>Credit Intermed., Monetary Auth.</b>	83.6	84.3	84.2	84.1	83.9	83.2	82.5	80.4	79.9	78.6	78.3	77.8	81.7
<b>Insurance, Funds, and Trusts</b>	36.6	36.8	37.0	37.5	37.0	37.3	37.1	36.9	36.7	36.6	36.5	36.6	36.9
<b>Securities, Investments, related</b>	12.2	12.4	12.6	12.5	12.8	12.6	12.8	12.7	12.7	12.7	12.8	12.9	12.6
<b>Real Estate, Rental, and Leasing</b>	51.9	52.4	52.7	52.4	52.6	52.8	52.8	52.9	52.5	52.6	52.7	53.7	52.7
<b>Professional and Business Services</b>	394.5	399.3	403.9	401.8	401.9	404.5	401.8	405.4	404.0	407.4	408.7	406.5	403.3
<b>Professional and Tech. Services</b>	131.5	133.3	133.9	133.5	130.9	132.3	132.1	132.7	131.8	134.9	135.1	136.7	133.2
<b>Management of Companies</b>	26.2	26.3	26.6	26.7	27.1	27.5	27.7	28.0	28.0	27.9	28.0	28.0	27.3
<b>Administrative and Waste Services</b>	236.8	239.7	243.4	241.6	243.9	244.7	242.0	244.7	244.2	244.6	245.6	241.8	242.8
<b>Employment Services</b>	117.0	118.2	120.8	119.2	120.2	120.0	118.7	120.7	121.0	121.5	121.9	119.2	119.9
<b>Business Support Services</b>	29.1	29.2	29.0	28.6	28.7	29.3	29.5	29.4	29.2	29.3	29.8	30.0	29.3
<b>Services to Buildings</b>	44.8	45.8	46.4	46.6	47.8	48.1	47.3	47.9	47.3	46.9	46.7	45.5	46.8
<b>Educational and Health Services</b>	296.6	301.1	302.8	301.5	303.2	302.0	299.7	305.2	307.9	312.1	313.1	314.9	305.0
<b>Educational Services</b>	43.0	44.1	44.5	43.7	44.5	42.0	39.9	43.4	44.5	46.1	45.9	46.0	44.0
<b>Health Care and Social Assistance</b>	253.6	257.0	258.3	257.8	258.7	260.0	259.8	261.8	263.4	266.0	267.2	268.9	261.0
<b>Ambulatory Health Care Services</b>	114.5	115.7	116.0	116.3	116.8	117.8	117.9	118.6	118.7	120.6	121.0	121.5	118.0
<b>Hospitals</b>	70.0	70.8	70.9	70.2	70.0	70.3	70.3	70.5	71.1	71.9	72.4	72.8	70.9
<b>Nursing and Residential Care</b>	36.1	36.5	37.0	37.0	37.4	37.8	38.0	38.3	38.6	38.6	38.8	39.2	37.8
<b>Social Assistance</b>	33.0	34.0	34.4	34.3	34.5	34.1	33.6	34.4	35.0	34.9	35.0	35.4	34.4

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2007-6-3

**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2007**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	266.8	272.9	278.4	278.1	277.9	273.0	264.0	267.7	269.9	273.9	276.2	276.9	273.0
<b>Arts, Entertainment, and Recreation</b>	33.5	34.8	35.9	36.2	36.6	36.3	35.1	35.1	35.5	35.4	35.9	35.4	35.5
<b>Accommodation and Food Services</b>	233.3	238.1	242.5	241.9	241.3	236.7	228.9	232.6	234.4	238.5	240.3	241.5	237.5
<b>Accommodation</b>	47.1	47.7	49.2	49.1	49.3	49.0	47.0	46.9	47.2	48.3	48.9	49.0	48.2
<b>Food Svcs and Drinking Places</b>	186.2	190.4	193.3	192.8	192.0	187.7	181.9	185.7	187.2	190.2	191.4	192.5	189.3
<b>Other Services</b>	96.4	98.6	99.6	98.0	99.2	100.7	98.0	98.0	99.5	99.7	100.8	101.3	99.2
<b>Government</b>	409.8	425.6	426.9	426.5	425.9	391.6	385.1	412.0	433.1	436.8	439.9	439.2	421.0
<b>Federal Government</b>	52.0	51.6	51.6	51.9	52.4	52.8	52.2	52.7	52.4	52.6	52.5	52.9	52.3
<b>State Government</b>	84.7	89.0	90.0	89.5	87.7	79.3	82.4	83.1	91.6	93.3	93.5	92.5	88.1
<b>State Government Education</b>	41.9	46.1	46.9	46.2	44.5	36.0	39.1	39.8	48.2	49.1	49.5	49.0	44.7
<b>Local Government</b>	273.1	285.0	285.3	285.1	285.8	259.5	250.5	276.2	289.1	290.9	293.9	293.8	280.7
<b>Local Government Education</b>	143.7	155.0	154.4	154.4	153.2	123.2	113.8	141.8	155.3	157.3	159.3	158.7	147.5

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2008**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	3,069.7	3,064.1	3,070.5	3,078.8	3,093.1	3,125.2	3,130.3	3,143.1	3,155.5	3,161.5	3,155.9	3,153.6	3,116.8
<b>Total Unemployment</b>	143.3	133.7	139.1	135.8	158.9	185.5	200.5	214.3	212.9	217.9	219.7	235.2	183.1
<b>Rate</b>	4.7%	4.4%	4.5%	4.4%	5.1%	5.9%	6.4%	6.8%	6.7%	6.9%	7.0%	7.5%	5.9%
<b>Rate (Sea. Adj.)</b>	4.5%	4.6%	4.7%	5.0%	5.2%	5.7%	6.0%	6.3%	6.7%	7.0%	7.3%	7.6%	5.9%
<b>Total Employment</b>	2,926.4	2,930.3	2,931.4	2,943.0	2,934.2	2,939.7	2,929.8	2,928.8	2,942.6	2,943.6	2,936.2	2,918.3	2,933.7
<b>Total Nonfarm</b>	2,644.3	2,666.9	2,665.9	2,655.9	2,648.9	2,599.4	2,557.3	2,595.4	2,601.2	2,594.2	2,590.7	2,575.4	2,616.3
<b>Total Private</b>	2,214.4	2,224.3	2,224.3	2,213.1	2,207.0	2,193.0	2,166.2	2,173.2	2,162.4	2,151.5	2,145.5	2,132.8	2,184.0
<b>Goods Producing</b>	391.5	388.9	386.8	383.1	381.6	380.2	376.2	373.5	367.1	357.8	347.3	338.6	372.7
<b>Service-Providing</b>	2,252.8	2,278.0	2,279.1	2,272.8	2,267.3	2,219.2	2,181.1	2,221.9	2,234.1	2,236.4	2,243.4	2,236.8	2,243.6
<b>Private Service-Providing</b>	1,822.9	1,835.4	1,837.5	1,830.0	1,825.4	1,812.8	1,790.0	1,799.7	1,795.3	1,793.7	1,798.2	1,794.2	1,811.3
<b>Natural Resources and Mining</b>	12.7	12.7	12.9	13.0	13.3	13.7	14.0	14.2	14.4	14.0	13.8	13.8	13.5
<b>Metal Ore Mining</b>	10.0	10.1	10.2	10.3	10.6	10.9	11.1	11.2	11.4	11.0	10.9	10.9	10.7
<b>Construction</b>	200.7	198.8	198.2	195.1	193.6	192.0	188.6	186.3	181.1	173.9	165.8	158.8	186.1
<b>Construction of Buildings</b>	39.0	38.3	38.0	37.6	37.2	36.9	36.7	36.6	35.6	34.7	32.8	31.5	36.2
<b>Heavy and Civil Engineering</b>	26.6	27.0	27.2	27.1	26.9	26.3	25.9	25.4	24.6	23.7	23.0	22.1	25.5
<b>Specialty Trade Contractors</b>	135.1	133.5	133.0	130.4	129.5	128.8	126.0	124.3	120.9	115.5	110.0	105.2	124.4
<b>Manufacturing</b>	178.1	177.4	175.7	175.0	174.7	174.5	173.6	173.0	171.6	169.9	167.7	166.0	173.1
<b>Durable Goods</b>	142.6	142.1	141.2	140.3	139.8	139.8	139.0	138.6	137.4	135.9	133.7	132.0	138.5
<b>Fabricated Metal Products</b>	19.4	19.3	19.3	19.1	18.8	18.5	18.3	18.1	17.6	17.2	16.7	16.1	18.2
<b>Computer and Electronic Prod.</b>	42.3	42.4	42.2	41.9	41.8	41.7	41.7	41.2	40.7	40.5	40.0	39.8	41.4
<b>Aerospace Products and Parts</b>	27.6	27.7	27.6	27.8	28.2	28.7	29.2	29.5	29.7	30.1	30.4	30.7	28.9
<b>Non-Durable Goods</b>	35.5	35.3	34.5	34.7	34.9	34.7	34.6	34.4	34.2	34.0	34.0	34.0	34.6

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2008**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	527.9	525.2	524.2	518.7	519.2	517.8	510.4	511.4	507.5	508.6	514.8	515.3	516.8
<b>Wholesale Trade</b>	109.3	109.7	109.6	108.3	108.4	107.9	107.0	107.1	106.9	107.2	107.1	106.8	107.9
<b>Retail Trade</b>	331.9	328.4	327.7	323.7	324.0	323.3	317.5	318.0	314.8	315.9	321.4	321.3	322.3
<b>Motor Vehicles and Parts</b>	45.3	45.4	45.3	44.7	44.3	43.8	43.2	42.5	41.8	40.1	38.7	37.5	42.7
<b>Furniture and Home Furnishings</b>	13.5	13.3	13.1	12.8	12.6	12.3	11.9	11.9	11.6	11.7	11.6	11.5	12.3
<b>Building Material, Garden Supply</b>	25.3	25.2	25.7	25.6	25.3	24.8	24.3	24.0	23.8	23.6	23.0	22.6	24.4
<b>Food and Beverage</b>	60.5	60.4	59.9	57.4	59.4	59.8	58.2	59.0	58.3	58.9	60.1	58.8	59.2
<b>Clothing and Accessories</b>	23.6	22.8	22.8	22.6	22.3	22.3	22.6	22.8	22.2	22.4	24.3	25.3	23.0
<b>General Merchandise</b>	68.9	67.7	67.7	66.8	66.2	66.3	65.4	65.2	64.6	65.4	69.3	70.2	67.0
<b>Department Stores</b>	31.8	30.5	29.9	29.3	28.7	28.6	28.4	28.5	28.1	28.3	30.2	30.5	29.4
<b>Other General merchandise</b>	37.1	37.2	37.8	37.5	37.5	37.7	37.0	36.7	36.5	37.1	39.1	39.7	37.6
<b>Transp., Warehousing, and Utilities</b>	86.7	87.1	86.9	86.7	86.8	86.6	85.9	86.3	85.8	85.5	86.3	87.2	86.5
<b>Utilities</b>	12.8	12.8	12.7	12.7	12.8	12.8	12.8	12.8	12.7	12.7	12.7	12.7	12.8
<b>Transportation and Warehousing</b>	73.9	74.3	74.2	74.0	74.0	73.8	73.1	73.5	73.1	72.8	73.6	74.5	73.7
<b>Air Transportation</b>	15.9	16.0	15.9	15.6	15.5	15.5	15.2	15.2	15.2	14.9	14.9	14.9	15.4
<b>Truck Transportation</b>	20.0	20.1	20.1	19.9	19.9	19.9	19.8	19.9	19.7	19.6	19.4	19.2	19.8
<b>Information</b>	41.7	42.6	43.0	42.1	43.2	42.8	41.6	41.3	41.7	40.8	41.3	41.5	42.0
<b>Telecommunications</b>	15.8	16.2	16.0	15.7	15.8	15.8	15.7	15.9	16.3	15.9	15.9	15.9	15.9

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2008**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	176.4	177.7	177.6	177.1	177.0	176.5	175.1	174.8	174.0	173.3	172.2	172.1	175.3
<b>Finance and Insurance</b>	124.7	125.6	125.6	125.5	125.2	125.3	124.6	124.5	124.1	123.2	122.9	122.6	124.5
<b>Credit Intermed., Monetary Auth.</b>	76.0	76.6	76.4	76.5	76.1	76.0	75.6	75.4	75.2	74.4	74.2	73.8	75.5
<b>Insurance, Funds, and Trusts</b>	36.1	36.2	36.3	36.2	36.2	36.3	36.0	36.0	35.9	35.7	35.7	35.7	36.0
<b>Securities, Investments, related</b>	12.6	12.8	12.9	12.8	12.9	13.0	13.0	13.1	13.0	13.1	13.0	13.1	12.9
<b>Real Estate, Rental, and Leasing</b>	51.7	52.1	52.0	51.6	51.8	51.2	50.5	50.3	49.9	50.1	49.3	49.5	50.8
<b>Professional and Business Services</b>	394.0	397.0	395.0	392.8	389.4	386.2	382.6	384.7	381.4	379.7	375.8	372.9	386.0
<b>Professional and Tech. Services</b>	134.0	136.2	135.3	134.4	131.9	131.6	131.4	131.2	130.4	131.1	130.2	131.4	132.4
<b>Management of Companies</b>	27.4	27.4	27.5	27.8	27.8	27.7	27.8	27.7	27.4	27.5	27.4	27.2	27.6
<b>Administrative and Waste Services</b>	232.6	233.4	232.2	230.6	229.7	226.9	223.4	225.8	223.6	221.1	218.2	214.3	226.0
<b>Employment Services</b>	113.6	113.8	112.4	110.9	109.2	106.9	103.9	105.4	103.4	101.6	99.4	97.1	106.5
<b>Business Support Services</b>	28.8	29.1	29.2	29.3	29.2	29.1	29.5	29.8	29.6	29.3	29.6	29.3	29.3
<b>Services to Buildings</b>	43.9	43.6	43.7	43.8	44.3	43.9	43.3	43.7	43.4	42.6	41.9	40.8	43.2
<b>Educational and Health Services</b>	310.7	315.2	316.6	319.1	320.4	317.8	316.4	322.0	324.7	326.7	328.8	330.4	320.7
<b>Educational Services</b>	44.5	45.8	45.9	46.2	46.2	44.1	42.5	45.9	47.5	48.6	48.9	49.4	46.3
<b>Health Care and Social Assistance</b>	266.2	269.4	270.7	272.9	274.2	273.7	273.9	276.1	277.2	278.1	279.9	281.0	274.4
<b>Ambulatory Health Care Services</b>	119.8	121.3	121.7	123.0	123.7	123.8	124.2	125.2	125.6	126.0	126.5	127.2	124.0
<b>Hospitals</b>	72.9	73.6	74.1	74.6	74.6	74.7	74.6	74.6	74.9	75.8	76.2	76.4	74.8
<b>Nursing and Residential Care</b>	38.9	39.0	39.3	39.4	39.6	39.7	40.2	40.2	40.3	40.4	40.8	40.9	39.9
<b>Social Assistance</b>	34.6	35.5	35.6	35.9	36.3	35.5	34.9	36.1	36.4	35.9	36.4	36.5	35.8

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2008**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	272.0	276.3	279.1	279.2	275.1	270.3	263.2	265.3	266.0	265.6	266.2	263.8	270.2
<b>Arts, Entertainment, and Recreation</b>	34.8	36.1	37.1	37.6	36.9	36.3	35.1	34.7	34.8	34.4	34.2	34.0	35.5
<b>Accommodation and Food Services</b>	237.2	240.2	242.0	241.6	238.2	234.0	228.1	230.6	231.2	231.2	232.0	229.8	234.7
<b>Accommodation</b>	47.8	48.9	49.1	49.3	49.0	47.9	47.0	46.8	47.2	48.1	48.1	47.2	48.0
<b>Food Svcs and Drinking Places</b>	189.4	191.3	192.9	192.3	189.2	186.1	181.1	183.8	184.0	183.1	183.9	182.6	186.6
<b>Other Services</b>	100.2	101.4	102.0	101.0	101.1	101.4	100.7	100.2	100.0	99.0	99.1	98.2	100.4
<b>Government</b>	429.9	442.6	441.6	442.8	441.9	406.4	391.1	422.2	438.8	442.7	445.2	442.6	432.3
<b>Federal Government</b>	52.4	52.5	52.9	53.8	54.7	55.1	54.9	55.5	55.3	55.0	55.2	55.4	54.4
<b>State Government</b>	89.4	93.6	92.9	93.7	93.0	85.0	79.7	87.5	91.1	91.8	91.8	90.6	90.0
<b>State Government Education</b>	45.9	50.0	49.4	51.1	50.7	42.7	37.7	45.6	49.2	49.2	49.4	48.7	47.5
<b>Local Government</b>	288.1	296.5	295.8	295.3	294.2	266.3	256.5	279.2	292.4	295.9	298.2	296.6	287.9
<b>Local Government Education</b>	152.5	160.0	159.1	159.9	156.9	126.6	115.8	141.0	156.3	160.4	162.7	161.8	151.1

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
 Arizona Department of Commerce, Research Administration

**2009**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	3,141.1	3,138.8	3,130.3	3,135.8	3,134.1	3,155.2	3,160.0	3,149.4	3,147.3	3,145.6	3,145.8	3,128.3	3,142.6
<b>Total Unemployment</b>	258.4	263.5	271.5	264.9	278.7	303.7	312.3	306.6	301.1	297.2	279.3	276.0	284.4
<b>Rate</b>	8.2%	8.4%	8.7%	8.4%	8.9%	9.6%	9.9%	9.7%	9.6%	9.4%	8.9%	8.8%	9.0%
<b>Rate (Sea. Adj.)</b>	8.0%	8.3%	8.7%	9.0%	9.2%	9.3%	9.4%	9.5%	9.4%	9.3%	9.3%	9.2%	9.0%
<b>Total Employment</b>	2,882.6	2,875.3	2,858.8	2,870.9	2,855.4	2,851.5	2,847.8	2,842.7	2,846.2	2,848.4	2,866.4	2,852.4	2,858.2
<b>Total Nonfarm</b>	2,492.1	2,487.0	2,478.3	2,458.0	2,442.7	2,382.2	2,355.9	2,380.6	2,392.1	2,408.0	2,423.1	2,416.5	2,426.4
<b>Total Private</b>	2,062.1	2,047.4	2,040.4	2,017.9	2,009.0	1,990.4	1,974.1	1,975.4	1,965.2	1,979.5	1,992.9	1,991.2	2,003.8
<b>Goods Producing</b>	322.2	312.0	306.6	298.3	294.9	293.4	290.2	286.6	282.3	279.1	276.5	272.7	292.9
<b>Service-Providing</b>	2,169.9	2,175.0	2,171.7	2,159.7	2,147.8	2,088.8	2,065.7	2,094.0	2,109.8	2,128.9	2,146.6	2,143.8	2,133.5
<b>Private Service-Providing</b>	1,739.9	1,735.4	1,733.8	1,719.6	1,714.1	1,697.0	1,683.9	1,688.8	1,682.9	1,700.4	1,716.4	1,718.5	1,710.9
<b>Natural Resources and Mining</b>	12.6	12.1	12.1	10.8	10.6	10.6	10.6	10.7	10.7	10.7	10.7	10.6	11.1
<b>Metal Ore Mining</b>	9.9	9.5	9.5	8.3	8.0	8.1	8.1	8.1	8.1	8.2	8.3	8.4	8.5
<b>Construction</b>	147.3	140.4	137.4	132.6	130.9	130.6	128.1	125.3	122.2	119.4	116.7	114.4	128.8
<b>Construction of Buildings</b>	29.1	27.6	27.1	25.6	24.9	24.8	23.8	23.5	23.0	23.1	23.0	23.3	24.9
<b>Heavy and Civil Engineering</b>	20.7	20.0	19.2	19.1	18.7	18.8	17.7	17.2	17.0	16.5	16.4	16.1	18.1
<b>Specialty Trade Contractors</b>	97.5	92.8	91.1	87.9	87.3	87.0	86.6	84.6	82.2	79.8	77.3	75.0	85.8
<b>Manufacturing</b>	162.3	159.5	157.1	154.9	153.4	152.2	151.5	150.6	149.4	149.0	149.1	147.7	153.1
<b>Durable Goods</b>	129.0	126.6	124.6	122.9	121.5	120.7	120.0	119.2	118.1	117.9	117.8	116.8	121.3
<b>Fabricated Metal Products</b>	15.4	14.8	14.5	14.1	14.0	13.9	14.1	13.9	13.9	13.5	13.3	13.0	14.0
<b>Computer and Electronic Prod.</b>	39.4	38.9	38.5	38.0	37.6	37.3	36.8	36.6	36.2	36.1	35.9	35.6	37.2
<b>Aerospace Products and Parts</b>	30.6	30.4	30.3	30.3	30.3	30.3	30.2	30.0	29.7	29.7	29.8	29.8	30.1
<b>Non-Durable Goods</b>	33.3	32.9	32.5	32.0	31.9	31.5	31.5	31.4	31.3	31.1	31.3	30.9	31.8

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2009**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	495.5	487.2	484.8	479.0	477.9	474.6	472.6	472.3	469.8	474.8	482.2	487.8	479.9
<b>Wholesale Trade</b>	104.5	103.4	102.2	100.7	99.9	99.0	98.8	98.6	97.7	98.8	100.6	102.5	100.6
<b>Retail Trade</b>	306.3	299.8	298.8	296.7	296.5	294.5	293.2	292.9	292.3	296.1	301.9	304.3	297.8
<b>Motor Vehicles and Parts</b>	36.5	36.1	36.0	35.8	35.7	35.6	35.7	35.6	35.4	35.2	34.7	34.8	35.6
<b>Furniture and Home Furnishings</b>	10.4	10.1	9.9	9.6	9.6	9.3	9.2	9.0	9.1	8.9	9.0	8.8	9.4
<b>Building Material, Garden Supply</b>	22.3	21.9	21.9	21.9	22.0	21.9	21.4	21.0	20.9	20.7	20.6	20.3	21.4
<b>Food and Beverage</b>	59.2	58.8	58.8	58.8	58.7	57.9	57.5	57.0	56.7	57.4	57.6	57.6	58.0
<b>Clothing and Accessories</b>	22.3	21.6	21.5	21.0	20.9	21.0	20.9	21.2	20.5	21.2	23.3	24.1	21.6
<b>General Merchandise</b>	65.0	62.3	62.7	62.4	62.2	61.7	61.6	61.7	62.1	62.8	67.0	69.1	63.4
<b>Department Stores</b>	27.7	25.6	25.4	25.2	25.1	24.9	25.0	25.1	25.0	25.1	27.4	28.9	25.9
<b>Other General merchandise</b>	37.3	36.7	37.3	37.2	37.1	36.8	36.6	36.6	37.1	37.7	39.6	40.2	37.5
<b>Transp., Warehousing, and Utilities</b>	84.7	84.0	83.8	81.6	81.5	81.1	80.6	80.8	79.8	79.9	79.7	81.0	81.5
<b>Utilities</b>	12.5	12.5	12.5	12.5	12.5	12.5	12.5	12.4	12.4	12.4	12.4	12.3	12.5
<b>Transportation and Warehousing</b>	72.2	71.5	71.3	69.1	69.0	68.6	68.1	68.4	67.4	67.5	67.3	68.7	69.1
<b>Air Transportation</b>	14.6	14.6	14.5	14.3	14.3	14.3	14.1	14.1	13.6	13.6	13.6	13.6	14.1
<b>Truck Transportation</b>	18.6	18.4	18.2	17.8	17.8	17.6	17.6	17.5	17.3	17.2	17.2	17.2	17.7
<b>Information</b>	40.2	40.6	39.9	39.9	40.3	39.5	39.2	38.9	38.3	38.6	38.5	37.8	39.3
<b>Telecommunications</b>	15.7	15.6	15.4	15.3	15.2	15.1	15.3	15.1	15.0	15.0	15.0	14.8	15.2

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2009**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	168.4	168.3	168.0	167.2	167.4	166.8	166.5	166.2	164.9	164.0	164.8	165.4	166.5
<b>Finance and Insurance</b>	121.1	121.4	121.3	120.9	121.2	120.6	120.5	120.5	119.4	119.5	119.6	120.0	120.5
Credit Intermed., Monetary Auth.	73.1	73.4	73.2	72.9	72.7	72.3	72.2	72.0	71.5	71.7	71.9	72.2	72.4
Insurance, Funds, and Trusts	35.1	35.4	35.3	35.1	35.3	35.4	35.4	35.3	35.1	34.9	34.8	34.6	35.1
Securities, Investments, related	12.9	12.6	12.8	12.9	13.2	12.9	12.9	13.2	12.8	12.9	12.9	13.2	12.9
<b>Real Estate, Rental, and Leasing</b>	47.3	46.9	46.7	46.3	46.2	46.2	46.0	45.7	45.5	44.5	45.2	45.4	46.0
<b>Professional and Business Services</b>	358.1	354.9	352.1	348.0	343.8	341.3	340.1	338.7	337.6	343.9	345.9	346.2	345.9
<b>Professional and Tech. Services</b>	129.0	128.3	126.7	125.9	122.0	121.6	122.2	121.1	120.2	120.7	123.1	122.0	123.6
<b>Management of Companies</b>	27.0	26.8	26.7	27.0	26.8	26.9	26.4	26.1	25.6	25.6	25.7	25.9	26.4
<b>Administrative and Waste Services</b>	202.1	199.8	198.7	195.1	195.0	192.8	191.5	191.5	191.8	197.6	197.1	198.3	195.9
Employment Services	88.2	86.4	85.1	83.3	82.7	81.1	81.3	80.5	81.5	87.7	86.8	88.6	84.4
Business Support Services	28.8	29.1	29.2	29.0	28.7	28.6	27.9	27.8	28.0	28.3	28.6	28.6	28.6
Services to Buildings	39.2	38.7	39.0	38.3	38.8	38.8	39.0	39.0	38.4	38.0	38.7	38.5	38.7
<b>Educational and Health Services</b>	324.7	327.0	327.8	327.1	328.0	324.8	323.0	328.8	330.4	334.8	338.2	337.7	329.4
<b>Educational Services</b>	47.1	48.0	48.2	48.2	48.3	46.1	44.4	48.2	49.9	51.0	52.6	52.2	48.7
<b>Health Care and Social Assistance</b>	277.6	279.0	279.6	278.9	279.7	278.7	278.6	280.6	280.5	283.8	285.6	285.5	280.7
Ambulatory Health Care Services	125.4	126.0	126.7	126.5	127.3	126.9	127.4	128.2	128.3	130.3	130.9	131.0	127.9
Hospitals	75.5	75.7	75.7	75.1	74.9	74.9	74.8	74.9	75.1	75.4	75.9	75.8	75.3
Nursing and Residential Care	40.5	40.8	40.9	41.0	41.0	40.9	41.0	41.0	40.9	41.5	41.8	41.8	41.1
Social Assistance	36.2	36.5	36.3	36.3	36.5	36.0	35.4	36.5	36.2	36.6	37.0	36.9	36.4

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2009**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	257.5	261.2	264.9	264.0	262.1	255.3	248.8	250.3	248.9	252.8	254.7	253.2	256.1
<b>Arts, Entertainment, and Recreation</b>	32.9	33.5	33.9	33.6	33.2	33.3	32.4	32.3	32.3	34.2	34.7	34.7	33.4
<b>Accommodation and Food Services</b>	224.6	227.7	231.0	230.4	228.9	222.0	216.4	218.0	216.6	218.6	220.0	218.5	222.7
<b>Accommodation</b>	44.7	45.5	45.7	45.8	45.6	44.4	42.8	42.2	42.2	42.0	42.6	41.6	43.8
<b>Food Svcs and Drinking Places</b>	179.9	182.2	185.3	184.6	183.3	177.6	173.6	175.8	174.4	176.6	177.4	176.9	179.0
<b>Other Services</b>	95.5	96.2	96.3	94.4	94.6	94.7	93.7	93.6	93.0	91.5	92.1	90.4	93.8
<b>Government</b>	430.0	439.6	437.9	440.1	433.7	391.8	381.8	405.2	426.9	428.5	430.2	425.3	422.6
<b>Federal Government</b>	55.1	55.5	56.0	59.2	57.4	56.9	56.8	57.2	56.9	57.1	56.4	56.1	56.7
<b>State Government</b>	86.6	89.0	87.6	87.6	84.9	77.0	75.7	80.0	85.6	85.9	86.5	84.6	84.3
<b>State Government Education</b>	44.7	47.5	47.1	47.4	44.9	37.2	36.5	41.0	46.6	47.0	47.3	46.5	44.5
<b>Local Government</b>	288.3	295.1	294.3	293.3	291.4	257.9	249.3	268.0	284.4	285.5	287.3	284.6	281.6
<b>Local Government Education</b>	154.4	161.5	161.2	160.8	157.9	122.9	114.0	135.6	153.5	155.3	157.9	155.4	149.2

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 4/22/10

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**STATE OF ARIZONA**  
**LABOR FORCE AND NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
 Arizona Department of Commerce, Research Administration

**2010**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Total Civilian Labor Force</b>	3,138.2	3,156.0	3,157.1	3,174.6	3,163.1	3,173.9	3,180.5	3,189.2	3,205.3	3,181.5	3,176.7	3,157.5	3,171.1
<b>Total Unemployment</b>	305.3	308.5	296.3	288.5	298.3	310.6	318.6	318.8	309.4	294.5	294.0	288.5	302.6
<b>Rate</b>	9.7%	9.8%	9.4%	9.1%	9.4%	9.8%	10.0%	10.0%	9.7%	9.3%	9.3%	9.1%	9.6%
<b>Rate (Sea. Adj.)</b>	9.2%	9.5%	9.6%	9.5%	9.6%	9.6%	9.6%	9.7%	9.7%	9.5%	9.4%	9.4%	9.6%
<b>Total Employment</b>	2,832.9	2,847.6	2,860.8	2,886.1	2,864.8	2,863.3	2,861.9	2,870.3	2,895.8	2,887.0	2,882.7	2,869.0	2,868.5
<b>Total Nonfarm</b>	2,370.0	2,393.3	2,400.3	2,422.7	2,427.4	2,365.1	2,350.4	2,387.8	2,405.0	2,435.2	2,446.2	2,449.6	2,404.4
<b>Total Private</b>	1,952.5	1,965.8	1,974.8	1,993.8	1,989.8	1,979.5	1,975.6	1,983.5	1,986.9	2,014.4	2,022.5	2,029.5	1,989.1
<b>Goods Producing</b>	267.1	270.1	268.5	272.2	274.8	276.1	275.7	275.9	275.4	280.4	278.4	275.5	274.2
<b>Service-Providing</b>	2,102.9	2,123.2	2,131.8	2,150.5	2,152.6	2,089.0	2,074.7	2,111.9	2,129.6	2,154.8	2,167.8	2,174.1	2,130.2
<b>Private Service-Providing</b>	1,685.4	1,695.7	1,706.3	1,721.6	1,715.0	1,703.4	1,699.9	1,707.6	1,711.5	1,734.0	1,744.1	1,754.0	1,714.9
<b>Natural Resources and Mining</b>	10.7	10.7	10.7	10.9	11.1	11.4	11.6	11.7	11.9	12.0	12.0	11.9	11.4
<b>Metal Ore Mining</b>	8.5	8.5	8.6	8.6	8.8	8.9	9.0	9.0	9.1	9.1	9.1	9.1	8.9
<b>Construction</b>	110.9	112.2	110.6	113.2	114.7	114.5	114.4	115.9	116.0	120.3	117.9	113.7	114.5
<b>Construction of Buildings</b>	23.2	23.4	22.3	22.4	23.2	22.3	22.5	23.2	24.0	24.7	24.8	22.7	23.2
<b>Heavy and Civil Engineering</b>	15.3	15.4	15.2	15.6	15.3	15.6	15.6	15.3	15.2	15.1	14.9	14.6	15.3
<b>Specialty Trade Contractors</b>	72.4	73.4	73.1	75.2	76.2	76.6	76.3	77.4	76.8	80.5	78.2	76.4	76.0
<b>Manufacturing</b>	145.5	147.2	147.2	148.1	149.0	150.2	149.7	148.3	147.5	148.1	148.5	149.9	148.3
<b>Durable Goods</b>	114.8	115.6	115.6	115.4	116.4	117.2	117.2	117.0	115.8	116.0	116.2	116.3	116.1
<b>Fabricated Metal Products</b>	12.5	12.4	12.3	12.3	12.6	12.8	12.8	12.8	12.7	12.6	12.5	12.5	12.6
<b>Computer and Electronic Prod.</b>	35.4	35.3	35.3	35.1	35.4	35.4	35.3	35.5	35.2	35.3	35.4	35.5	35.3
<b>Aerospace Products and Parts</b>	29.8	29.7	29.7	29.6	29.5	29.3	29.2	29.1	28.9	28.7	28.6	28.6	29.2
<b>Non-Durable Goods</b>	30.7	31.6	31.6	32.7	32.6	33.0	32.5	31.3	31.7	32.1	32.3	33.6	32.1

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 1/18/11

Data is in thousands, rounded to the nearest hundred.

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2010**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Trade, Transportation, and Utilities</b>	477.1	478.3	478.9	480.9	479.3	479.1	478.9	480.1	480.3	485.9	494.8	501.9	483.0
<b>Wholesale Trade</b>	102.1	103.3	103.0	103.2	103.2	103.0	102.6	102.4	101.8	103.4	103.3	105.2	103.0
<b>Retail Trade</b>	295.9	295.4	297.3	298.7	296.8	296.3	296.2	297.5	298.2	301.9	310.8	314.8	300.0
<b>Motor Vehicles and Parts</b>	34.0	34.0	34.1	34.2	34.2	34.3	34.3	34.1	34.5	34.4	34.5	34.6	34.3
<b>Furniture and Home Furnishings</b>	8.3	7.9	7.8	7.7	7.6	7.5	7.4	7.5	7.4	7.5	7.6	7.6	7.7
<b>Building Material, Garden Supply</b>	20.5	21.4	21.7	21.8	21.2	20.8	20.3	20.2	20.2	20.1	20.1	20.2	20.7
<b>Food and Beverage</b>	56.9	56.9	57.0	57.3	57.0	56.8	56.5	56.3	56.5	57.0	57.8	58.1	57.0
<b>Clothing and Accessories</b>	21.4	20.8	20.8	21.4	21.2	21.4	21.5	21.8	21.1	21.6	24.0	25.5	21.9
<b>General Merchandise</b>	64.6	64.3	65.3	65.0	65.5	65.1	65.0	64.9	64.9	66.1	70.4	72.2	66.1
<b>Department Stores</b>	26.3	25.6	25.4	25.4	25.5	25.3	25.2	25.2	24.9	25.4	28.2	29.8	26.0
<b>Other General merchandise</b>	38.3	38.7	39.9	39.6	40.0	39.8	39.8	39.7	40.0	40.7	42.2	42.4	40.1
<b>Transp., Warehousing, and Utilities</b>	79.1	79.6	78.6	79.0	79.3	79.8	80.1	80.2	80.3	80.6	80.7	81.9	79.9
<b>Utilities</b>	12.3	12.3	12.2	12.2	12.2	12.3	12.3	12.3	12.2	12.3	12.2	12.3	12.3
<b>Transportation and Warehousing</b>	66.8	67.3	66.4	66.8	67.1	67.5	67.8	67.9	68.1	68.3	68.5	69.6	67.7
<b>Air Transportation</b>	13.6	13.6	13.6	13.6	13.5	13.6	13.6	13.6	13.6	13.4	13.3	13.3	13.5
<b>Truck Transportation</b>	16.7	16.7	16.7	16.9	17.0	17.3	17.1	17.0	16.8	16.8	16.7	16.7	16.9
<b>Information</b>	37.0	37.2	37.0	37.8	37.6	37.1	36.9	36.6	36.4	36.1	36.8	36.6	36.9
<b>Telecommunications</b>	14.6	14.6	14.5	14.5	14.5	14.5	14.7	14.6	14.6	14.5	14.5	14.5	14.6

Adjusted to the Current Population Survey (CPS 2010) to reflect place of residence. Benchmark year 2009, quarter 1. rev. 1/18/11

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2010**  
(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Financial Activities</b>	162.1	162.4	162.1	161.9	161.5	161.2	161.1	160.7	162.0	163.8	161.6	162.4	161.9
<b>Finance and Insurance</b>	117.6	118.4	118.3	117.6	117.2	117.4	117.2	116.8	117.3	118.9	119.2	120.1	118.0
Credit Intermed., Monetary Auth.	71.2	71.3	71.3	70.8	70.5	70.3	70.0	69.6	70.0	70.6	70.7	71.3	70.6
Insurance, Funds, and Trusts	33.7	34.3	34.1	33.9	33.7	34.1	34.2	34.1	34.2	34.7	35.0	35.1	34.3
Securities, Investments, related	12.7	12.8	12.9	12.9	13.0	13.0	13.0	13.1	13.1	13.6	13.5	13.7	13.1
Real Estate, Rental, and Leasing	44.5	44.0	43.8	44.3	44.3	43.8	43.9	43.9	44.7	44.9	42.4	42.3	43.9
<b>Professional and Business Services</b>	335.9	336.8	340.2	345.3	341.1	342.7	345.1	348.5	350.9	355.7	357.3	358.1	346.5
Professional and Tech. Services	121.5	123.6	126.2	124.8	121.9	122.4	121.6	122.5	122.8	124.1	125.3	126.1	123.6
Management of Companies	25.5	25.5	25.6	25.7	25.8	26.0	26.0	25.9	25.7	25.9	25.8	25.9	25.8
Administrative and Waste Services	188.9	187.7	188.4	194.8	193.4	194.3	197.5	200.1	202.4	205.7	206.2	206.1	197.1
Employment Services	80.0	79.2	79.9	84.9	83.2	83.8	86.1	88.2	89.7	92.9	94.6	94.4	86.4
Business Support Services	27.3	27.3	27.3	27.8	27.8	27.8	28.0	28.1	28.5	28.7	28.8	29.1	28.0
Services to Buildings	37.6	37.4	37.5	38.5	39.0	39.2	39.7	39.8	40.2	39.9	39.2	39.1	38.9
<b>Educational and Health Services</b>	333.7	334.3	335.7	336.0	337.7	333.3	332.9	338.0	341.8	348.5	351.2	351.5	339.6
Educational Services	50.8	52.7	52.9	52.7	52.4	49.5	49.4	51.9	54.6	56.5	56.5	57.2	53.1
Health Care and Social Assistance	282.9	281.6	282.8	283.3	285.3	283.8	283.5	286.1	287.2	292.0	294.7	294.3	286.5
Ambulatory Health Care Services	129.9	128.6	129.1	129.9	131.4	130.5	130.6	131.7	132.5	134.3	136.3	135.5	131.7
Hospitals	75.6	75.6	75.7	75.2	75.3	75.2	75.3	75.4	75.6	77.0	77.3	77.6	75.9
Nursing and Residential Care	41.4	41.1	41.4	41.5	41.6	41.6	41.8	42.0	42.0	42.9	43.0	43.1	42.0
Social Assistance	36.0	36.3	36.6	36.7	37.0	36.5	35.8	37.0	37.1	37.8	38.1	38.1	36.9

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**STATE OF ARIZONA  
NONFARM EMPLOYMENT**

Prepared in Cooperation with the U.S. DEPARTMENT OF LABOR, Bureau of Labor Statistics  
Arizona Department of Commerce, Research Administration

**2010**

(continued)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVERAGE
<b>Leisure and Hospitality</b>	249.7	255.9	261.9	267.0	264.5	258.1	251.9	252.0	250.9	253.4	253.8	256.6	256.3
<b>Arts, Entertainment, and Recreation</b>	33.3	33.5	33.5	34.1	32.8	32.0	31.3	29.9	31.7	32.7	31.4	31.9	32.3
<b>Accommodation and Food Services</b>	216.4	222.4	228.4	232.9	231.7	226.1	220.6	222.1	219.2	220.7	222.4	224.7	224.0
<b>Accommodation</b>	40.4	41.3	41.8	44.3	43.9	43.8	42.9	41.8	41.2	42.1	40.8	41.2	42.1
<b>Food Svcs and Drinking Places</b>	176.0	181.1	186.6	188.6	187.8	182.3	177.7	180.3	178.0	178.6	181.6	183.5	181.8
<b>Other Services</b>	89.9	90.8	90.5	92.7	93.3	91.9	93.1	91.7	89.2	90.6	88.6	86.9	90.8
<b>Government</b>	417.5	427.5	425.5	428.9	437.6	385.6	374.8	404.3	418.1	420.8	423.7	420.1	415.4
<b>Federal Government</b>	56.4	56.2	57.7	60.6	70.8	63.1	62.0	58.8	56.3	56.5	56.1	56.3	59.2
<b>State Government</b>	82.3	85.3	83.7	83.9	83.7	73.0	71.7	78.6	84.0	85.3	86.1	85.2	81.9
<b>State Government Education</b>	44.4	47.6	46.1	46.3	46.3	35.9	34.8	41.8	47.1	48.3	48.6	48.3	44.6
<b>Local Government</b>	278.8	286.0	284.1	284.4	283.1	249.5	241.1	266.9	277.8	279.0	281.5	278.6	274.2
<b>Local Government Education</b>	149.6	157.4	155.6	156.6	154.0	119.4	110.9	138.4	150.8	152.6	155.8	153.6	146.2

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Center for American Progress



# Stop the Conference

The Economic and Fiscal Consequences of Conference  
Cancellations Due to Arizona's S.B. 1070

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Marshall Fitz and Angela Kelley November 2010

*Research and economic analysis conducted by Elliott D. Pollack & Company*

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# Executive summary

Arizona's enactment of harsh, anti-immigrant legislation—S.B. 1070—sparked an incendiary national debate over the role of states in making and enforcing immigration policy.<sup>1</sup> Some states and localities rushed to copy Arizona's draconian approach; others adopted resolutions condemning Arizona's intolerance. But all states would be wise to consider the practical implications of their decisions before following Arizona any further down the proverbial garden path.

Passage of the Arizona legislation triggered a fierce, national public-opinion backlash against the state and led many national organizations and opinion leaders to call for economic boycotts.<sup>2</sup> Arizona's business community, especially those in the tourism industry, anticipated and feared this type of response to S.B. 1070.<sup>3</sup> And the convention industry felt the effects of this backlash immediately when major groups and associations started canceling events and conventions in the state. Arizona's Hotel and Lodging Association publicly reported a combined loss of \$15 million in lodging revenue due to meeting cancellations just four months after the bill's passage.<sup>4</sup>

Our extensive research estimates that the actual lost lodging revenue from these cancellations is at least three times that amount: \$45 million. That estimate provides a basis for calculating other losses in visitor spending. Analyzing average food and beverage, entertainment, in-town transportation, and retail sales brings the combined loss of estimated conference attendee spending up to a startling \$141 million.

## The economic and fiscal consequences of conference cancellations

### Total losses from cancellations and booking declines

- \$217 million in lost direct spending by convention attendees
- 4,236 lost jobs
- \$133 million in lost earnings
- \$388 million in lost economic output
- \$14.4 million in lost tax revenue

### Losses from conventions already cancelled

- \$141 million in lost direct spending by convention attendees
- 2,761 lost jobs
- \$86.5 million in lost earnings
- \$253 million in lost economic output
- \$9.4 million in lost tax revenues

### Potential losses from future convention booking declines

- \$76 million in lost direct spending by convention attendees
- 1,475 lost jobs
- \$46 million in lost earnings
- \$135 million in lost economic output
- \$5 million in lost taxes

This significant hit to direct visitor spending could not come at a worse economic time for Arizona and yet these numbers still vastly understate the overall consequences of these cancellations for the state's economy. Cancelled meetings and conferences over the next two to three years would have supported nearly 2,800 jobs. The cancellations will trigger more than a quarter billion dollars in lost economic output and more than \$86 million in lost wages.

The losses will hurt the state's businesses and workers as well as the state's budget through lost economic activity and sales and bed taxes from convention attendees. The state will also lose income taxes on now-lost salaries, and sales taxes on goods and services that would have been purchased with those earnings. The ripple effect of the meetings and conventions that have already been cancelled adds up to a fiscal setback of more than \$9 million in lost tax revenue over the next two to three years.

But the economic and fiscal consequences don't stop there. It is highly likely that decisions not to book conventions in Arizona will continue for some time. In fact, bookings through the Convention and Visitors' Bureau in July and August 2010 were down 35 percent from the same period in 2009 according to reviewed bookings and leads data.<sup>5</sup> Large convention bookings typically occur several years in advance, and many organizations and associations will be making booking decisions over the course of the next year.

The report examines a range of possible future booking scenarios since many factors could alter trends in the bookings decline. The first, high-range scenario assumes that the decline in future bookings will continue at this rate for the next year, which would produce the greatest economic loss. A low-range scenario assumes that no further decrease in bookings will continue, which would lead to the smallest economic and fiscal losses.

A mid-range scenario that splits the difference between the high- and low-range possibilities estimates that Arizona businesses will lose \$76 million in direct revenue from decisions not to book in Arizona in the future. That loss translates into 1,475 lost jobs, \$46 million in lost wages, \$135 million in lost economic output, and \$5 million in lost tax revenues. That is *in addition to* the losses already triggered by cancelled bookings.

These convention cancellations represent only a portion of Arizona's economic losses due to this legislation. These findings do not encompass other economic

setbacks, such as leisure travel cancellations, or boycotts from other municipalities and the entertainment industry. For example, Los Angeles, Austin, and St. Paul have all approved boycotts of Arizona and dozens more have stopped just short of a boycott, condemning S.B. 1070 and urging the state to repeal the law.<sup>6</sup> Mexico's Foreign Ministry warned Mexican nationals that they could be "questioned for no reason at any moment" in a travel advisory posted in April.<sup>7</sup> And hundreds of artists, including Kanye West and Rage Against the Machine, have joined in a performance boycott of Arizona called The Sound Strike.<sup>8</sup>

This report also does not capture other types of economic consequences such as workers and families that have reportedly left the state, or disrupted productivity at businesses whose employees are targeted by the law.<sup>9</sup> There are also significant budgetary concerns such as the substantial litigation costs that are already mounting for the state.<sup>10</sup>

Yet even the narrow and targeted scope of this report shows that Arizona is facing severe economic and fiscal consequences. This report provides a clear window into the potentially catastrophic impacts of pursuing harsh, state-based immigration policies and should give other state legislatures pause before pursuing such measures.

# Methodology and assumptions

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## Background

The Center for American Progress retained Elliott D. Pollack & Company to perform a study into the economic and fiscal consequences of the tourism boycott that occurred in response to the passage of S.B. 1070.

The report's scope is extremely limited in that it only considers the effects of lost tourism from meetings and conventions. The figures reported within this analysis do not take into consideration any other potentially negative consequences, such as leisure travel cancellations, municipal business boycotts, entertainment boycotts such as concert cancellations, and other losses. The analysis also does not address any changes in state expenditure obligations.

The study focuses on the economic and fiscal consequences from:

Existing cancellations: lost tourism due to conventions that have already made the decision to cancel or relocate their meetings

Future booking declines: potential ongoing losses from decisions not to book conferences and conventions in the near future

Incremental cancellations: a method for estimating further future lost bookings or cancellations if more data about cancellations become public

The economic impact analysis examines the regional implications of cancellations in terms of output, earnings, and job creation. The fiscal impact analysis evaluates public revenue losses from conference cancellations.

The economic losses reported in this document are only attributable to lost convention travel and do not include losses associated with cancelled concerts, personal tourism travel, future labor shortages, tax base declines, or savings associated with reduced government obligations.



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## Assumptions

Numerous articles in the media actively tracked associations and meetings that announced intentions to cancel or no longer consider Arizona for their upcoming conventions as a way to register opposition to S.B. 1070.<sup>11</sup> The initial purpose of this analysis was to collect as much information from known cancellations by contacting convention centers, hotels, and the associations themselves. An exhaustive effort to initiate contact and make inquiries revealed that only a limited number would agree to an interview, and those that did were reticent in divulging information. Some organizations and hotels or convention centers were willing to share comments on the issue, but they withheld the specifics on most meetings.

Industry experts explained that these reactions are with good reason due to the competitiveness of the industry. The relationships that convention centers, hotels, and visitors bureaus have with existing and potential clients are proprietary. Revealing such information creates a risk of lost business if competing meeting spaces in other regions across the country are aware of the specific relationship and directly target those associations through marketing efforts.

The limited data that is available, however, made it possible to model potential impacts and to estimate a rough scale of losses.

## Market segment focus

Large association convention business appears to have been most affected by the national backlash. This is especially true for organizations whose members or mission statements value diversity or civil rights.

Travel statistics for other travel segments, such as leisure travelers and corporate entities, have not shown significant losses so far. But the number of reported statistics is only just beginning to reflect possible consequences from the opposition to S.B. 1070.

A review of Smith Travel Research statistics shows, for example, a significant drop-off of occupancy growth after June of this year.<sup>12</sup> The statistics for the month of June largely track the year-to-date statistics. The Phoenix metro area ranked fifth out of the top 25 metropolitan markets in June 2010 for percent growth in occupancy among all customer segments, 11th for transient occupancy growth

(leisure travelers), and eighth for group occupancy growth (convention delegates and other large parties). The year-to-date statistics (January through June) show Phoenix at sixth for total occupancy growth, 12th in transient occupancy growth, and fifth in group occupancy growth. In other words, the figures for the month of June largely tracked occupancy levels for the Phoenix metro area throughout the first half of 2010.

These figures change dramatically in the month of July. Phoenix dropped to 22nd in transient occupancy growth that month, 25th out of 25 in group occupancy growth, and 25th in total occupancy growth. It was one of only four markets to post a decline in occupancy for transient lodging and one of only two markets to post a decline in group occupancy. And it was the only metropolitan market to post a decline in total occupancy growth. These declines were so severe that they caused the city's year-to-date rankings to decline significantly. From June to July, the Phoenix market dropped from 12th to 17th in year-to-date transient occupancy growth, from fifth to eighth in group occupancy growth, and from sixth to 12th in total occupancy growth.

Recent statistics like these, along with the feedback from tourism industry representatives, indicate that the new immigration law has initiated real consequences that will be realized over the next several years.

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### Economic impact methodology

The economic impact analysis examines the economic implications of conference activity losses in terms of output, earnings, and employment. There are three different types of economic impact for each of these groups: direct, indirect, and induced. For instance, direct employment consists of permanent jobs held by construction workers and employees within commercial buildings. Indirect employment refers to those jobs created by businesses that provide goods and services essential to the operation or construction of the convention enterprise. These businesses range from manufacturers (who make goods) to wholesalers (who deliver goods). Spending by direct and indirect employees on items such as food, housing, transportation, and medical services creates induced employment in all sectors of the economy throughout the metropolitan area. The analysis in this study captures these secondary effects as well as the direct and indirect effects.

The analysis develops multipliers to estimate the indirect and induced impacts of various direct economic activities. The Minnesota IMPLAN Group developed the multipliers used in this study.<sup>13</sup> The economic impact is categorized into three types of impacts:

- **Employment:** the change in total wage, salary, and self-employed jobs. These include both part-time and full-time workers.
- **Earnings:** the change in direct, indirect, and induced employees' personal income, earnings, or wages. Earnings include total wage and salary payments as well as benefits of health and life insurance, retirement payments, and any other non-cash compensation.
- **Economic output:** the change in economic activity, which relates to the gross receipts for goods or services generated by a company's operations.

All dollar figures are expressed in 2010 dollars unless otherwise stated.

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## Fiscal impact methodology

The fiscal impact analysis studies the public revenues associated with conference activity losses. It analyzes local, county, and state governments' primary revenue sources—taxes—to determine how an activity may affect the various jurisdictions. The analysis excludes special districts or other local tax entities.

The fiscal impact figures cited in this report are generated from information provided by a variety of sources including the U.S. Bureau of the Census, the U.S. Department of Labor, the Internal Revenue Service, the state of Arizona, the Arizona Tax Research Association, and the U.S. Consumer Expenditure Survey.

Spending related to tourist activity creates beneficial fiscal effects for a region. The primary revenues to governmental entities can be calculated from the assumptions of the study. The major revenue sources for Arizona would include sales taxes and bed taxes collected directly from convention delegates. These revenues have been calculated from the assumptions of the study.

Employees who work within industries that receive and are supported by the conference attendees' spending dollars would spend part of their salaries on local

goods and services. The employees would thus also contribute to state revenues, which are ultimately shared with local cities and counties. This report refers to these revenues as secondary impacts, which include:

**Sales tax:** The state, county, and local governments in Arizona charge sales tax on retail goods, which is officially called the transaction privilege tax. Arizona's sales tax rate is temporarily 6.6 percent.<sup>14</sup> Portions of this tax are redistributed through revenue sharing to counties and cities throughout Arizona based on population. These tax rates are also applied to the spending of direct, indirect, and induced employees. This report calculates the projected extent of retail spending and resulting sales tax receipts based on data from the U.S. Consumer Expenditure Survey.

**Bed tax:** Arizona imposes a bed tax on hotel rooms. This rate replaces the sales tax and is currently set at 6.5 percent.

**State shared revenues:** Each county and city in Arizona receives a portion of state revenues from four different sources: state sales tax, state income tax (cities only), vehicle license tax, and highway user tax. The formulas for allocating these revenues are primarily based on population.

**State income tax:** Arizona collects taxes on personal income. The tax rate used in this analysis averages about 1.6 percent for earnings.<sup>15</sup> These percentages are based on the state's most recently available income-tax data and the projected wage levels of jobs created by construction and operations. Our analysis applies this tax to wages and earnings from direct, indirect, and induced employment. Portions of this tax are redistributed through revenue sharing to cities throughout Arizona based on population.

**State unemployment tax:** Unemployment insurance tax for employees is 2.7 percent on the first \$7,000 of earned income.<sup>16</sup> Our analysis applies this factor to the projected wages and earnings of direct, indirect, and induced employees.

**HURF taxes:** Arizona collects specific taxes for the Highway User Revenue Fund. Our analysis covers both the registration fees and the motor vehicle fuel tax. The motor vehicle fuel tax is \$0.18 per gallon and is calculated based on a vehicle traveling 12,000 miles per year at 20 miles per gallon.<sup>17</sup> Registration fees average \$66 per employee in Arizona.<sup>18</sup> Our analysis applies these factors

to the projected direct, indirect, and induced employee count. Portions of these taxes are distributed to cities and counties throughout Arizona based on a formula that includes population and the origin of gasoline sales.

**Vehicle license tax:** The vehicle license tax is a personal property tax placed on vehicles at the time of annual registration. Our analysis applies this factor to the projected direct, indirect, and induced employee count. The average tax used in this analysis is \$325 and portions of the total collections are distributed through the Highway User Revenue Fund.<sup>19</sup> Cities and counties share the remaining funds in accordance with population-based formulas.

The above tax categories represent the largest sources of revenues generated to city, county, and state governments. This analysis reports state revenues and considers gross tax collections and does not differentiate among dedicated purposes or uses of such gross tax collections.

# Losses from reported cancellations

Preliminary figures released to the media do not represent the full breadth of lost economic activity associated with convention cancellations. The reported \$15 million figure actually represents only an estimated one-third of hotel spending and does not include total visitor travel spending. Lost direct spending within the state actually totals an estimated \$141.4 million. This translates into \$9.4 million in lost state tax collections, nearly 2,800 lost jobs, \$87 million in lost earnings, and \$253 million in lost economic output over a period of two to three years.

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## Cancellation and spending assumptions

Some members of the Arizona Hotel and Lodging Association, or AZHLA, have reported a combined loss of \$15 million in lodging revenue due to meeting cancellations attributed to the passage of S.B. 1070.<sup>20</sup> This is an extremely limited estimate of losses by many accounts.

There are strong reasons to conclude that the “losses” figure is well understated. Not every hotel in Arizona is a member of AZHLA. One of the largest resort hotels, JW Marriott Desert Ridge Resort and Spa, which has 950 hotel rooms and 240,000 square feet of meeting space, is not a member and would not have reported any meeting cancellations to the association.<sup>21</sup> AZHLA also did not undertake an exhaustive effort to poll all of its member hotels in order to create a comprehensive list of meeting cancellations. The organization just compiled a list of cancellations that were voluntarily reported to it.<sup>22</sup>

The topic is also controversial, and so very few individuals were willing to go on record in terms of reporting lost lodging activity in the state. This was true of local professionals in the tourism field, as well as the individual organizations that initially reported to boycott Arizona only to later refuse an interview for this report. We estimate based on industry feedback that the \$15 million estimate represents approximately one-third of the true lodging revenues that will be lost some time during the next couple of years.

This report uses travel spending surveys and economic impact modeling to estimate total spending losses based on a loss of \$45 million (three times the initial \$15 million estimate) in just lodging spending over a partial year. We also calculate total visitor spending using lodging spending as a base for the calculation. This figure drives the cumulative economic and tax revenue losses. Total spending includes food and beverage, entertainment, in-town transportation, and retail spending from lost convention delegates. We estimate that this spending would have reached \$141.4 million. (see Table 1)

TABLE 1  
Visitor assumptions

Lodging	\$45,000,000
Food and beverage	\$50,100,000
Entertainment	\$13,400,000
In-town transportation	\$14,100,000
Retail	\$18,800,000
Total	\$141,400,000

Source: Arizona Office of Tourism; IACVB; EDP Co

## Economic losses

Total spending from lost conference attendees could have supported more than 1,937 direct jobs. These attendees would have also created an additional 824 indirect and induced jobs for a total impact of 2,761 jobs spread over multiple years. Those workers would have received \$86.5 million in wages and the overall economic impact would have totaled \$253.0 million within the state. (see Table 2)

TABLE 2  
Economic consequences of lost tourism to Arizona, in 2010 dollars

Impact type	Jobs	Wages	Economic output
Direct	1,937	\$48,944,000	\$141,511,000
Indirect	358	\$17,689,000	\$53,225,000
Induced	466	\$19,904,000	\$58,293,000
Total	2,761	\$86,537,000	\$253,029,000

Note: The total may not equal the sum of the impacts due to rounding. All dollar figures are in constant dollars. Inflation has not been included in these figures.

Source: Elliott D. Pollack & Company; IMPLAN

## Fiscal losses

Spending and employment generate revenues that would ultimately flow to the state of Arizona. The county and municipality in which the spending was going to occur would also see benefits from collecting tax revenues. Local governments combined accrue roughly half of what the state collects as an approximate rule of thumb.

Some revenues are more direct and definable than others. This analysis defines revenues as either primary or secondary, depending on their source and how the dollars flow through the economy into government tax accounts. Some revenues, such as construction sales taxes, are definable, straightforward calculations based on the value of construction. This study defines these revenues as primary revenues. Secondary revenues, on the other hand, flow from the wages of those direct, indirect, and induced employees who are supported by the project, as well as revenues that the states distribute from various tax categories.

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Revenue projections are based on direct spending as well as typical wages of the employees supported by the spending, their spending patterns, and other assumptions outlined earlier in this report.

The direct spending of more than \$141 million in travel-related expenses would generate \$3.9 million in sales tax for the state of Arizona, \$2.0 million in bed taxes, and an additional \$3.6 million in secondary revenues generated from employees that would have spent their disposable income from wages in the state. This totals \$9.4 million in lost state tax collections that can be attributed to the cancellations. These losses would be realized primarily in fiscal years 2011 and 2012. (see Table 3)

**TABLE 3**  
**Fiscal consequences of lost tourism to Arizona, in 2010 dollars**

	Primary revenues			Secondary revenues from employees				
	Direct sales tax	Direct bed tax	Employees sales tax	Income tax	Vehicle license tax	Unemployment tax	HURF fuel and registration tax	Total annual revenues
Direct	\$3,890,000	\$1,966,900	\$963,300	\$575,500	\$125,200	\$366,200	\$179,600	\$8,066,700
Indirect	N/A	N/A	\$247,900	\$259,500	\$23,100	\$67,600	\$33,200	\$631,300
Induced	N/A	N/A	\$297,500	\$292,000	\$30,100	\$88,100	\$43,200	\$750,900
Total	\$3,890,000	\$1,966,900	\$1,508,700	\$1,127,000	\$178,400	\$521,900	\$256,000	\$9,448,900

\*Total may not equal sum of impacts due to rounding. All dollar figures are in constant dollars. Inflation has not been included in these figures. All of the above figures do not include revenues distributed to counties, cities, and towns. All of the above figures are representative of major revenue sources for the state of Arizona. Figures are intended only as a general guideline as to how the state could be affected. The above figures are based on Arizona's current economic structure and tax rates.

Source: Elliott D. Pollack & Company; IMPLAN; Arizona Department of Revenue; Arizona Tax Research Association



# Losses from future booking declines

Bookings through the Phoenix Convention and Visitors Bureau were down 35 percent in August 2010.<sup>23</sup> A worst-case scenario assumes that the decline in bookings will continue for a full year. A best-case scenario assumes that no further decrease in bookings will occur. And a mid-range scenario falls in between these two extreme scenarios.

The mid-range scenario that we adopted to calculate totals finds that Arizona will lose \$75.6 million in total visitor spending. This translates into an estimated 1,475 lost jobs, \$135.2 million in lost economic activity, and \$5.0 million in lost state tax collections. Lost tax collections rise to \$10.1 million under the worst-case scenario. These figures relate only to Phoenix-area activity and should be considered a conservative estimate of true, statewide lost future economic activity.

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## Visitor assumptions and scenarios

It is very likely that opposition to the legislation will depress large-association convention activity for some time going forward. Many large associations are run by a board of directors that meets only periodically throughout the year to vote on items on their agenda. One industry expert stated that these meetings typically occur in June and December each year.<sup>24</sup> The concern is that these boards could cancel booked events after the next round of association meetings.

The following modeling exercise examines the potential that continued depressed convention activity could have on Arizona's economy. This example utilizes the Phoenix Convention Center as the scenario. The Phoenix Convention Center is the largest convention center in the state of Arizona and is often the only option within the state to accommodate large meetings that reach multiple thousands of delegates.

The modeling took into consideration three scenarios of differing percentage declines in bookings. The declines were calculated against the 309,729-person delegate total at the Phoenix Convention Center in 2009. The "high-range" scenario

illustrates the results of a 35 percent decline that extended from the preliminary two months of results into one full year of reduced activity. The "mid-range" scenario assumes that losses continue to occur but at a much more optimistic rate, resulting in half of the initial reported losses over one full year. The "low-range" scenario concedes minimal loss and assumes business will pick back up immediately, resulting in a net loss of approximately 5 percent over one full year. (see Table 4)

Associations may make decisions over the next year but the resulting loss will be over a longer timeframe, from as short as 14 months up to several years.

TABLE 4  
Visitor assumptions

2009 convention delegates: 309,729

	High-range scenario	Mid-range scenario	Low-range scenario
Loss of bookings	35%	18%	5%
Delegates	108,405	54,203	15,486
Spending per delegate	\$1,395	\$1,395	\$1,395
Total spending	\$151,225,184	\$75,612,592	\$21,603,598
Lodging	\$48,089,609	\$24,044,804	\$6,869,944
Food and beverage	\$53,587,000	\$26,794,000	\$7,655,000
Entertainment	\$14,332,671	\$7,166,335	\$2,047,524
In-town transportation	\$15,095,662	\$7,547,831	\$2,156,523
Retail	\$20,120,000	\$10,060,000	\$2,874,000
Total	\$151,224,941	\$75,612,970	\$21,602,992

Source: Arizona Office of Tourism; IACVB; Phoenix Convention Center; EDPCo

## Economic losses

Economic losses center primarily on job creation and the impact that those employees would have on the economy. Lost spending under the high-range scenario would have supported approximately 2,070 jobs after accounting for all lost activity. Indirect and induced employment generated by the direct spending would add about 880 jobs for a potential employment impact of 2,951 total jobs. These jobs would have paid out nearly \$92.5 million in wages to the direct, indirect, and induced employees in generated conference attendee spending. Total lost economic output would reach nearly \$270.4 million under this scenario. (see Table 5)

The mid-range scenario assumes exactly half of the lost business in the high-range scenario, so it follows that the losses would be half as large. Lost opportunity for employment would total 1,475 jobs, paying out \$46.2 million in wages, and equaling \$135.2 million in lost economic activity within the state.

The low-range scenario would amount to 422 lost jobs, which would have paid \$13.2 million in wages and produced \$38.6 million in economic activity.

TABLE 5  
Economic consequences of lost tourism to Arizona, in 2010 dollars

High-range scenario			
Impact type	Jobs	Wages	Economic output
Direct	2,070	\$52,304,000	\$151,225,000
Indirect	382	\$18,904,000	\$56,878,000
Induced	498	\$21,271,000	\$62,294,000
Total	2,951	\$92,479,000	\$270,397,000
Mid-range scenario			
Impact type	Jobs	Wages	Economic output
Direct	1,035	\$26,152,000	\$75,613,000
Indirect	191	\$9,452,000	\$28,438,000
Induced	249	\$10,635,000	\$31,148,000
Total	1,475	\$46,239,000	\$135,199,000
Low-range scenario			
Impact type	Jobs	Wages	Economic output
Direct	296	\$7,472,000	\$21,603,000
Indirect	55	\$2,700,000	\$8,124,000
Induced	71	\$3,038,000	\$8,900,000
Total	422	\$13,210,000	\$38,627,000

\*The total may not equal the sum of the impacts due to rounding. All dollar figures are in constant dollars.  
Inflation has not been included in these figures.  
Source: Elliott D. Pollack & Company; IMPLAN

## Fiscal losses

Future reductions in convention delegates and their spending will result in lost opportunities for the state to collect tax revenue. The state would collect primary revenues from sales and bed taxes. Secondary revenue, which is generated by employee spending, includes sales, income, vehicle license, unemployment, and gasoline taxes.

The high-range scenario estimates that Arizona will lose approximately \$10.1 million in tax revenue. Most of this will be in the form of sales taxes and bed taxes. The mid-range scenario estimates a loss of more than \$5.0 million in tax revenue. And the low-range scenario would mean more than \$1.4 million in lost state tax revenue. (see Table 6)

TABLE 6  
Fiscal consequences of lost tourism to Arizona revenues, in 2010 dollars

High-range scenario								
	Primary revenues			Secondary revenues from employees				
	Direct sales tax	Direct bed tax	Employees sales tax	Income tax	Vehicle license tax	Unemployment tax	HURF fuel and registration tax	Total annual revenues
Direct	\$4,157,000	\$2,102,000	\$1,029,400	\$615,000	\$133,800	\$391,300	\$191,900	\$8,620,400
Indirect	N/A	N/A	\$264,900	\$277,300	\$24,700	\$72,300	\$35,500	\$674,700
Induced	N/A	N/A	\$317,900	\$312,100	\$32,200	\$94,100	\$46,200	\$802,500
Total	\$4,157,000	\$2,102,000	\$1,612,200	\$1,204,400	\$190,700	\$557,700	\$273,600	\$10,097,600
Mid-range scenario								
	Primary revenues			Secondary revenues from employees				
	Direct sales tax	Direct bed tax	Employees sales tax	Income tax	Vehicle license tax	Unemployment tax	HURF fuel and registration tax	Total annual revenues
Direct	\$2,078,500	\$1,051,000	\$514,700	\$307,500	\$66,900	\$195,600	\$96,000	\$4,310,200
Indirect	N/A	N/A	\$132,500	\$138,700	\$12,400	\$36,100	\$17,700	\$337,400
Induced	N/A	N/A	\$158,900	\$156,000	\$16,100	\$47,100	\$23,100	\$401,200
Total	\$2,078,500	\$1,051,000	\$806,100	\$602,200	\$95,400	\$278,800	\$136,800	\$5,048,800
Low-range scenario								
	Primary revenues			Secondary revenues from employees				
	Direct sales tax	Direct bed tax	Employees sales tax	Income tax	Vehicle license tax	Unemployment tax	HURF fuel and registration tax	Total annual revenues
Direct	\$593,800	\$300,300	\$147,100	\$87,900	\$19,100	\$55,900	\$27,400	\$1,231,500
Indirect	N/A	N/A	\$37,800	\$39,600	\$3,500	\$10,300	\$5,100	\$96,300
Induced	N/A	N/A	\$45,400	\$44,600	\$4,600	\$13,400	\$6,600	\$114,600
Total	\$593,800	\$300,300	\$230,300	\$172,100	\$27,200	\$79,600	\$39,100	\$1,442,400

\*Total may not equal sum of impacts due to rounding. All dollar figures are in constant dollars. Inflation has not been included in these figures. All of the above figures do not include revenues distributed to counties, cities, and towns. All of the above figures are representative of major revenue sources for Arizona. Figures are intended only as a general guideline as to how the state could be impacted. The above figures are based on Arizona's current economic structure and tax rates.

Source: Elliott D. Pollack & Company; IMPLAN; Arizona Department of Revenue; Arizona Tax Research Association

# Incremental effects

This analysis also formulated an incremental estimate to help quantify lost economic activity in the event that more data about cancellations become public in the future. We form assumptions based on multiple surveys that have been conducted for convention delegates. The economic and fiscal consequences represent the hypothetical impact of every 10,000 lost delegates to an Arizona conference or convention. (see Table 7)

This analysis provides several tools for expressing the same data. For instance, the economic impact of losing 10,000 conference attendees is a loss of 260 jobs. Those 260 jobs also represent almost \$8.0 million in lost wages and nearly \$23.0 million in total economic losses due to the ripple effect throughout the economy. Alternatively, the total fiscal impact represents taxes levied on conference attendees—direct sales tax and direct bed tax—as well as indirect taxes from employment. Tax collections decrease by approximately \$800,000 for every 10,000 conference attendees that the state loses.

TABLE 7

## Impact per 10,000 conference attendees to Arizona, in 2010 dollars

Assumptions	
Average length of stay	3.1 days
Spending/person/day	\$450
Average spending/person	\$1,395
Total direct spending	\$13,950,000
Economic losses	
Jobs	260
Wages	\$7,906,000
Economic output	\$22,794,000
Fiscal losses	
Direct sales tax	\$418,400
Direct bed tax	\$87,800
Secondary revenues from employment	\$323,700
Total fiscal losses	\$829,900

\*Assumptions from Arizona Office of Tourism, Smith Travel Research, Dean Runyan Associates, and Elliott D. Pollack & Company research.

\*\*The total may not equal the sum of the impacts due to rounding. All dollar figures are in constant dollars (inflation has not been included). All of the above figures are representative of the major revenue sources for Arizona and are intended only as a general guideline as to how the state could be impacted by lost tourism. The above figures are based on the current economic structure and tax rates of the state.

Source: Elliott D. Pollack & Co.; IMPLAN; AZ Dept of Revenue; AZ Tax Research Assoc.

# Conclusion

State and local governments have good reason to be frustrated with the federal government's failure to produce a rational, legal immigration system. But Arizona's approach of enacting its own "attrition through enforcement" immigration policy is costly and counterproductive.<sup>25</sup> Not only has a federal judge blocked much of the legislation as unconstitutional but this report also shows that the national backlash it triggered has significantly harmed the state's economy.<sup>26</sup>

Even focusing narrowly on just one sector—the state's important convention industry—we find that the consequences are severe. National opposition to the legislation has produced or will produce hundreds of millions of dollars in lost direct spending in the state and diminished economic output. That, in turn, will lead to thousands of lost jobs and more than \$100 million in lost salaries.

Other states considering immigration legislation should pause before rushing to adopt measures like S.B. 1070 and understand the potentially disastrous economic and fiscal consequences of such a decision. This report illuminates just one of the many unintended and costly consequences that can result from proceeding down this path.

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## About the authors

**Marshall Fitz** is Director of Immigration Policy at American Progress. Before holding his current position he served as the director of advocacy for the American Immigration Lawyers Association where he led the education and advocacy efforts on all immigration policy issues for the 11,000-member professional bar association. He has been a leader in national and grassroots coalitions that have organized to advance progressive immigration policies.

Fitz has been one of the key legislative strategists in support of comprehensive immigration reform and has served as a media spokesperson on a broad array of immigration policy and legislative issues. He has appeared on national and regional television and radio stations including MSNBC, CNN, BBC, C-SPAN, Fox News, and NPR; been quoted extensively across the spectrum of international, national, and local publications; and presented at national conferences and universities on immigration matters. He has also advised numerous members of Congress on immigration policy, politics, and strategy and helped draft major legislation. He currently serves on the boards and steering committees of other national organizations focused on immigrant rights and immigration policy.

Marshall is a graduate of the University of Virginia School of Law and served on the Virginia Law Review. After graduation he clerked for Judge Bruce M. Selya on the U.S. Court of Appeals for the First Circuit. In the following years he practiced immigration law in Washington, D.C., at Hogan & Hartson, LLP.

**Angela M. Kelley**, a well-known authority on the policy and the politics of immigration, joined American Progress in 2009 as Vice President for Immigration Policy and Advocacy.

As Vice President, Angela applies her 20 years of experience in the immigration field to the Center's stepped-up immigration initiative, overseeing and coordinating the Center's work in this area.

Throughout her career, Angela has been at the forefront of policy debates regarding changes in immigration policy and the historic creation of the Department of Homeland Security following the 9/11 terrorist attacks.

Angela's sharp and credible political analyses make her a frequent speaker before other policy groups and she is often asked by news organizations to comment on policy and political developments related to immigration. She is regularly quoted

by all of the major national and regional news organizations including *The New York Times*, *The Washington Post*, and *Politico*, and also has appeared on national television and radio networks including PBS, MSNBC, Fox, and NPR.

Before joining the Center in 2009, Angela served as director of the Immigration Policy Center—the research arm of the American Immigration Law Foundation—which provides policymakers, academics, the media, and the general public with access to accurate information about the effects of immigration on the U.S. economy and society.

Prior to that, Angela was deputy director at the National Immigration Forum where she headed its legislative, policy, and communications activities and oversaw its operations. During her service at the forum, Angela was a front-line negotiator as Congress debated in 2006 and 2007 proposed comprehensive immigration reform legislation.

Other major legislative work by Angela included the Legal Immigration Family Equity Act of 2000, which, among other things, extended the period during which undocumented workers and family members could be sponsored for permanent residence. The LIFE Act also expanded eligibility for permanent residence to some individuals who had been denied benefits under the Haitian Refugee Immigration Fairness Act and the Nicaraguan Adjustment and Central American Relief Act. Angela was previously part of the successful NACARA and HRIFA campaigns to secure immigration benefits for certain Nicaraguans, Cubans, Salvadorans, Guatemalans, and Haitians.

Angela began her career as a staff attorney for Ayuda, a local services agency in Washington, D.C., representing low-income immigrants on immigration and family matters.

She is a graduate of George Washington University Law Center and was a fellow with Georgetown University's Women's Law and Public Policy Program.

The daughter of Bolivian and Colombian immigrant parents, Angela is the mother of two young girls.

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# Stop the Conference

The Economic and Fiscal Consequences of Conference  
Cancellations Due to Arizona's S.B. 1070

Marshall Fitz and Angela Kelley November 2010

*Research and economic analysis conducted by Elliott D. Pollack & Company*

WWW.AMERICANPROGRESS.ORG

20-101

# Executive summary

Arizona's enactment of harsh, anti-immigrant legislation—S.B. 1070—sparked an incendiary national debate over the role of states in making and enforcing immigration policy.<sup>1</sup> Some states and localities rushed to copy Arizona's draconian approach; others adopted resolutions condemning Arizona's intolerance. But all states would be wise to consider the practical implications of their decisions before following Arizona any further down the proverbial garden path.

Passage of the Arizona legislation triggered a fierce, national public-opinion backlash against the state and led many national organizations and opinion leaders to call for economic boycotts.<sup>2</sup> Arizona's business community, especially those in the tourism industry, anticipated and feared this type of response to S.B. 1070.<sup>3</sup> And the convention industry felt the effects of this backlash immediately when major groups and associations started canceling events and conventions in the state. Arizona's Hotel and Lodging Association publicly reported a combined loss of \$15 million in lodging revenue due to meeting cancellations just four months after the bill's passage.<sup>4</sup>

Our extensive research estimates that the actual lost lodging revenue from these cancellations is at least three times that amount: \$45 million. That estimate provides a basis for calculating other losses in visitor spending. Analyzing average food and beverage, entertainment, in-town transportation, and retail sales brings the combined loss of estimated conference attendee spending up to a startling \$141 million.

## The economic and fiscal consequences of conference cancellations

### Total losses from cancellations and booking declines

- \$217 million in lost direct spending by convention attendees
- 4,236 lost jobs
- \$133 million in lost earnings
- \$388 million in lost economic output
- \$14.4 million in lost tax revenue

### Losses from conventions already cancelled

- \$141 million in lost direct spending by convention attendees
- 2,761 lost jobs
- \$86.5 million in lost earnings
- \$253 million in lost economic output
- \$9.4 million in lost tax revenues

### Potential losses from future convention booking declines

- \$76 million in lost direct spending by convention attendees
- 1,475 lost jobs
- \$46 million in lost earnings
- \$135 million in lost economic output
- \$5 million in lost taxes

This significant hit to direct visitor spending could not come at a worse economic time for Arizona and yet these numbers still vastly understate the overall consequences of these cancellations for the state's economy. Cancelled meetings and conferences over the next two to three years would have supported nearly 2,800 jobs. The cancellations will trigger more than a quarter billion dollars in lost economic output and more than \$86 million in lost wages.

The losses will hurt the state's businesses and workers as well as the state's budget through lost economic activity and sales and bed taxes from convention attendees. The state will also lose income taxes on now-lost salaries, and sales taxes on goods and services that would have been purchased with those earnings. The ripple effect of the meetings and conventions that have already been cancelled adds up to a fiscal setback of more than \$9 million in lost tax revenue over the next two to three years.

But the economic and fiscal consequences don't stop there. It is highly likely that decisions not to book conventions in Arizona will continue for some time. In fact, bookings through the Convention and Visitors' Bureau in July and August 2010 were down 35 percent from the same period in 2009 according to reviewed bookings and leads data.<sup>5</sup> Large convention bookings typically occur several years in advance, and many organizations and associations will be making booking decisions over the course of the next year.

The report examines a range of possible future booking scenarios since many factors could alter trends in the bookings decline. The first, high-range scenario assumes that the decline in future bookings will continue at this rate for the next year, which would produce the greatest economic loss. A low-range scenario assumes that no further decrease in bookings will continue, which would lead to the smallest economic and fiscal losses.

A mid-range scenario that splits the difference between the high- and low-range possibilities estimates that Arizona businesses will lose \$76 million in direct revenue from decisions not to book in Arizona in the future. That loss translates into 1,475 lost jobs, \$46 million in lost wages, \$135 million in lost economic output, and \$5 million in lost tax revenues. That is *in addition to* the losses already triggered by cancelled bookings.

These convention cancellations represent only a portion of Arizona's economic losses due to this legislation. These findings do not encompass other economic

setbacks, such as leisure travel cancellations, or boycotts from other municipalities and the entertainment industry. For example, Los Angeles, Austin, and St. Paul have all approved boycotts of Arizona and dozens more have stopped just short of a boycott, condemning S.B. 1070 and urging the state to repeal the law.<sup>6</sup> Mexico's Foreign Ministry warned Mexican nationals that they could be "questioned for no reason at any moment" in a travel advisory posted in April.<sup>7</sup> And hundreds of artists, including Kanye West and Rage Against the Machine, have joined in a performance boycott of Arizona called The Sound Strike.<sup>8</sup>

This report also does not capture other types of economic consequences such as workers and families that have reportedly left the state, or disrupted productivity at businesses whose employees are targeted by the law.<sup>9</sup> There are also significant budgetary concerns such as the substantial litigation costs that are already mounting for the state.<sup>10</sup>

Yet even the narrow and targeted scope of this report shows that Arizona is facing severe economic and fiscal consequences. This report provides a clear window into the potentially catastrophic impacts of pursuing harsh, state-based immigration policies and should give other state legislatures pause before pursuing such measures.

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## Appendix A: Additional Figures and Tables

**Table A1**  
**States with Largest Share of**  
**Unauthorized Immigrants in the**  
**Labor Force, 2010**

(thousands)

	Total Labor Force	Unauthorized Estimate	Share
<b>U.S. Total</b>	<b>154,939</b>	<b>8,000</b>	<b>5.2%</b>
Nevada	1,367	140	10.0%
California	18,811	1,850	9.7%
Texas	12,261	1,100	9.0%
New Jersey	4,679	400	8.6%
Arizona	3,116	230	7.4%
Georgia	4,777	325	7.0%
Florida	9,064	600	6.6%
Maryland	3,100	190	6.2%
District of Columbia	339	20	6.1%
Illinois	6,719	375	5.6%
New Mexico	909	50	5.6%
North Carolina	4,658	250	5.4%

Note: Labor force estimates include employed and unemployed workers. Unauthorized estimates are rounded. Percentages are computed from unrounded data.

Source: Pew Hispanic Center estimates based on augmented March 2010 Supplement to the Current Population Survey. See Methodology.

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**Table A2**  
**States with Largest Number of**  
**Unauthorized Immigrants in the**  
**Labor Force, 2010**

(thousands)

	Total Labor Force	Unauthorized Population	Share
<b>U.S. Total</b>	<b>154,939</b>	<b>8,000</b>	<b>5.2%</b>
California	18,811	1,850	9.7%
Texas	12,261	1,100	9.0%
Florida	9,064	600	6.6%
New York	9,742	450	4.7%
New Jersey	4,679	400	8.6%
Illinois	6,719	375	5.6%
Georgia	4,777	325	7.0%
North Carolina	4,658	250	5.4%
Arizona	3,116	230	7.4%
Maryland	3,100	190	6.2%
Washington	3,623	190	5.1%
Virginia	4,082	160	3.9%

Note: Labor force estimates include employed and unemployed workers. Unauthorized estimates are rounded. Percentages are computed from unrounded data.

Source: Pew Hispanic Center estimates based on augmented March 2010 Supplement to the Current Population Survey. See Methodology.

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Statement of Dina M. Cox, SPHR

On behalf of the Kansas State Council of the Society for Human Resource Management

Submitted to

Judiciary Committee

March 10, 2011

Chairperson Kinzer, vice chairperson Patton, and Members of the committee - My name is Dina Cox and I currently serve as the Legislative Director for the Kansas State Council of the Society for Human Resource Management (KS SHRM). I am grateful for the opportunity to provide testimony to the Committee on HB 2372 concerning state enforcement of immigration.

The Society for Human Resource Management (SHRM) is the world's largest association devoted to human resource management. KS SHRM is affiliated with this national association. I testify today on behalf of KS SHRM and represent more than 2,000 individual Kansas members. Our mission is to serve the needs of human resource professionals, many of who are charged by their employers to recruit qualified workers and check their work-eligibility.

We appreciate the opportunity to offer our expert opinion on this bill which affects employment activity our Kansas members deal with on a daily basis. We have first-hand experience in real workplaces with what is effective and what is not when it comes to verifying the work eligibility of newly hired employees.

KS SHRM supports the use of a reliable federal electronic employment verification system. As an organization of HR professionals, we are committed to hiring only work-authorized individuals and we endorse the development of an effective, efficient, national electronic employment verification system. However, the current employment verification system using the required Form I-9 and the voluntary E-Verify program is still in need of reform.

The I-9 process places HR in the role of a document examiner, having to decide whether the 24+ types of documents new employees can provide to confirm identity are legitimate and whether everything written on the I-9 form by the new hire matches what's on the supporting documents they provide. In addition, since it's paper-based, it's prone to clerical errors – such as writing the document number in the wrong place or transposing numbers or letters.

While E-verify may be a step in the right direction, as an electronic system, the information provided through the system is also based on a paper-based database. As you may know, while the US Citizenship & Immigration Service is rolling out a photo component to compliment E-Verify, not everyone is in the system.

Under any state (and federal) requirements, the employer would still be required to complete the I-9 form along with any proposed mandatory E-Verify.

KS SHRM advocates that an electronic system should replace the I-9 process. Additionally, KS SHRM would propose that at a minimum the following improvements are needed to perfect E-Verify by the federal government:

- Address E-Verify's reliability and accuracy: potential discrimination conditions exists because of disparate impact on certain cultural groups; name inconsistencies or employee names recorded differently on various authorizing documents; and no process in place for employees to identify and access personal information that was the source of the erroneous "Tentative Non-Confirmation" issued by the system.
- Address E-Verify's vulnerability to identity theft. Unauthorized workers using stolen or borrowed Social Security numbers, fake certificates or fraudulently obtained but "legitimate" photo IDs can bypass the system and gain employment. E-Verify does not stop this problem. Thus, KS SHRM proposes the introduction of biometrics (rather than pictures) to compliment the system for better privacy protections which is greatly needed.
- Address E-Verify's lack of capacity. E-Verify is a voluntary pilot program unequipped to handle a massive influx of users.

Until reforms to the Form I-9 and E-Verify system are implemented on the federal level, we strongly recommend that the Committee postpone consideration of HB 2372.

We would offer as an alternative to first have the State of Kansas agencies, departments and other legislative bodies participate in E-Verify and report the successes and failures with the system back to this Committee so that before requiring contractors, subcontractors, vendors and grantees to participate, known issues can be understood and alleviated.

HB 2372 in its present form is extremely risky for Kansas employers, especially with the penalties in the current bill. KS SHRM understands discussions have transpired about the possible removal of the words "by sworn affidavit under penalty of perjury" in Section 1(A) and Section 1(C). We wholeheartedly agree with this development for the following reasons:

- Proof of enrollment and participation in E-verify should be sufficient with the E-Verify Memorandum of Understanding that is provided to employers. The state of Kansas can easily check with the Federal government in determining if an employer is registered or not.
- Perjury is a felony offense. Employers using E-verify, which is not perfect, may find that they are in violation even though they did everything required by law. This risk is too great for most small employers, their CEOs and HR directors.

KS SHRM further recommends that "good faith" be removed or carefully and succinctly defined. What does participation in "good faith" really mean? It is vague and difficult for employers to defend and would lead to unnecessary litigation for Kansas employers.

KS SHRM also recommends Section 1(D) be removed entirely because it is too harsh on employers. Terminating contracts with businesses upon the first violation and suspending or debarring the business entity for a period of three years is an undue hardship on businesses, and the cost of government contracts will no doubt increase substantially. Similarly, a permanent bar

upon second violation is too harsh, will cause businesses to close or move out of state and increase cost to the government.

KS SHRM recommends Section 3 be stricken in its entirety. Employers are not interested in "harboring" illegal aliens, nor are they interested in transporting them into the U.S. They are interested in recruiting and hiring qualified employees who are skilled at their jobs. Employers who try to follow the law by using the I-9 form, E-Verify and other legal requirements, yet who hire an illegal alien because of identity theft, document fraud or the unreliability of the E-Verify system, would be at high risk of a class A misdemeanor or Class 8 felony. This is not "reckless disregard" of an illegal alien that "comes to, has entered or remains" in the U.S. This is a mistake caused by faulty systems. These penalties are unfair and too great for the HR professionals and asking Kansas employers to do what they have not been able to do.

In addition, employers who recruit candidates from overseas for those hard to fill openings such as physical therapists, registered nurses, data warehouse managers, and econometrics specialists, are very careful to follow the appropriate visa process. If one illegal alien makes it through the process, and spends time in the U.S., the employers and HR professionals will face the penalty of a class A misdemeanor or Class 8 felony for harboring an illegal alien. This penalty will further burden employers needing employees in these high demand areas. They will slow the economy and put Kansas at an economic disadvantage. The risk is simply too great for employers, CEOs and HR professionals.

Lastly, KS SHRM does not condone the plethora of "fake document mills" and "fraudulent document rings" that produce scores of documents for illegal aliens mostly via identity theft. However, organizations that provide employment ID badges, bank cards with photos, grocery/retail store discount cards and the like, by "knowingly reproducing, manufacturing... any identification document" would be in violation of this bill. We do not believe this was the intent of this section, however, the penalties for this again put innocent Kansas employers at risk. We recommend removing two words--reproducing, manufacturing--from the proposed legislation or increase the legal standard to intentionally knowing.

In conclusion, as indicated in this testimony, until reform takes place to the current Form I-9 and E-Verify system at the federal level, KS SHRM strongly recommends that the postponement of the consideration of HB 2372.

KSSHARM is grateful for this opportunity to offer our views. I am happy to answer any questions the committee might have at this time.



# Testimony

Unified Government Public Relations  
701 N. 7<sup>th</sup> Street, Room 620  
Kansas City, Kansas 66101

Mike Taylor, Public Relations Director  
913.573.5565 mtaylor@wycokck.org

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## House Bill 2372 Immigration Enforcement

Delivered March 10, 2011  
House Judiciary Committee

The Unified Government of Wyandotte County/Kansas City opposes House Bill 2372 because it is a massive unfunded mandate. The Unified Government doesn't have the staff to carry out the burdensome bureaucracy created by the bill nor do we have the budget to pay for it.

Since 2003 when the Kansas Legislature stopped meeting its statutorily obligated funding of the Local Ad Valorem Tax Reduction Fund (LAVTR), local governments have lost hundreds of millions of dollars in promised state funding. Losing those demand transfers is costing the Unified Government \$4-million a year since 2003. Repeal of the machinery and equipment property tax and subsequent suspension of the "slider" reimbursement plan is costing the Unified Government \$6-million a year in lost revenue.

In addition, the recession has taken a heavy toll. The UG has cut annual general fund spending by \$12-million a year. 20% of the municipal workforce, over 300 people, are no longer on the payroll. We are in the third year of a hiring freeze; every employee (except police and fire) has been furloughed 15 days without pay. Programs and services have been cut and even eliminated.

There is a new trend playing into the financial difficulties facing local governments. Now that the Kansas Legislature has stopped paying most of the money it owes cities and counties, a new trend is emerging.... Pass new laws and dump the cost of paying for them on local governments.

What does all this have to do with HB 2372 and immigration enforcement? HB 2372 is another law which the Legislature wants to implement but doesn't want to pay for... instead foisting a majority of the enforcement and cost onto already cash-strapped cities and counties. Regardless of your view or opinion on immigration enforcement, HB 2372 is unworkable because it requires cities and counties to take on duties we don't have the staff to administer nor the budget to afford.

HB 2372 will negatively impact every aspect of operating the business of local government.

Public Safety: the bill puts unreasonable requirements on local police forcing them to do the work of federal immigration agents. The KCK Police Department responded to 211,000 calls last year. Having to verify citizenship of even a small percentage of the people involved in those cases will take officers off the streets for hours at a time, hurting public safety efforts. Crime in KCK has dropped 50% in the last several years. Community policing and other public safety techniques which build contacts and trust amongst neighborhoods and other citizen groups played a major role in that crime reduction. Provisions in HB 2372 undercut the very foundation of community policing. The bill will also create problems for the Wyandotte County jail in terms of overcrowding and increased expense. The Unified Government already spends \$14-million a year operating the jail. Making unverified citizens sit in a cell until their citizenship is confirmed or federal immigration agents pick them up will take up space needed for people commit felony crimes and increase the annual jail budget.

House Judiciary  
Date 3-10-11  
Attachment # 22

Health: The Wyandotte County Health Department is frontline medical care for many of our residents, when it comes to prevention and nutrition. 30,000 individuals make 80,000 visits a year for health services. Having to verify citizenship will be an administrative nightmare. Imagine turning away a pregnant mother who comes to our pre-natal clinic for baby vitamins because her citizenship can't be readily confirmed. Staff would need to be added just handle the E-verify mandate. But there is a hiring freeze.

Human Resources: Our HR department is already understaffed and struggles to keep up with the demands of administering health insurance, retirements, paychecks and other needed personnel duties. The E-Verify system will add to the workload and create a cumbersome and expensive bureaucracy. Staff would have to be added to handle the E-verify mandate. But there is a hiring freeze.

Purchasing: Requiring the UG to confirm that every business we do business with is using E-Verify will delay and complicate the bid and contracting process. All of the added regulations in HB 2372 have to be paid for and those additional costs will show up in the bid prices costing all taxpayers. Staff would have to be added to handle the E-verify mandate. But there is a hiring freeze.

Economic Development: the provisions of this bill will make recruiting new businesses, jobs and economic development opportunities more difficult. They may well discourage businesses from looking to expand or move here.

Litigation: the biggest and potentially most costly problem with HB 2372 is litigation. Cities and counties have legal exposure from all sides. A citizen who thinks the UG isn't enforcing the law enough can sue; a citizen or company who believes they have been discriminated against or wrongfully treated can sue; and it's not unreasonable to think the federal government might file a lawsuit against not only the state, but an individual city over the provisions of HB 2372. The city of Fremont, Nebraska was forced to increase property taxes 18% to cover \$750,000 in legal fees defending that cities immigration enforcement law.

A community like Kansas City will be impacted harder than many others. The new US Census numbers show almost 28% of our population is Hispanic. Raising property taxes to pay for the unfunded mandates in HB 2372 is not a sound option in Wyandotte County. More likely, the negative budget impacts of HB 2372 will have to be paid for by further cuts in services and elimination of more programs. It's a heavy price to impose on the majority of our citizens to try and identify a small percentage of illegal residents.

I understand the political pressure many of you get from constituents to fix the failures of the federal government in dealing with immigration. But passing HB 2372 and then going home and telling voters you dealt with the issue in a serious way is misleading. Passing a law that passes the buck by dumping the majority of the enforcement and costs on local governments is not a serious solution. If you are serious about taking over the federal role of immigration enforcement, then pass a bill which puts the State of Kansas in the leadership role. Create a Department of Immigration which can provide training and support to local police departments and other city/county officials in carrying out the law. Provide funds to assist with increased jail costs and administrative expenses. Create an immigration enforcement unit as part of the Highway Patrol. And set aside several million dollars as a legal defense fund to assist local governments who get sued as a result of this bill.

Regardless your view of immigration enforcement and what you think needs to be done, HB 2372 is not the answer. It is an unworkable, expensive, unfunded mandate on cities and counties. An unfunded mandate we can't afford and are ill-equipped to carryout. Passing this bill and then telling your constituents you took serious steps to solve the illegal immigration in Kansas would be nothing more than political pandering.



MISSOURI/KANSAS CHAPTER  
OF  
THE AMERICAN IMMIGRATION LAWYERS ASSOCIATION

March 9, 2011

Chairman Lance Kinzer  
Kansas House of Representatives  
300 West 10<sup>th</sup> Street  
Room 165-W  
Topeka KS 66612

Re: Written Testimony on House Bill 2372

Dear Chairman Kinzer:

First of all, thank you for holding today's hearing on this important bill.

I am presenting this testimony to you on behalf of the Missouri/Kansas Chapter of the American Immigration Lawyers Association. AILA is a nationwide bar association of over 11,000 lawyers who are involved with various aspects of immigration law. I currently serve as the Chair of the Advocacy committee for the Missouri/Kansas Chapter, with more than 160 members in both states. Our members represent U.S. citizens who sponsor foreign family members, U.S. businesses that employ foreign workers, foreign nationals and legal residents faced with deportation, and individuals seeking refuge under U.S. asylum laws, among others. Additional information about AILA and the work we do is available at [www.aila.org](http://www.aila.org). HB2372 will impact anyone who even looks "foreign," regardless of immigration status, in addition to those most vulnerable and most in need of protection by law enforcement.

The Missouri/Kansas Chapter of AILA opposes HB 2372. Before discussing the parties potentially impacted by HB 2372, I would like to point out that this bill does nothing to address the issues of illegal immigration or national security, but instead, is a punitive bill aimed at Kansas businesses, churches, and agencies that deal with foreign nationals in Kansas, whether legal or undocumented. It is a bill that will place a heavy burden on Kansas Law Enforcement, local governments and Kansas businesses to do the work of the federal government on immigration enforcement, and it is a bill that will cost Kansans millions of dollars – money that we just do not have in the State budget.

House Judiciary  
Date 3-10-11  
Attachment # 23

Based upon my experience in working with immigrants and non-immigrants, I can tell you that the immigration laws are difficult to navigate and the lines to get "legal" are very long. Many of the undocumented individuals who reside in the State of Kansas are waiting in those lines - waiting for the day they reach the front of the line and have the opportunity to file a simple application, with a filing fee of \$2470, and on that day, the person is in legal status. While the individuals wait in this long line, most often, they are contributing to the economy of Kansas in a variety of ways and this economic activity contributes to the incomes of Kansas businesses and to government revenues in the forms of sales tax, personal property tax and fuel tax, to name a few.

In a new study from the National Immigration Forum, it is clear that the Federal government is working on the removal of undocumented immigrants, but that the efforts are costly and ineffective. According to the study, last year the US government deported 197,000 immigrants with no criminal record, at a cost of \$23,000 each. The government spends \$7,500 for every apprehension on the southern border, a 500% increase of what it spent six years ago with no real change in the number of apprehensions. Further, while the number of people crossing the border illegally has decreased, the US border patrol budget has increased by an average of \$300 million since 2005. The State of Kansas is on the verge, with HB 2372, of stepping into this enforcement fiasco. You must ask yourselves if the State of Kansas can afford this effort and *at what cost?* What other services will have to be cut to cover the costs of mandatory detention of non-criminal foreigners suspected of unlawful status?

One of my main concerns with HB 2372 involves Section 2 and the involvement of Local Law Enforcement. I am concerned because a large part of my immigration practice involves representing victims of crimes - murder, rape, battery, trafficking, armed criminal action, and domestic violence. My clients, who are victims of these violent crimes, need to feel safe when reporting the crime to the police. If the victims of crimes are afraid of deportation, it is more likely that the violent crimes will go unreported, unsolved and the criminals will stay on the streets. This does not make Kansans safer. On the other hand, if my victim of armed robbery or rape is able to trust the police, report the crime and testify, without fear of deportation, the criminal will, hopefully, be going to jail. The Federal government has passed specific laws to provide temporary visas for victims of crimes who cooperate with the police, *because it makes our communities safer*. If the police are turning victims over to ICE, fewer crimes will be reported. It is exactly the opposite of the good practices of community policing, where police work with community members to build trust, resulting in an increase in apprehensions.

To put it bluntly, HB 2372 will cause these victims of crimes to fear the police, because they will know that Law Enforcement Officers are required to turn them over to Immigration & Customs Enforcement. Another provision of HB 2372 that we strongly oppose concerns the requirement that recipients of State contracts and/or grants check the status of people they serve. Many of our social service agencies, such as Domestic Violence shelters, throughout the State of Kansas, receive some form of assistance through contracts or grants with the State. Requiring these types of agencies to verify legal status prior to providing service will cause many women and children to be further victimized.

No one in Kansas will benefit if HB 2372 becomes law, with the exception of Mr. Kris Kobach and those seeking headlines for re-election. On behalf of the Missouri/Kansas Chapter of AILA, I urge the Judiciary Committee to reject HB 2372.

Thank you for your time and consideration.

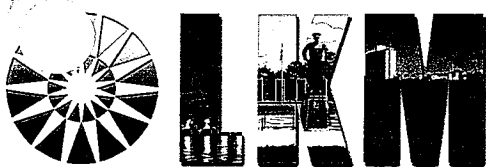
Sincerely,



Angela J. Ferguson  
Attorney at Law  
MO/KAN Chapter of AILA

Contact Information:  
c/o Austin & Ferguson, LLC  
4240 Blue Ridge Blvd., Ste. 315  
Kansas City MO 64133  
Phone: 816.356-7100  
E-mail: [angela@austinferguson.com](mailto:angela@austinferguson.com)





TO: House Judiciary Committee

FROM: Sandy Jacquot, Director of Law/General Counsel

DATE: March 10, 2011

RE: Opposition to HB 2372

Thank you for allowing the League of Kansas Municipalities to testify in opposition to HB 2372. The League's opposition is not to the underlying policy issue, but to the unfunded mandates, confusing and ambiguous language and exposure to potential litigation and liability inherent in putting local governments on the front lines of enforcing immigration law. We believe this bill has mandates that will be very difficult, and ultimately costly, for city officials to apply, and the question must be whether this is the way the State wants cities to allocate their limited resources. As funding sources for city services continue to decrease, unfunded mandates seem to increase.

First, HB 2372 requires that during lawful stops, detentions and arrests, law enforcement officers who have reasonable suspicion that an individual is unlawfully present in the United States must make a "reasonable attempt" to determine both the citizenship and immigration status of the individual. Any alien who is arrested or taken into custody cannot be released until such person's immigration status is confirmed. In performing this task, the officer may not racially profile the individual, except to the extent constitutionally permitted. Without going into extensive detail, in addition to the increased costs and time spent by law enforcement in complying with these requirements, these provisions can lead to unconstitutionally long detentions and the potential to violate the civil rights of lawfully present individuals, including citizens of the United States. Thus, cities will be exposed to potential discrimination and 42 U.S.C. § 1983 lawsuits. The cost of litigation is expensive. Because there is no way for the State to immunize cities from lawsuits under federal law and the United States Constitution, the State should be prepared to indemnify cities and their taxpayers against such litigation and potential damage awards for complying with the bill's requirements.

Litigation over the law enforcement provisions is only one point of exposure. In addition, this bill allows any citizen of the state to sue a city if that citizen believes the law is not being adequately enforced. Further, cities would have to ensure that any contractor or subcontractor they do business with uses the E-Verify system to determine legal status of their employees. Besides the expense and potential administrative issues this adds to the bid process, those businesses could sue cities for any perceived irregularity in not awarding them the bid. Cities must also use E-Verify in hiring their own employees. This adds costs to cities to administer that additional step in the hiring process and also opens the taxpayers to further potential litigation and liability for cities' hiring decisions. Businesses would also be required to use E-Verify for their employees, but the bill immunizes them from all state liability if they terminate an employee they believe is not lawfully present in the United States. Cities should have that same immunity. It is not at all clear whether cities will be able to procure insurance to cover these risks or whether they will have to self-insure against the risk of loss. Thus, the State needs to provide litigation protection for cities to enable them to enforce this law.

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ction restricting "state, county, or local agency" from providing public benefits is extremely confusing and will be difficult for cities to apply. Cities will have to verify that anyone who applies for such benefit is lawfully in the country. This will involve city officials knowing what documents are sufficient to prove an individual is a citizen or a permanent resident or is lawfully in the country. Any individual who is an alien must have their legal status verified through the Homeland Security SAVE system, which is a fee service. Thus, there will be a cost to local governments in implementing the bill that will likely require much training for city officials. Again there is the potential to inadvertently violate the civil rights of individuals who apply for public benefits.

While this bill reaches into many aspects of city government the unfunded mandates and the increased exposure to litigation and liability is undeniable. In a time when local budgets are tight and our taxpayers cannot bear the increased costs of implementing yet one more program, we urge this committee to NOT pass HB 2372.

Thank you Chairman and committee.

My name is Laurie Anderson, I am a Presbyterian Elder; and founder and director of IJAM- Immigrant Justice Advocacy movement the only faith-based immigrant led community organization solely working on immigration issues in the Kansas Metro area.

Laws are made to reflect the hearts of the people; to be in the best interest of society; to have a sense of order of the way things should be- To protect people from the harm of others. SB 2372 and other immigration related state legislation represents, among other things, a growing frustration with our federal broken immigration system. They are fear based and full of hate. Enforcement only strategy does not solve the immigration issue. This fear imposed on others eventually comes back and affects all of us...just as an injustice to one is an injustice to all.

This summer I was a commissioner to the Presbyterian General Assembly; the Office of Immigration was handing out tee shirts with the saying, "Do I look Illegal " - Being a blonde headed white woman, I wear the tee shirt and kinda giggle to myself thinking, "No one would think I'm illegal." Well, as my mom always said the company you keep, the friends you hang out with are a reflection of who you are. I hang out with a lot of people of color, brown people speaking with accents, and possibly undocumented.

Do I look illegal to you? Two weekends ago I was detained for over two hours on the highway because I was caught driving with my Mexican-American fiancée. We were pulled over in a moving van for failing to signal when passing a semi-truck. Immediately we were separated and taken from our vehicle. The first questions asked of me were, "Where did he pick you up? What are you doing with him? What do you do for a living?" As I said this was a two hour ordeal and before it was over it included 4 additional officers and a drug dog; with full inspection, and a whole lot of flashing lights. In the end when I asked what probable cause did you have to inflict this upon us, the officer's response was, "I didn't need probable cause, I had "reasonable suspicion." Requiring law enforcement officers to determine the immigration status of a person if "reasonable suspicion" exists is racial profiling plain and simple. What else are you going to use to establish "reasonable suspicion?" After the two hour detainment on the highway, we were released and no moving violation was issued. And to answer those very first questions; we were making a personal move, and I work for the church.

SB2372 heightens the fear, increases the racial profiling. It does not reflect the heart of the people nor does it reflect God's law. God's law tells us: to welcome the stranger, do not oppress the alien who resides with you, love the stranger, do not take advantage of the poor or the alien - And more. A scripture based approach to the topic of undocumented immigration:

- All people are made in the image of God, regardless of their documents or papers. Human dignity does not require a social security number.

- As God commanded his people Israel to not oppress the foreigner among them, we would do well to remember that societies are judged based on their treatment of the oppressed and least among them.
- Migration is a sacred act, one that involves great risk and reward.
- Hospitality is welcoming Christ in our midst.

This is the way in which we are called to live, especially as people of faith. Indeed we have a challenge; the way we approach immigration with a bill like SB 2372 is radically different than the calling of our scriptures, and God's commands. SB 2372 is not a reflection of the people's heart, and I dare say I believe SB2372 does not reflect God's heart... I ask you to boldly vote no.

As I present workshops to Christian education classes or community forums I frequently start out reminding folks...I am not for increasing unemployment and job loss. I am not for open borders. I am not for illegal immigration. I am not for breaking the law....Well that depends, (I had ya going there?) - God's law or Man's law?  
I know I stand on the side of God's Law.

Laurie Anderson  
Presbyterian Elder  
Executive Director, Immigrant Justice Advocacy Movement  
3801 Strong Ave, Kansas City, KS

## House Judiciary Committee

### HB 2373 Testimony –

#### League of United Latin American Citizens (LULAC)

March 10, 2011

Thank you Mr. Chair and members of the committee. My name is Leo Prieto, I am the Policy Director for the State League of United Latin American Citizens (LULAC). Elias L. Garcia, our State LULAC Director is dealing with a family crisis today and I am pleased to have this opportunity to represent our organization in providing testimony in opposition to HB 2373.

Mr. Chair and honorable committee members, The Kansas Immigration Law HB 2373 must not solely be thought of as an issue of persons from other countries not following established legal immigration processes and entering our American borders illegally. It is not. HB 2373, at its core, is all about creating an undue burden on our KANSAS ECONOMIC DEVELOPMENT and creating added fiscal burdens on our already budget stressed Kansas communities. That may not be the "intent", but unfortunately, that is the "impact" of this bill!

There is no question that Kansas is fighting to maintain its position in our national and global economies. The question then becomes, why do we need a piece of legislation that is going to compromise our market position and standing as we compete with other states and other markets? At some point, regardless of the politics, our state elected legislative leaders are going to have to make objective decisions that support and are in the best interests of our total Kansas community, especially our business community.

There are many, many pieces to the Rubic's cube that is our U.S. immigration policy, and States certainly have the right to enact policies to protect their citizens, but HB 2373 shows the difficulty and limitations of states trying to act piecemeal to solve what is a serious federal problem.

Beyond the Economic Development issue, HB 2373 is also thought of as a bill that stands between Caucasian/African American Americans and those of a Hispanic descent. This couldn't be further from the truth. Asian Americans, Native Americans, Multi-racial Americans will all be affected by HB 2373. This bill is the worst case of racial profiling since WWII. Many fear that officers will only check the papers of those who are "brown" or that appear Hispanic or people of color.

HB 2373 also would unlawfully give state and local police the power to engage in a broad range of immigration enforcement actions that are, and should remain, a federal responsibility. This bill would require police to demand documentation from anyone they stop whom they suspect is in the country illegally. U.S. citizens and non-citizens alike will be required to carry papers on them at all times and will be forced to "show their papers" simply for looking or sounding "foreign". These tactics are the hallmarks of a "police state," more often associated with totalitarian regimes.

In closing, LULAC would like to again thank the committee for this opportunity to testify on HB 2373 and we continue to stress that this bill contains tremendous negative ramifications for many Kansas industries and communities and quite simply there is no need to rush this bill to passage without careful consideration of what those ramifications will be. We encourage you to vote NO on HB 2373 as a no vote is not only the right thing to do, but it supports our Kansas business communities as well as upholds the American ideals of democracy and liberty and that all people, regardless of race or country of origin, deserve fair and equal treatment by the government.

**LULAC-Council-11071**



**P.O. Box 1154  
Topeka, Kansas 66601**

March 10, 2011

House Committee on Judiciary  
Representative Lance Kinzer, Chair  
State Capitol  
Topeka, KS 66612

Dear Committee Members:

My name is Virginia Mendoza, President of the League of United Latin American Citizens (LULAC), Topeka Council 11071. I am here to speak against HB 2372.

This terrible piece of legislation is not what Kansas is all about. Kansas should not be a state that will discourage anyone wanting to establish roots in this great state of ours. The provisions of this bill are morally wrong.

The only thing this bill will accomplish is to sow the seeds of fear, paranoia, frustration and anger throughout our communities. It will only legitimize discrimination against all Latinos and undocumented residents of Kansas. We do not want to go back to the days of outright discrimination. We do not want to continue to battle stereotypes that all "olive colored" people are here illegally.

LULAC strongly opposes HB2372 and trust you will vote against the bill.

Thank you,

Virginia Mendoza, President  
Topeka LULAC Council #11071  
P.O. Box 1154  
Topeka, KS 66601

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**Testimony of the ACLU of Kansas and Western Missouri**

**Regarding HB 2372**

**March 10, 2011**

**Presented by**

**Holly Weatherford, J.D.**

**Program Director, ACLU of Kansas and Western Missouri**

**3601 Main St. Kansas City, MO 64111**

Mr. Chairman and members of the committee, thank you for this opportunity to present testimony in opposition to HB 2372. The American Civil Liberties Union of Kansas and Western Missouri (ACLU) is a statewide, nonpartisan organization dedicated to protecting the principles set forth in the United States Constitution and the Bill of Rights.

HB 2372 contains an E-Verify mandate, fraudulent ID prohibition, a restriction on the availability of bail, and components modeled after SB 1070, the notorious Arizona law that remains subject to multiple lawsuits on grounds that it violates the Constitution. As other conferees will address constitutional deficiencies of HB 2372, I will limit my remarks today to the serious harm HB 2372 poses to the strength of our communities, the health of our economy and the good name of the state of Kansas.

Sixteen states across the country are considering adopting measures modeled after Arizona's SB 1070 law. In fact, four of those states have already concluded that SB 1070-like legislation is not the way to proceed, particularly in a time when many are facing huge deficits and cannot afford to spend tens of millions of dollars on unconstitutional, discriminatory attempts to regulate and enforce federal immigration laws.

Enforcing restrictive immigration law is expensive. Such laws not only invite costly litigation, but are a blow to the state economy and serve as unfunded state mandates. In just the first three months after Arizona enacted SB 1070, its bill for defending against several legal challenges to the new law topped \$1 million, according to records released by the state.[1] Other media reports indicate that, since 2006, just three cities have paid out or owe a collective \$8,570,000 in legal fees to defend against unconstitutional, discriminatory laws targeting immigrants at the local level.[2]

The Immigration Policy Center has developed a checklist to help state policymakers understand the economic consequences imposed by SB1070-like legislation. This checklist enumerates costs to police, jails and courts; costs to the state economy associated with a decrease in economic output, tax revenue, and consumer purchasing power as the state loses workers, taxpayers and consumers; and legal costs.[3] An official legislative fiscal impact statement regarding SB 6, Kentucky's now dead SB1070-like legislation, shows net estimated costs to the state of approximately \$40 million per year.[4] This fiscal note is comprehensive and documents the costs itemized in the aforementioned checklist.

Passage of the Arizona legislation triggered a fierce, national public-opinion backlash against the state, damaging their reputation, and led many national organizations and opinion leaders to call for economic boycotts resulting in an estimated loss up to \$141 million in lost convention



revenues.[5] Like Arizona, Kansas could also experience a major blow to the tourism and convention industries.

Finally, this bill goes beyond just enlisting the help of local police agencies to enforce immigration laws. By requiring that they prioritize civil immigration enforcement over their other public safety responsibilities, this bill diverts the limited resources from law enforcement's primary responsibility of providing protection and promoting public safety in the community. When immigrants, legal or undocumented, fear that the police will arrest them or their family members for immigration violations, the trust between the police and the community is eroded, and communities become less safe. Law enforcement's time and resources would be better spent on the street, building relationships and creating a presence in our cities and towns.

While this testimony focuses mainly on what HB 2372 will cost Kansas communities and the economy, without question HB 2372 is also inconsistent with the U.S. Constitution and Kansas' tradition of equality and fairness. For all of these reasons we urge you to oppose HB 2372.

#### Endnotes

[1] Alia Beard Rau, "Cost to defend Arizona immigration law tops \$1 million," *The Arizona Republic*, October 27, 2010.

[2] <http://citizensvoice.com/news/hazleton-will-again-rely-on-public-contributions-1.1002781>, and [http://www.timesleader.com/news/Legal bills may sock Hazleton 05-08-2009.html](http://www.timesleader.com/news/Legal_bills_may_sock_Hazleton_05-08-2009.html), [http://www.timesleader.com/news/Legal bills may sock Hazleton 05-08-2009.html](http://www.timesleader.com/news/Legal_bills_may_sock_Hazleton_05-08-2009.html), <http://www.fremontne.gov/DocumentView.aspx?DID=708>, [http://money.cnn.com/2008/04/17/smbusiness/illegal immigration dividing.fsb/index.htm](http://money.cnn.com/2008/04/17/smbusiness/illegal_immigration_dividing.fsb/index.htm), and <http://www.msnbc.msn.com/id/18510951>.

[3] Immigration Policy Center, "Checklist for Estimating the Costs of SB 1070-Style Legislation," January 19, 2011.

[4] Kentucky Legislative Research Commission, "State Fiscal Note Statement – Senate Bill 6," January 13, 2011.

[5] Center for American Progress, "Stop the Conference: The Economic and Fiscal Consequences of Conference Cancellations Due to Arizona's SB 1070," Marshall Fitz and Angela Kelley, November 2010.

**Written Testimony of Prof. Allen Rostron**  
**on House Bill 2372**

I am a law professor at the University of Missouri – Kansas City (UMKC), where I teach courses including Constitutional Law. I appreciate the opportunity to submit these comments on the difficult issues posed by House Bill 2372.

This bill seeks to enhance the enforcement of federal immigration laws. In doing so, it raises serious constitutional and other legal questions, particularly about the extent to which federal law requires a uniform approach to immigration issues and preempts state laws interfering with federal immigration policymaking.

If enacted right now, House Bill 2372 is virtually certain to be met with legal challenges brought by the federal government and other entities and individuals. One of the central arguments will be that the federal government has preeminent authority to regulate immigration matters, the federal immigration laws reflect a careful balance of many important considerations, and states should not be able to intrude on that and disrupt the delicate balance of competing interests that the federal laws strive to achieve.

Whether one likes that argument or not, it is an important and potent contention that courts will take very seriously. At this point, no one can reasonably say with any high degree of confidence whether House Bill 2372 would be upheld or invalidated in the courts. The one thing that can be guaranteed, however, is that the litigation will be complex and expensive, and it will consume a significant amount of the time, energy, attention, and financial resources of Kansas state and local governments and officials. As a result, Kansas taxpayers ultimately will pay a substantial price for the legal fight over this legislation if it is enacted now.

There is a simple, sensible way to avoid this. Rather than hastily jumping into a costly legal tangle, Kansas can wait and see what happens in cases that involve similar laws enacted by other states. These cases are already well underway in courts, including the U.S. Supreme Court, and they will soon generate decisions shedding crucial light on the validity of laws like House Bill 2372. No matter which way the courts rule, Kansas will gain valuable information that will enable a more informed decision to be made about the legal risks and questions surrounding this type of legislation.

In particular, Kansas will be able to learn much from the litigation concerning the similar law enacted last year by Arizona. At least seven lawsuits have already been brought against Arizona and its officials to challenge that law's constitutionality. Most notably, the federal government filed a lawsuit seeking to have the Arizona law invalidated. Concluding that the United States was likely to prevail on its claims, a federal judge granted a preliminary injunction preventing key parts of the Arizona enactment from taking effect. That ruling is now before the U.S. Court of Appeals for the Ninth Circuit. The appeal has been fully briefed, and the Ninth Circuit judges heard oral arguments in the case on November 1, 2010. Legal experts widely agree that there is a good chance the case eventually will move up and be resolved by the U.S. Supreme Court. Given the substantial similarity between the Arizona law and Kansas's House Bill 2372, the Arizona litigation obviously will provide important answers to the tough legal questions surrounding House Bill 2372.

Kansas also will soon receive important guidance about the validity of House Bill 2372 from a case concerning a different Arizona statute. The Legal Arizona Workers Act of 2007 allows courts to suspend or revoke business licenses of employers who knowingly hire illegal aliens. Various business and civil rights organizations brought lawsuits challenging this enactment, primarily arguing that it is preempted by federal immigration laws. The case, called *Chamber of Commerce v. Whiting*, has worked its way up through the courts and is now before the U.S. Supreme Court. The case is already fully briefed, and the Supreme Court heard oral arguments on December 8, 2010, so the Court will soon be rendering its decision. The case thus promises to produce a ruling, by this nation's highest court, on the validity of a state law that attempts, like House Bill 2372, to crack down on illegal immigration in ways that may conflict with federal authority over immigration. The Supreme Court's decision is therefore very likely to provide important information about the Court's attitude and approach toward the difficult constitutional issues raised by House Bill 2372.

The notoriously slippery and unpredictable nature of federal preemption doctrine makes it particularly prudent to wait for clearer authority on the legal issues presented in this instance. Federal law implicitly preempts state law when the latter stands as an obstacle to the accomplishment of the full purposes of the former. But applying that rule, and deciding when state law impermissibly infringes on federal authority, is one of the most treacherously muddled areas in American law today. As one scholar vividly described the problem, "the law on federal preemption has obstinately refused to set

anchor in enduring principles” and instead it “continues to wallow in a state of utter chaos” and “is inscrutable because it is a formless and elusive creature, based on ephemeral notions of federalism and the oft-obscure intent of Congress, that vacillates according to shifting political sentiments of the courts.” *See* David G. Owen, *Products Liability Law* 939 (2d ed. 2008).

House Bill 2372 not only raises this sort of exceptionally difficult legal issue, but it does so in the context of immigration law, which is obviously one of today’s most intensely controversial social and political issues. If ever there was a legal morass that a state would want to avoid unnecessarily and imprudently entering, this is it.

In summary, I would respectfully urge Kansas legislators to approach this issue with shrewd caution and restraint. House Bill 2372 reflects understandable frustration with the federal government’s handling of immigration policy issues. But the fact that the federal government is undeniably meant to have a preeminent role in setting immigration policy for the nation is exactly what makes the validity of House Bill 2372 so uncertain. Rather than rushing to enact this law and steering the state and its taxpayers into an expensive storm of litigation, I believe the wiser and more responsible course would be to wait and look at the issue further with the benefit of the greater clarity that upcoming court decisions will bring.

March 9, 2011

Allen Rostron

William R. Jacques Constitutional  
Law Scholar & Professor of Law

UMKC School of Law  
5100 Rockhill Road  
Kansas City, MO 64110-2499

816-235-2267  
rostrona@umkc.edu

Public Health Implications of House Bill 2372

Testimony before the House Judiciary Committee  
March 10, 2011

Nancy Jorn, MN, ARNP  
Clinical Nurse Specialist  
785.331.7152

I appreciate this opportunity to speak to you today about the public health implications of House Bill 2372. I am a registered nurse and clinical nurse specialist with thirty-four years of professional practice in the state of Kansas, including twenty years in a public health clinic.

Most of us here today would agree that the United States immigration system is flawed and that comprehensive national immigration reform is needed. When we undertake to solve this problem at the state level, however, we risk incurring unintended consequences. I am here to speak to potential negative consequences of House Bill 2372 for the health of all Kansans.

When we adopt legislation that creates a climate of fear among undocumented residents, they tend to live in the shadows, avoiding even public health services to which they are entitled. While HB 2372 defers to United States Code 1621, which allows unqualified aliens to receive immunizations and care for communicable diseases, those persons are much less likely to seek preventive health care or care for serious health problems when they are unsure whether they will be reported for violating immigration laws. This presents serious health risks for immigrants and for all of us living in Kansas.

Consider these examples:

- An immigrant arrives in your southwest Kansas community and goes to work in a meat packing plant. He is afraid to go to the clinic to see about his intractable cough. He works in a closed room with many others and spreads tuberculosis to several coworkers, a few of whom go home and infect their children, who take TB to school. When the high school basketball tournament comes to town, the community packs the gym and half the town is exposed.
- An immigrant mother is afraid to take her two-month old to the clinic for immunizations. The baby contracts pertussis (whooping cough). The baby goes to the church nursery, where she infects your 6-week old granddaughter who is too young to have received her first pertussis vaccination. One in 100 infants that contract pertussis will die.
- When your community has an outbreak of Hepatitis A after a potluck dinner, the undocumented persons in the community are too fearful to come forward to answer questions from the public health nurse that might help track down the source of the outbreak.

This is not to imply that immigrants carry or transmit more diseases than any other Kansan, but simply that by being forced to live in the shadows, they are likely to be lost to the health care system that works to keep us all healthy. To date, across Kansas, health care providers have done an admirable job of engendering trust so immigrants will seek the care they need. If the health system is required to verify patients' immigration status for some services and not others, immigrants will not be able to differentiate among those services and will stay away. We will all be at risk.

Julia Field Costich, writing in the Kentucky Law Journal, once described this as "legislating a public health nightmare."

Please think about potential unintended consequences for the health of all Kansans and vote "no" on House Bill 2372.

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Dear members of the Committee,

Hello, today I am asking you as a student at the University of Kansas, as human being, and as an Undocumented person to please not support H.B. 2372. This bill will negatively affect my life.

Let me give information on my history. I have been undocumented all my entire life. I came in the U.S. when I was 6 months old, and it was so my parents could save my life. I was sick as a baby, and doctors couldn't find out what was wrong with me, until they gave up on me, and told my parents that there was nothing else they could do. The best thing as parents would be to spend the last moment of my life. My parents left their home country, left their college position, their job, their families, and friends, in order to save my life. Once in the U.S. doctors discovered I lactose intolerant, and just had to change my formula. I asked my father if he was upset with the doctor's lack of knowledge in Mexico and he only answers he was upset with the doctors, even furious, but he would rather take the risk of coming to the U.S. than take the risk of losing me. That is what any parent would do. They would take risk for the people they love.

I always have been undocumented my whole life. My parents tried to get me legalized by putting me under my dad's petition. (Both of my parents we able to become legal permanent resident, but because of lack of money they had to wait for me try to get me legal). The sad thing is that I waited and waited for a response for Immigration offices. I only receives letter saying that my petition has been accepted and transferred to California. I just turned 21 and no letter. I fear that letter will tell me that I aged out and I no longer qualify under my dad's petition.

This bill will affect me drastically. My parents have sacrificed everything for me. I am banned from attending a Missouri college only because I lack the documentations. I attend KU and drive 1 hour each day to attend classes. I take the risk each of being deported. I know how to drive. I took drivers education when I was in high school, and passed with flying colors. But for some reason, knowing how to drive requires papers. I drive because that is my only escape for a better future. My parents work long hours in order for them to afford my out of state tuition that we pay. If this bill passes, I know that I will not want to attend college, for that fear. My 19 year old brother or my parents gave me a ride, they would be punished. I would no longer be able to live with them because they could be penalized as well. My family needs me. My little brother needs someone to go ride a bike with, play games with. I am his big brother and hero, and I do not know what he would do if I was no longer in his life.

It is weird how despite me not having documentations, I consider myself American. If this country asked me to join the Army in order to defend it, I would in a heartbeat. I did more than 200 hours of community service, I donated blood countless of time. So I am asking you please do not pass this law. It affects me and my family.

Thank you,

Ricardo Quinones

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<p>This law will certainly be contested in the courts and will be very expensive to defend. We can't afford these legal problems, not to mention the racially charged nature of the bill which is bad for any society.</p>	<p>Brad Grabs</p>	<p>66104</p>
<p>I was born and raised in Kansas. I graduated from the University of Kansas. I now live in Kansas City, Missouri. However, much of family still lives in Kansas. I have friends in Kansas, am in Kansas often, and patronize many Kansas businesses. I do not support HB 2372 and am appalled that there are those in the legislature that want to legalize racial profiling and embrace discrimination. This is not what Kansas stands for. Passing this law will create division, mistrust of law enforcement, and a loss of business. In the current economic climate, Kansas cannot afford to pass a law like this. Where similar laws like HB 2372 have passed, it has spelled financial devastation for those states, cities, and counties. Kansas can't afford HB 2372.</p>	<p>Kristin Chow</p>	<p>64108</p>
<p>I've had a love for the State of Kansas since I was a child living in California. The day I was assigned to do a report on a state, I didn't think one minute before I chose Kansas. Of course, this had to do with the fact that I had family living here. I was 12 when I first came to Kansas and since then, every time I learn about Kansas' rich history, I can't help but be amazed. Our state has a wonderful history of being on the right side of things. A history that dates back to the pre-Emancipation era. As I read the text of HB2372 introduced in Kansas, I became physically sick. It felt like my heart sank to the pit of my stomach. This bill isn't what I've come to know Kansas to be. It is against our ideals of equality and morality.</p> <p>Besides the sadness I felt once reading this bill, I also felt anger. Anger at the fact that there are so many things that need our attention, like education, employment, healthcare but, here we are, trying to bow to some people's fears. Taking time out of a packed legislative agenda to focus on a bill that will, in the short and long run, hurt us more than anything else. A bill that will cost us precious dollars when we are worrying about making ends meet for our State.</p>	<p>Yahaira Carrillo</p>	<p>66202</p>

This makes no sense and is the wrong way to address an important social issue. Instead of criminalizing those who come to the U.S., why not allow them to work legally so they can have taxes taken from their pay, gain access to the education system and have an opportunity to contribute fully? People from Mexico and Central American countries don't come here because they're criminals. Most of them come because they want a better life for their children. If you were born into poverty with no access to the resources that would give your kids a chance to prosper, wouldn't you cross that imaginary line for your children? The truth about undocumented workers is that they keep the cost of our produce down. Who's going to pick those crops if not the undocumented workers? What's going to happen if we criminalize all folks who try to help them and those who employ them? We all buy a cheaper orange and head of lettuce because of this cheap labor source. There has got to be a better way to address this. I propose amnesty for all undocumented people who are here now, then measure the return on this in 10 years.

Mary Bradley

66206



Every one is an immigrant to this land. My ancestors made this land their home, but that does not mean they owned it. No one truly own's land. These state and national boundaries are not really there, humans have only been foolish enough to create them and pretend they exist. It does not matter your race or creed, humans are humans, and we all deserve a chance at "life, liberty, and the pursuit of happiness." The United States was completely formed out of immigrants searching for a better way of life. This nation is supposed to be free and just. How can we say that when the government treats us so barbarically, forcing us to always carry identification, like we're dogs. How can the government be so hypocritical? Why should we even waste my tax dollars on something so petty? There are much more important issues at hand, such as education and public welfare. And this is NOT in the public welfare. All it does is waste money, spread hate and prejudice and fear. Since when was that the American Dream?	Julie Edmonds	66606
no estoy de acuerdo con esta ley es una ley racista y de poco respeto a todas las personas de origen latino me preocupa que mis hijos puedan ser objeto de falta de respeto mis hijos son american citizens y de ceo que se cree una ley que en verdad pueda ayudar a todos sin faltarle al respeto a una persona por su color de piel o su apariencia no niego que entre mi gente hay personas malas pero debemos saber ejercer la ley sin lastimar a personas inocentes como son los niños con todo respeto y de ceo alludar a hacer justicia para todos. // <i>[Translation: I don't agree with this law because it is racist and of little respect to all people with Latino roots. I worry that my children could be targeted and disrespected. My children are American citizens and I hope that people create laws that will actually help us all without disrespecting others because of the color of their skin. I will not deny that amongst my people there exists people that bad but, we must learn to enforce laws without hurting innocent people like our children. I say this will all due respect and hope we will work for justice for all.]</i>	hilarie jiminiz	66104
I am strongly against this bill. That we have not learned from the mistake of Arizona passing this type of bill is a sad commentary on the people of Kansas. To pass this bill would bring great shame upon the State of Kansas and cause me great embarrassment to say that I am a born and raised Kansan.	John Schmeidler	66044

I am opposed to bill HB2372. We shouldn't do racial profiling, and we should find a way to make it easier for immigrants to become legal American citizens.	Crystal Bandel	66502
I am opposed to HB 2372.	Molly McKay	66062
Dear Committee, My name is Amanda Heter and I am a life-long Kansas resident. I am writing this testimony to state my stance on the proposed HB2372 bill. I do not support in any way this legislation and think that it would be a large step backward and a disgrace for our great State to pass said bill. As one of your constituents, I ask that you take my stance into consideration as I am one of the many Kansas whom you represent who share this very same viewpoint. I will be following this bill and each legislator's stances on said subject which I will take this into consideration for future elections. Thank you, Amanda Heter	Amanda Heter	66044
I do not agree with this bill and find an assault and disgrace to everything this country was founded upon.	Kyle Bodamer	66502
I am saddened that I live in a nation that no longer adheres to the words on the Statue of Liberty that welcome "the tired, the poor, the huddled masses yearning to breathe free." Now, because of fear, and the sin of Pride in our "true" Americanism, we treat immigrants as if they all were working for Osama Bin Laden. This bill is a shameful departure from our heritage. Don't be overcome by fear. Do the Christian thing and "Love your enemies"--especially because most immigrants have not done anything to be considered enemies in the first place.	David T. MacFarland	66502-3638
We are all people - we must be heard - we can be educated and help the world!!!!	Sage	66044

<p>Kansas Legislators,</p> <p>I urge you to please take the time to consider the kind of impact a bill such as this would have on the people of Kansas. As a person of Hispanic descent, I find it disgusting that officials would be required to investigate persons solely based on their race. This is a blatant issue of racism in our state.</p> <p>Please spend your time on more worthwhile issues, such as making the process of obtaining residency more attainable for Hispanic families. Oftentimes, these families are not unwilling but unable to acquire legal status because of limitations within the process. Should this become more attainable, they could then become official taxpaying citizens of our country and state.</p> <p>Our country was established on the principles of freedom and the pursuit of a better life, regardless of race or background. Please assist us in upholding these values today.</p>	<p>Sarah Hurd</p>	<p>66502</p>
<p>I really think the HB2372 bill would affect Kansas State tremendously. I have been living in Overland Park, KS for almost 10 years and have always felt secure and safe in this city. With the HB2372 bill being approved, there will be a lot of racial discrimination, and fear of even to get close to a police officer. I don't really understand, why people who came to this country with the dream to have a better life, and who only want to be part of a good community, and to contribute to live in a better society, have to be treated like criminals? Please do not approve this bill, which will cause a lot of discrimination, and injustice.</p>	<p>Diana</p>	<p>66204</p>
<p>I have been living in Kansas for the past 13 years. I am an immigrant. This law is unethical and goes against what America stands for-the land of the free. Say no to HB2372!</p>	<p>Julio Mortera</p>	<p>66212</p>

<p>America is a country of opportunities and no one should be denied of that. This law would only bring conflicts to the state of Kansas. As a Hispanic woman myself, I do not think I should be the target of racial profiling. Everyone is equal and should be treated equally.</p>	<p>Ana Jimenez</p>	<p>66102</p>
<p>I am opposed to HB 2372.</p>	<p>Claudean McKellips</p>	<p>66502</p>
<p>Dear Legislators,</p> <p>I am a resident of Manhattan, Kansas, and I have half Mexican American, half German ancestry. The Mexican American side of my family has been living in the United States since the mid-1800's when the United States conquered northern Mexico and allowed the residents to remain as American citizens. My grandfather fought in WWII, and my grandmother spent her whole adult life working as a special education teacher. Both of my grandparents have dark skin, and my grandfather has a Spanish accent. If this bill passes, either of them could be stopped at any time and required to show papers proving they are real citizens, all because they don't look or sound "American" enough. How can people who have devoted their lives to public service, whose ancestors have been American citizens for a hundred and fifty years, not be treated as "real" Americans? This bill is a slap in the face to people like my grandparents, and I urge you not to pass it.</p> <p>Thank you for your consideration.</p>	<p>Amy Lara</p>	<p>66502</p>

<p>I'm a third generation Mexican-American. When I was small I thought I was just American and we were all the same here. As I've grown up and had a family of my own, then moved to a much smaller, less diverse city, I realize that Mexican-American not only described my great grandma who came to Kansas in a covered wagon, but also the reason why my life was so very different than the white middle class students I share classroom space with at K-State. I don't agree with the making people illegal.</p> <p>The immigration system is racist and classist not allowing people who can't afford it to become citizens. Having many friends who have worked 3 jobs or more to pay the legal fees of keeping their green card (and those of their spouses and children, who often work as well) while still trying to pay rent, buy food, pay bills, have a car to get everyone around to all those jobs and often pay remittance to their home countries so the kids in the families can attend school beyond 8th grade, I know how hard this can be. One illness can make it impossible to keep this up. It is easy to become 'an illegal'. The penalties are already to strict. Don't make them worse by moving forward with this law that further oppresses people of color.</p>	Maria Snyder	66502
<p>I am opposed to HB 2372. This is the land of the free, why are we taking a step back?</p> <p>Please don't let this pass, don't be part of the problem but be part of the solution.</p> <p>Thank you and good luck, Mariana Mancera</p>	Mariana Mancera	66502
<p>This bill just puts unnecessary fear in innocent people and hate into ignorant people.</p>	David	66502
<p>This HB 2372 will curtail important civil liberties and protections that we all enjoy. This HB 2372 will move us closer to a police state and bring about more government intrusion into our lives. This bill is a wolf in lambs clothing, it will only serve to further erode our freedoms and civil rights.</p> <p>This bill goes against Republican and Christian principles!!</p>	Peter Dominguez	66502

<p>HB2372, an Arizona copy cat and anti-immigrant law, is not needed in Kansas.</p> <p>HB2372 would not only be highly costly, but it would also cause a damage to the Community that might never be repaired. This law also violates rights given by our constitution. This law will not only hurt the community it is directed to, but all the communities in Kansas. I urge you to say NO this unconstitutional law.</p>	Yazmin Gamez	68510
<p>I believe this is one of the most emotionally hurtful bills to be considered. I came to the US because my parents wanted a better life. And I believe God placed us here. I can not understand why humans think they own the land in which God has allowed us all to live and share. It is extremely sad to me to know of this anti-immigration feelings toward us that only want to study and have a better life for our families. I can only pray that the legislators' hearts will soften to the reality of many immigrants and their humble life in Kansas. I can assure the legislators that the personal stories of these families can overpower any amount of money and power they may obtain if voting for this bill. I will also pray for those who decide to complicate and humiliate the immigrants here at the cost of power, money and pride. Especially because it is dangerous to act against God's will.</p>	Monica	66212
<p>HB2372 does not represent the best of Kansas. In fact, it advocates ideas and actions we should be ashamed of. I am a native Kansan almost 80 years old, and I deplore the bill's legitimization of racial profiling, of criminalizing those who help undocumented people, of criminalizing those who don't carry with them documentation of their legal status, and more.</p> <p>Surely, you can find more important, more humane, and more constructive topics and propose better legislation than the disgusting HB2372, which degrades the positive spirit and record of this state.</p> <p>Sincerely,</p>	Nancy Twiss	66502
<p>Racial profiling is never acceptable. I strongly encourage the legislature seek out alternative solutions to immigration. And please, stop referring to people as "illegals" because the term is downright offensive.</p>	Chantalle Hanschu	66502

As a former immigrant, I encourage the Judiciary Committee to vote down the proposed HB 2372.

While I am a fourth generation Kansan, born and raised in Marshall county, but from 1983 - 1998, I lived and worked in Italy. The first four years I lived in Italy, I did so as an undocumented worker. Thus I know well what it means to be an immigrant and why HB 2372 is a morally corrupted piece of legislation.

According to the US Census Bureau, the foreign-born share of Kansas' population rose from 2.5 percent in 1990 to 5.9 percent in 2008. More than four in five (or 85%) of children in immigrant families were born in the US. Latino and Asian entrepreneurs and consumers add \$10 billion and thousands of jobs to the Kansas economy. In 2009 the purchasing power of Hispanic Americans in Kansas totaled \$5.2 billion - an increase of 488 percent since 1990. Asian buying power totaled \$2.1 billion - an increase of 418 percent. Immigrants comprise 7.3 percent of the Kansas workforce.

According to the Pew Hispanic Center, in 2009 roughly 2.8% of the Kansas workforce was undocumented -- meaning they did not possess the papers needed to work here. Research conducted by the Perryman Group found the following: If all undocumented immigrants were removed from Kansas, the state would lose \$1.8 BILLION in economic activity; would lose \$807 million in gross state product; and, roughly 12,000 jobs.

At a moment when Kansas is facing a catastrophic economic crisis, can we afford to cause this much damage to an already depressed economy?

But moreover the cost of the implementation of the Arizona law which HB 2372 imitates has been disastrous for that state:

New America Media reports that Arizona has lost \$141 million due to the cancellation of conferences and conventions, as a result of a national boycott

I am against HB 2372. Everyone in this country came from other country. One has the right to judge people who come here illegally. Discrimination is an action that is wrong because everybody is equal.

Christopher E. Renner

66502

Cristal Aguayo

66102

31-4

Share your testimony against HB2372 here	Your name // Su nombre	Zip Code //Codigo Postal
<p>My family has walked a hard trail of tears, when they were forced into reservations, NOW we are going to be faced with another trail, my husband, children and grandchildren basic rights are in jeopardy, I will be forced to fight harder for their basic rights and cause great stress on me and my blood pressure, law suites against the state to protect us from a thoughtless group of people not thinking about the whole outcome.</p> <p>Here in Wyandotte County the Democratic people see no need as large corridors of the City will become ghost areas as people leave in fear, business will close, schools will loose students teachers will be laid off. open your eyes Republican party and see what you are doing to our Great State. Are you prepared to pay \$800.00- \$1000,00 per square for a new roof as that is exactly what we will need to charge you IF we can find qualified workers willing to work on YOUR roof</p>	Joyce Borjas	66106
<p>I am opposed to this bill. Kansas has done enough recently to show the rest of the nation that we are committed to backwards regression, and not forward progression. Please do not pass this bill, show that we still have a bit of that populism idealism left in our state. Please do the right thing and vote this one down.</p>	Christopher Hopkins	66502
<p>I am very concerned about possible passage of this bill. I work with many international students and scholars at KSU, and this draconian bill would hurt our state economically, as fewer international students and scholars would choose to come here. Arizona has developed a very negative reputation following its passage of this bill; I don't want Kansas to be similarly viewed. We want to be a welcoming and friendly state. Legal students and immigrants would be intimidated by this bill/ Pleas do not pass it!</p>	Richard Harris	66502

31-4



# *We, the undersigned . . .*

. . . residents of Kansas, and other concerned members of the public stand in solidarity against the passage of HB 2372: "Requiring verification of employment eligibility and making other amendments concerning immigration."

- HB 2372 will cost the state of Kansas millions of dollars in enforcement and inevitable litigation costs. Kansas is currently facing a \$492 million budget shortfall in fiscal year 2011.<sup>[1]</sup> Other states, such as Kentucky and Utah, have measured the costs for bills similar to HB 2372 and estimate the cost to reach into the tens of millions of dollars.<sup>[2]</sup>
- The bill will severely damage police-community relations, creating an air of fear surrounding the reporting of crimes such as domestic violence. Kansas communities will witness the destruction of an overall trust in law enforcement.
- We have seen in other communities that have enacted similar laws, that businesses suffered, property values declined, and the lives of families were destroyed when misguided laws like HB 2372 were passed. Business communities in Arizona have suffered from the boycott resulting in the passage of a bill similar to HB 2372. It is estimated that Arizona has lost upwards of \$141 million in tourism and conventions averted from the state due to the passage of the bill on which HB 2372 is based.
- Laws similar to HB 2372 have been struck down by state courts as unconstitutional. The Arizona law on which HB 2372 is modeled is currently being challenged in Federal court and could be found to be unconstitutional and in violation of the Civil Rights Act of 1964. In fact, the Federal court issued an injunction to halt implementation of the Arizona law. Arizona has already spent at least \$1.5 million defending its law.<sup>[3]</sup> Several state, city, and county governments who have tried to enact measures similar to HB 2372 have been financially crippled due to litigation. Examples include Fremont, Nebraska, Farmers Branch, Texas, Hazelton, Pennsylvania, and Riverside, New Jersey.
- HB 2372 would have a result in discrimination against immigrants and citizens of the state of Kansas.

HB 2372 benefits no one. It will be burdensome to taxpayers, law enforcement, the business community, and Kansas families. Kansas cannot afford HB 2372.

Kansas has a long record of being on the right side of history. This bill would place Kansas squarely on the wrong side of history, as the bill would essentially legalize racial profiling and discrimination against people of color.

For these reasons, we ask that the members of the Committee do the right thing and vote against HB 2372.

Sincerely,

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[1] McNichol, Elizabeth, Phil Oliff, and Nicholas Johnson. "States Continue to Feel Recession's Impact." *Center on Budget and Policy Priorities*. 10 February 2011. Web. 8 March 2011. <<http://www.cbpp.org/cms/?fa=view&id=711>>.

[2] Hoy, Seth. "What's in Your Wallet? Fiscal Notes Give States Pause Over Enforcement Laws." *Immigration Impact*. 11 February 2011. Web. 8 March 2011. <<http://immigrationimpact.com/2011/02/11/what%E2%80%99s-in-your-wallet-fiscal-notes-give-states-pause-over-enforcement-laws/>>.

[3] Rough, Ginger. "\$1.5 million spent defending SB 1070." *Arizona Central*. 25 February 2011. Web. 8 March 2011. <<http://www.azcentral.com/12news/news/articles/2011/02/25/20110225arizona-immigration-bill-lawsuit-cost-millions.html>>.

1. Valerie Chow, Kansas City, MO 64113
2. Joseph Chow, Kansas City, KS 66104
3. Joseph Chow, Jr., Los Angeles, CA 90056
4. Kristin Chow, Kansas City, MO 64108
5. Yahaira Carrillo, Kansas City, KS 66202
6. Reginald Fears, Mission, KS 66201
7. Kareem Ali, Lawrence, KS 66047
8. Maria Meadows-Wikle, Topeka, KS 66607
9. Maurice Garner, Elk Grove, CA 95758
10. Selicca Livingston, Johnson City, TN 37601
11. Gwen Ahmed, Leawood, KS 66213
12. Rasool Ahmed, Leawood, KS 66213
13. Terrence Holt, Tallahassee, FL 32311
14. Ava Holt, Tallahassee, FL 32311
15. Nathan Richardson, Van Nuys, CA 91605
16. Joe Birks, Johnson City, TN 37604
17. Sana Ali, Stockton, CA 95206
18. Toni Dukes, Stockton, CA 95206
19. Kareem Dukes, Stockton, CA 95206
20. Talazia Dixon, Stockton, CA 95206
21. Jamal Ahmed, Washington, D.C. 20011
22. Eric Tullis, Durham, NC 27705
23. Shawnterra Thomas, San Francisco, CA 94127
24. Jade Freeman, Overland Park, KS 66049
25. Mike Cappel, Overland Park, KS 66046
26. Michael Andrusak, Overland Park, KS 66046
27. Omar Ahmed, Overland Park, KS 66049
28. Mr. & Mrs. Blackwell, Overland Park KS 66219
29. Prentise Earl, Olathe, KS 66215
30. Kevin Sauer, Lawrence, KS 67049
31. Kansas/Missouri DREAM Alliance, Kansas City
32. Orlando Gallardo, Kansas City, MO 64127
33. Diana Martinez, Overland Park, KS 66205
34. Erin Fleming, Lawrence, KS 66044
35. Miro Heyink, Kansas City, KS 66104
36. Melissa Ford, Wichita, KS



204 SW 8TH AVE • TOPEKA, KANSAS 66603 • PHONE 785-227-9247 • FAX 785-861-7438 • WWW.KSCATHCONF.ORG

## **Statement on Proposed Immigration Legislation By the Catholic Bishops of Kansas**

**March 10, 2011**

### **House Judiciary Committee Hearing on HB 2372**

We recognize and fully support the rule of law in order to promote the common good of all citizens. We also recognize the right and duty of the State (in this case the Federal Government) to control our national borders and to regulate the flow of immigrants into our Country. We are nonetheless painfully aware of the fact that our immigration system is broken. Ineffective immigration laws and inconsistent application of them have resulted in making it unreasonably burdensome for many to immigrate legally into the United States, while at the same time allowing millions to enter illegally.

In this light, rather than insist on the enforcement of an ineffective system, we would plead for broad reform. With respect to the oft-cited need for border control, we would urge the Federal government in the most humane way possible to solve this issue and then move expeditiously to expand significantly the opportunity for legal immigration.

Attempting indiscriminately to punish undocumented immigrants currently in the United States can only result in chaos for our nation. Why would we expel hardworking, family oriented, God-fearing, and otherwise law-abiding members of our society who have come to acquire those things needed for basic human dignity? Our country would stand to benefit, for example, by their providing a much-needed labor force and by young workers contributing to the Social Security system.

We find particularly objectionable the portion of the bill that would potentially criminalize the offering of assistance to a person here illegally by a representative of a church. We do not believe that a church should be held liable for ministering to an illegal immigrant in material and/or spiritual terms.

House Judiciary

Date 3-10-11

Attachment # 32

MOST REVEREND MICHAEL O. JACKELS, S.T.D.  
DIOCESE OF WICHITA

MOST REVEREND JOSEPH F. NAUMANN, D.D.  
*Chairman of Board*  
ARCHDIOCESE OF KANSAS CITY IN KANSAS

MOST REVEREND JOHN B. BRUNGARDT, D.D.  
DIOCESE OF DODGE CITY

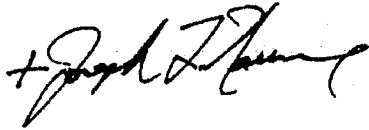
VERY REVEREND BARRY E. BRINKMAN, J.C.L.  
DIOCESAN ADMINISTRATOR - DIOCESE OF SALINA

MICHAEL M. SCHUTTLOFFEL  
EXECUTIVE DIRECTOR

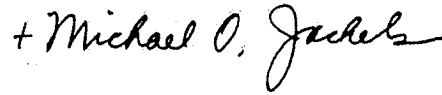
The full scope of our immigration system is so dysfunctional that it cannot be "fixed" by simply insisting that people go home and take their place in line, or by criminalizing productive members of our national, state and local communities. The United States and Kansas can and must do better.

Thank you for your consideration.

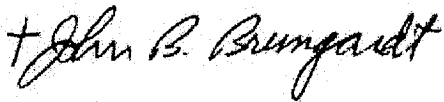
Yours in Christ,




Most Reverend Joseph F. Naumann  
Archbishop of Kansas City in Kansas



Most Reverend Michael O. Jackels  
Bishop of Wichita



Most Reverend John B. Brungardt  
Bishop of Dodge City



Very Reverend Barry E. Brinkman  
Diocesan Administrator of Salina

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



1420 SW Arrowhead Road • Topeka, Kansas 66604-4024  
785-273-3600

Testimony before the  
**House Judiciary Committee**  
on  
**HB 2372**

by  
**Jim Edwards, Assistant Executive Director for Operations**  
Kansas Association of School Boards

**March 10, 2011**

Mr. Chairman, Members of the Committee:

I thank you for the opportunity to appear today on **HB 2372**, a measure which would mandate that all employers use the E-Verify program. Because of the expected increased costs of using E-Verify during a time period when school districts are experiencing drastic cuts in revenues, KASB appears as an opponent of the bill.

Many believe that the E-Verify program is free. However, according to a recent article in Bloomberg News, employers spent an estimated \$95 million in fiscal 2010 to participate "for free" in E-Verify. It further highlighted the fact that this figure was for the 4 percent of the businesses that used it. It also found that businesses with fewer than 500 workers have, and would continue to bear the greatest cost burden because the fixed costs are spread over fewer hires. The Bloomberg report concluded that E-Verify cost small businesses enrolled in E-Verify in 2008 an average of \$127 to run each new hire query compared with \$63 for all firms. Projected outward, Bloomberg calculated that those figures would be \$147 and \$73, respectively. To put this in perspective, all but 31 of the Kansas school districts employ less than 500 persons.

This bill would mandate that schools accept this additional financial burden during a time when the state has reduced funding for district general fund budgets plus special education from \$3.226 billion in FY 2009 to \$3.035 billion this year and \$2.948 billion next year under the Governor's budget - a three year decline of \$278 million or 8.7 percent. Per pupil funding has dropped from \$7,277 to \$6,474, or 11 percent under the Governor's FY 12 budget.

Thank you for your consideration, and we would encourage you to vote no when this bill is considered due to the mandated costs of implementation and continued use.

House Judiciary  
Date 3-10-11  
Attachment # 33

D

This Republican, Business Owner, Military Family, College Graduate, Tax Payer, Compassionate Conservative, JRTOTC and ROTC Parent, would like to see Kansas Shine with **AD ASTRA for High School and College Graduates**, instead of bringing SHAME on our State with HB 2372. STOP HB 2372.  
Isn't having the Phelps in Kansas enough hate?

## **AD ASTRA FOR KANSAS HIGH SCHOOL AND COLLEGE GRADUATES**

**MILITARY:** The FY2010-12 Strategic Plan for the Department of Defense's Office recommends passage of the DREAM Act, in order to help the military "shape and maintain a mission-ready All Volunteer Force." According to former Secretary of the Army, "The DREAM Act will materially expand the pool of individuals qualified, ready and willing to serve their country in uniform... I have no doubt many of these enlistees will be among the best soldiers in our Army." We are looking at a draft if we don't get our enlisted numbers up, and we are called to defend our Nation in a conflict.

*Every Branch of the Military and our JROTC and ROTCS Support a Pathway to Citizenship for Undocumented US High School Graduates.*

Undocumented US high school grads/GED should be able to immediately enlist in any branch of the Military, and have their status adjusted to MILITARY SERVICE. At the completion of three years of honorable active duty serve in the US Military, or six years honorable service in the National Guards, enlistees status would be automatically be adjusted to US Citizen.

If enlistee is injured in the line of duty and unable to fulfill their service time their status due to said injury, enlistees status would immediately be adjusted to US Citizen.

If there is a documented major hardship, (serious illness, death of spouse with minor children in the home), and enlistee is unable to fulfill their duty, enlistee may apply for a waiver and hearing before an immigration judge to be temporarily or permanently adjusted to GUEST STATUS until said hardship is resolved.

Good neighbor non-citizen spouses and children of all military personal, regardless of enlistees status, would be adjusted to LEGAL RESIDENT during duty period, and military spouse and children would be eligible for citizenship when enlistees status adjusts to US Citizen.

**PUBLIC SERVICE:** If we profess to be the Bible Belt, we need to practice what we preach! Who is our Neighbor? WWJD??

*True Kansans Rally to Help Those in Need.*

Undocumented US high school or college graduates may immediately apply to serve in the US Peace Corp or US Red Cross, and would be granted PUBLIC SERVANT STATUS if accepted. After six years of honorable service, they would be eligible to apply for US Citizenship.

**FAMILY MATTERS: THE SANCTITY OF LIFE DOES NOT END AT BIRTH!**

House Judiciary  
Date 3-10-11  
Attachment # 34

*Kansans are Compassionate and Believe in Families First!*

If a US citizen is legally married to an undocumented US high school or US college graduate, the undocumented spouses status would be eligible to be adjusted to LEGAL RESIDENT, and said spouse would receive a social security number. After three years of a documented legal marriage, spouse would be eligible for adjustment to US Citizen. All children from such marriage, either natural or legally adopted that are financially supported by said US citizen would also be eligible for status adjustment to US Citizen. Hardship matters that may arise during the marriage would be eligible for a hearing and special adjustment before an immigration judge.

**HOT JOBS: Why send some of our best and brightest out of our State? We can prepare for the baby-boomers to retire by boosting the workforce. Arizona is losing travel, tourism, and industry because of their bill similar to HB 2372. Why bring this financial burden to Kansans?**

*Kansans Glean the Competitive Edge for High Demand Employers and Employees.*

All undocumented US College Graduates who have completed skills and training that are highly marketable may apply to have their status adjusted to SKILLED GUEST WORKER. After six years of successful documented employment history, a guest worker may apply to adjust their status to LEGAL RESIDENT, and then becomes eligible to begin the citizenship application process if so desired. No tax-payers assistance is available during said process until citizenship is obtained.

**EDUCATION: Our universities are removing border tuition to attract students that they are competing for, why would we remove Kansas high school graduates who pay sales and local taxes and feed our economy?**

*Knowledge Grows our Colleges and Universities and Gives Root to Future Kansans.*

All undocumented US high school graduates who are eligible and accepted to attend college, and are in the process of obtaining higher education may apply to have their status adjusted to GUEST STUDENT. Upon graduation and completion of degree, guest students status can be adjusted to SKILLED GUEST WORKER. After six years of successful documented employment history, guest worker would be eligible to apply for LEGAL RESIDENT and then would be eligible to begin the citizenship application process if so desired. No tax-payer assistance is available during said process until citizenship is obtained.

**FEES and POLICY: You can be both compassionate, and fiscally conservative.**

*Kansas Creates Increased Revenues, Increases the Number of Taxpayers, while Reducing the Burden on Current Taxpayers.*

APPLICATION FOR STATUS ADJUSTMENT: \$500 PER EACH STATUS ADJUSTMENT,  
\$100 for for Military, Military family and Volunteer Status.

YEARLY RENEWAL: \$50 for volunteers, \$100 per year for guest students, \$500 per year prepaid/discounted (or \$50 per month autodraft) for skilled guest workers. Yearly renewal fees waived for military and their families. Requires proof of status requirements are being successfully met.

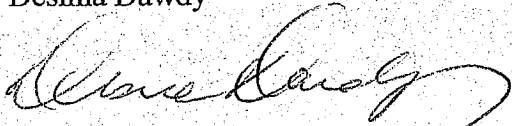
MONTHLY FEES: Everyone except Military and Volunteer Status groups, must provide proof of auto liability insurance and major medical insurance at renewal or application, or agree to pay a monthly fee of \$100 per month for group coverage. If said coverage laps, yearly renewal will not be re-issued until situation is resolved, and further annual renewals will need to be prepaid at \$1500 per year.

CHAIN MIGRATION: No public assistance is available to relatives sponsored by anyone who has their status adjusted in the above manner.

GOOD NEIGHBOR: All applicants must pass a background check, be of good moral character, have valid documentation to support status adjustment, along with sponsorship by a minimum of two legal residents.

Please let Kansas Shine with Ad Astra Bill for High School and College Grads, and do not bring Shame on our State STOP HB 2372.  
Call and/or email the following along with your reps, and those who would care.

Desima Dawdy

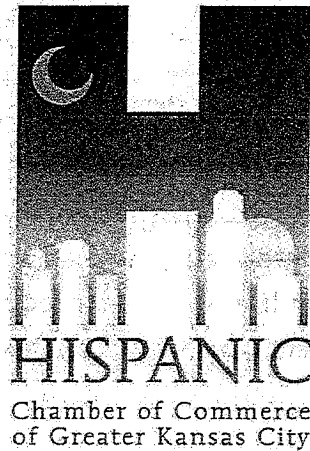


[http://kslegislature.org/li/b2011\\_12/year1/committees/ctte\\_h\\_jud\\_1/](http://kslegislature.org/li/b2011_12/year1/committees/ctte_h_jud_1/)

← Stop this bill!

3-9-11





March 10, 2011

Chairman Kinzer and Honorable Members of the House Judiciary Committee,

Thank you for the opportunity to share this testimony in opposition to HB2372. The Hispanic Chamber of Commerce of Greater Kansas City is dedicated to the creation, advancement, promotion and development of economic opportunities within the Hispanic market and business community. We advance these goals by working closely with entrepreneurs and business leaders, bridging gaps between communities and supporting policies that enhance our shared prosperity.

HB2372 is concerning to the Hispanic Chamber of Commerce, and to our member businesses, for several reasons. First, it would be very costly. All businesses are concerned about Kansas' fiscal shortfall, and about the kinds of policies the state may have to consider in order to fill the nearly \$500 million gap for the coming fiscal year. The state cannot afford to throw money away on legislation like HB2372, which, in addition to inevitable, prolonged litigation, would cost state and local governments millions in new personnel and verification costs, as well as distracting them from their core missions.

HB2372 is also costly to business. The Hispanic Chamber of Commerce is committed to workable immigration reform and recognizes well the broken status quo. But HB2372 makes a bad situation much worse, both by exacerbating Kansas' budget woes and by forcing many employers to use the flawed E-verify system. E-verify, in addition to failing to detect many workers not authorized to work (an independent audit found

that 54% of unauthorized workers were incorrectly verified), which gives employers a false sense of security and can depress other, more accurate efforts to ascertain legal status, will further disadvantage law-abiding employers, while unscrupulous competitors exploit desperate immigrant workers. E-verify can also unfairly screen out authorized workers, including U.S. citizens, given the system's errors, and, despite the assurances of HB2372 that employers would not be liable under state law for unfair terminations, they would still be vulnerable under federal law. As with most regulations, the burdens of E-verify would fall disproportionately on small businesses, for which absorbing the costs associated with E-verify would be more difficult.

HB2372 relies on an inaccurate understanding of the role immigrants play in our society and our economy and creates the appearance of doing something about illegal immigration, without making any positive contributions to this critical national debate. The Hispanic Chamber of Commerce of Greater Kansas City will continue our work with our congressional delegations to reach compromises on realistic immigration reform in the best interest of us all. We invite the Kansas Legislature to join us in that effort, and respectfully urge you to oppose HB2372.

Sincerely,

Carlos Gomez

March 10, 2011

Chairman Kinzer and Honorable Members of the House Judiciary Committee,

My name is Lalo Muñoz. I am a lifelong Topeka resident, a Kansas taxpayer, and a U.S. citizen. I also, in my capacity as the Executive Director of El Centro of Topeka, have the opportunity to work alongside immigrant families every day. All of these perspectives shape my strong opposition to HB2372.

I believe that HB2372 is motivated by a sense of frustration with our nation's broken immigration laws. As someone charged with helping hard-working immigrants navigate a costly, complex, and often hopeless maze in their quest for U.S. citizenship, I see that brokenness every day.

The truth is, though, that HB2372 won't do anything to anything to fix our immigration system. Instead, it's a costly, ill-conceived, and potentially dangerous distraction from the serious challenges facing our state that, rather than taking us closer to an immigration system we all dream of, may well become a nightmare for the people of Kansas.

HB2372 would be very expensive. We can't know exactly how expensive; indeed, this legislation does not even attempt to account for the costs to be incurred by local units of government, law enforcement, detention facilities, businesses, and other entities. Kentucky's recent fiscal analysis of its similar legislation put the estimated costs at \$90 million, with hoped-for savings of \$50 million, for a net implementation cost of more than \$40 million, *without* including the inevitable legal defense costs. Given that Kansas has a larger estimated unauthorized immigrant population and almost 200 more municipalities, which would be charged with implementing such legislation, our costs could easily exceed this. Even at smaller dollar figures, the lack of impact of HB2372 makes it an empty political statement Kansas cannot afford, especially not this year.

HB2372 would be unwise. Parts of the legislation, as you've heard today, are nearly identical to language currently enjoined by federal court after legislative passage in Arizona. Other pieces, while perhaps not against the law, are just bad policy. We're all safer if local law enforcement bodies have strong, cooperative relationships with immigrant communities and the resources they need to focus on criminal threats. Requiring local police to take on enforcement of federal law and to perform "immigration officer functions", as HB2372 would do, works against the goals of sheriffs and police departments across this state.

And parts of the legislation are so broadly written as to leave considerable doubt as to their true effect. Where is the list of benefits that local governments would be required to screen using the Systematic Alien Verification of Eligibility System? Are marriage licenses included? What about school lunches? What about essential public health services? Or domestic violence shelters? SAVE is not free—how would local governments absorb these transaction costs? And, without a comprehensive list of the requirements, responsible entities would be assuming a tremendous risk, given the legal

liabilities and fines assessed if they fail to comply adequately. Section 3, on "aiding and abetting" is similarly concerning. Are landlords "harboring" undocumented immigrants? What about homeless or domestic violence shelters, the latter of which certainly attempt to shield residents from detection?

Immigrants are part of the solution to what ails Kansas today, and, with a workable federal infrastructure, immigration can continue to work for our state the way it has since its origins. The problem lies in Congress' failure to do what the vast majority of the American people demand: reform our immigration laws so that every immigrant can be a legal one, employers can legally hire the workers our economy needs to drive growth forward, and communities need no longer live in fear. That's Congress' job. The job of the Kansas Legislature, as I know you take to heart, is to pass policies that accountably spend the tax dollars of working Kansans, responsibly address our most serious challenges, and focus on real solutions instead of trying to score political points. For all of those reasons, it is essential that you oppose HB2372.

Sincerely,

Lalo Muñoz

**From:** Patrick Austin Freeland  
155 Indian Avenue, Box 665  
Lawrence, KS 66046

**To:** Kansas House Judiciary Committee  
300 SW 10th Ave # B  
Topeka, KS 66612-1591

Heces Ce,

My Name is Patrick Austin Freeland and I am Wind Clan of the Mvskoke Nation. I'm speaking to you today, not as Student Body President, but as a student of Haskell Indian Nations University. I thank you for the opportunity to address the house today regarding House Bill No. 2372.

This particular Act concerns immigration, specifically the authority for law enforcement to detain suspected illegal immigrants, as a method to ensure the security of US citizens, and legal aliens, to gain employment in Kansas. I would like to address the impact of this bill, particularly the underlying rhetoric contained in the language which mandates that "Upon any lawful stop, detention, or arrest made by the state, county or city law enforcement officer . . . where reasonable suspicion exists that the person is an alien and is unlawfully present in the United State, a reasonable attempt shall be made, when practicable, to determine the citizenship and immigration status of the person, except if the determination may hinder or obstruct an investigation. Such determination shall be made by contacting the federal government pursuant to 8 U.S.C 1373 © and relying upon verification provided by the federal government." Should suspicion exist, an officer of the law may take an alleged alien into custody and determine status. However, what is reasonable suspicion? Is it the language spoken? Is it the color of skin? Is it the style of dress? Or, is it simply the lack of state or federal identification? While the bill seemingly addresses these concerns, in that "A law enforcement official or agency may not consider race, color or national origin in the enforcement of this section," realistically these sorts of considerations are made all the time.

Several Haskell students have recounted times in which they were questioned by law enforcement, with the immediate assumption that they were "Mexican." In a perfect world, this bill would be easy to enforce. Racial profiling happens all the time. So I ask you, does this bill truly address a problem and provide an active solution? Or does the political impact of the language serve to further isolate and ostracize the minority populations, particular the 10.8 % of Hispanics in Kansas or the 1% of Native Americans?

Perhaps a simpler method could be employed which would accomplish the goal of this bill without the underlying animosity that this bill would generate. New Section 1 stipulates public employers to participate in the e-verify system to assess the legality of their employees. Why not all employers of the state? If the ultimate goal is to ensure the job security of US citizens in the State of Kansas, this would be the most direct method. Why offload the responsibility of verifying status of illegal immigration to law enforcement, only after detention of suspected illegal immigrants? E-verify, as I understand it, is a free program that takes only minutes per employee to verify.

Ladies and Gentlemen, I do appreciate your time. I would like to offer this alternate perspective. Rather than introducing legislation as a reaction to fear, why not instead focus on that which would promote unity, and genuine compassion for all people? My father always told me that in life, you are given opportunity, and that some of thee opportunities may only come around once. Ladies and Gentlemen, we have an opportunity to be an example to the rest of the nation, and even the world, a chance to say. We care about our fellow human beings, and we will do everything in our power to ensure that justice be served and that all are treated with respect.

In Service and Friendship, MVto

Patrick Austin Freeland

House Judiciary  
Date 3-10-11  
Attachment # 37

**March 10, 2011**  
**House Judiciary Committee Testimony**  
**In opposition to HB 2372**

Good afternoon. I am **Michelle Cuevas-Stubblefield**  
A lifelong resident of Topeka, Kansas

Thank you for your time, energy and commitment to improving the lives of all who work and live in Kansas.

I have concerns with every section of the HB 2372 however, I will concentrate my testimony on Section 1 of the bill. I would like to recognize a December 2010 report by the (GAO) United States Government Accountability Office - The title of the report: "Federal Agencies Have Taken Steps To Improve E-Verify, but Significant Challenges Remain."

The followings are statements within the report worth mentioning.

In the very first paragraph of the report it states:

*"...E-Verify errors persist. ... if an authorized employee's name is recorded differently on various authorized documents, the E-Verify system is to issue a (TNC) Tentative Non-Confirmation for the employee. These such TNCs are more likely to affect foreign-born employees, they can lead to an appearance of discrimination." The (USCIS) U.S. Citizen and Immigration Services has not disseminated information to employees advising them on the importance of consistently recording their names on documentation provided to employers..."*

*"Furthermore, E-Verify remained vulnerable to identify theft and employer fraud."*

In the second paragraph it states

*"...employees are limited in their ability to identify the source of and how to correct information in DHS databases that may have lead to an erroneous TNC. To identify and access the source of the incorrect data, employees must use methods such as Privacy Act Request, which, in fiscal year 2009, took an average of 104 days." The DHS - Department of Homeland Security acknowledged the process for correcting records could be improved."*

The report also states

*"Employees may be vulnerable to discrimination under E-Verify if, for example, employers engage in practices prohibited by E-Verify, such as limiting the pay of or terminating employees who receive TNCs, or prescreening job applicants."*

The DNS has very little recourse for addressing issues of discrimination. This program has poorly defined methods for an individual correcting their information with the varied databases and agencies.

E-Verify is a costly program that has not been adequately funded, not properly administrated, poorly trained, and without clear procedures for correcting erroneous TNC's or with protection and recourse from employer misuse of the program.

On my drivers license my first name is spelled with one "L" because I have never been able to get them to change it.

A 2009 report indicated that driver's licenses were presented as one form of identification in 53 percent of the cases resulting in TNCs.

All workers documented or undocumented are at risk of not obtaining employment by being involved in a program that has significant challenges.

Communities in other states have been left with mounting debt and an image of intolerance by involving themselves with Kobachs' discriminatory agendas and for this reason alone I would ask you shut down this bill.

We are a state in need of prosperity and we should support ones willingness to live and work in Kansas. We are a community rich in opportunity and this is not the time to make it more difficult and more costly for anyone to find prosperity in Kansas.

I oppose HB 2372 and ask you to do the same.

Thanks you for your time.

Michelle Cuevas-Stubblefield  
4811 NW Redwood Drive  
Topeka, Kansas 66618  
785.213.5543

March 10, 2011

**Statement to the Kansas House Judiciary Committee in re: HB2372**

In keeping with the principles of our Unitarian Universalist community and the values of our congregation, we, the undersigned speak in opposition to HB2372 "Requiring verification of employment eligibility and making other amendments concerning immigration."

We join other religious and secular persons and groups who call for correcting this immoral, as well as unconstitutional, proposal.

We oppose HB2372 for the following reasons:

HB2372 punishes citizens, including members of helping professions, whose codes of ethics require them to respond to human need.

HB2372 imposes, at great cost to the state of Kansas, a police regime to address complex issues that require national legislation. It will cost Kansans cash, community, credibility, and commerce. Kansas Secretary of State Kobach has made a national career out of proposing such legislation. Arizona has already passed such an act and is now engaged in costly judicial proceedings with the Federal Government over its constitutionality.

HB2372 brings state and local law enforcement into an area of Federal jurisdiction and would bring bad Arizona precedent into Kansas.

HB2372 is inhumane, immoral, deeply mean-spirited, and is a violation of human rights.

HB2372 is contrary to the basic foundations of the state of Kansas, which was born in the struggles of Bleeding Kansas as it spoke to the rights of all under the law, and is unworthy of the people of the great State of Kansas.

For these reasons, we call upon this House Judiciary Committee and the Kansas Legislature to reject HB2372.

We will continue to respond to the needs of families of undocumented people and will encourage other like-minded religious congregations, friends, and family members to do the same.

Susan Cooper, Chair of UFL Social Action Committee  
Jake Kipp, Chair of UFL  
Jill Jarvis, UFL Minister

House Judiciary  
Date 3-10-11  
Attachment # 39



## House Judiciary Committee Members

I would like to speak in opposition to House Bill 2372. Recently the Kansas Legislature passed a bill disallowing undocumented students who graduated from an accredited high school from receiving in-state tuition at a Kansas Regent College or University. Now HB 2372 goes even further when dealing with these undocumented students by placing the burden of a felony on those who attempt to help these individuals.

I want to ask you three questions. First: Is the intent of this bill to thrust upon educators the label of felony criminal. As an educator this bill would make it a felony if I as an educator transported or provided food for a student who was undocumented. As an educator I do not ask students to show me documentation upon entering my classroom. I teach the students who come thru my door and I am glad to have that opportunity regardless of their sex, age, race, or their documentation. As a coach or activities director I would be in violation of this proposed Bill. Is that your intent!

My second question is as a volunteer in the community would I be in jeopardy of committing a felony crime if I worked (volunteer time) at a mission feeding undocumented individuals even if I knew they were undocumented? Is it your intent to make felony criminals out of those who volunteer in this State?

My third question regards the efforts of Good Samaritans who might offer medical aid to someone in need. Would this Good Samaritan first have to inquire whether or not the individual whom they are about to help is a documented citizen or risk the liableness of a felony conviction?

I believe you will speedily agree with me that you do not want any of the above scenarios to occur. The ramifications of this bill are large. I urge you to quickly reject HB 2372 because of it possible long range effect.

Thank you for your time and for allowing me to address this committee.

Stephen Germes  
3424 SW Skyline Parkway  
Topeka, Kansas

*Stephen Germes 3/9/11*

House Judiciary  
Date 3-10-11  
Attachment # 40

To: Chairman Kinzer and Honorable Members of the House Judiciary Committee  
From: Kim Morse Córdoba  
Date: March 10, 2011  
Re: HB2372

I thank you for this opportunity to speak with you about HB2372. My name is Kim Morse Córdoba. I am a native Topekan and the spouse of a naturalized citizen. Our children are Hispanic, among the 64 percent of Hispanic Kansans born in the United States.<sup>1</sup>

My comments are brief out of respect to you and to my colleagues who will also testify against HB2372. I will limit my comments to fiscal responsibility and HB2372. It is in our fiscal best interests to understand the economic contributions of Hispanics to the state's annual budget. The median income of Hispanics in Kansas is \$20,368.<sup>2</sup> Families spend approximately 35 percent of their annual income on food, clothing, and gas, subject to sales and other user taxes.<sup>3</sup> Using the 7.5 percent sales tax rate, each Hispanic Kansan, on average, contributed \$534.66 to state coffers each year in recent years. If we multiply that number by 300,042, the number of Hispanics in Kansas according to the 2010 census, constituting 42 percent of the state's population growth since 2000, we know that Hispanic Kansans contribute approximately \$160,420,455.72 to the state's budget each year in sales tax alone.<sup>4</sup>

In an era in which elected representatives are called to safeguard the fiscal best interests of all Kansans, bear in mind that we cannot afford to lose any income to any policy that has the effect of making any immigrant feel less than welcome in Kansas. HB2372 adds millions to the state's budget in implementation costs, legal fees, and ongoing expenses incurred in programs like SAVE. HB2372 could well reduce a growing revenue stream for the state, of late worth approximately \$160,420,455.72 a year in sales tax alone. I urge you to honor your oath as stewards of the public trust and act in the fiscal best interests of all Kansans, including me, my husband, and my children.

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<sup>1</sup> Pew Hispanic Center, "Demographic Profile of Hispanics in Kansas, 2008," <http://pewhispanic.org/states/?stateid=KS>.

<sup>2</sup> Ibid.

<sup>3</sup> "Income vs. Gas Prices, An Update," *Wall Street Journal*, August 4, 2008. <http://blogs.wsj.com/economics/2008/08/04/income-vs-gas-prices-an-update/>; K-State Research and Extension, "What Percent of My Income Should I Spend on Housing, Clothing, Food, and So On?," <http://www.extension.org/faq/1634>.

<sup>4</sup> "2010 U.S. Census Data Shows Kansas Hispanic Population Grew by 59 Percent." *Lawrence Journal World*. March 3, 2011. <http://www2.ljworld.com/news/2011/mar/03/kansas-hispanic-population-grows-59-percent/>.

Testimony in opposition to HB 2372 before the House Judiciary Committee:  
March 10, 2011

I produce a weekly column on the internet called "Caminos." In those 6 years, story after story in the column tells of Mexican Americans suffering discrimination in the state of Kansas. In spite of this stress in the 40s and 50s they went on to perform outstanding in the military and when they came back to Kansas.

One of the most bigoted and discriminating cities was here – Topeka! I have here today a Mexican American guest who almost died in the Korean War and came back to face discrimination again in his hometown Topeka. When will it all end; for people such as he? The HB 2372 has the Hispanic American as a target. HB 2372 is a citizen's rights issue.

Many of our Mexican American senior citizens such as myself do not wish to have to prove ourselves all over again. Why should we have to look over our shoulders now? I was born in Kansas and voluntarily served in the U.S. military in the early 60s. At this stage in my life, I resent any law which gives permission to city police to stop me and then ask for my proof of citizenship.

In my opinion state legislators should be working on improving the economic situation of the state instead of trying to control the movement of Hispanics such as myself.

In the 40s and 50s Mexican Americans could not go into any restaurant and be served – even if they wore a U.S. military uniform. That also included white-owned barbershops. In the 40s and 50s even the Catholic Church in some instances would only allow us to attend certain Catholic churches. Many of us remember when we had to prove that we were good Americans. We even had to prove that we were worthy of entering a church. Today I ask that you not require us to prove ourselves all over again.

Nine-year old Brisenia Flores was murdered in her home in Arivaca, Arizona in May 2009. She pleaded for her life "Please don't shoot me," right before she was shot – point blank, in the face – by a member of the Minute American Defense Corps (MAD). The shooter also killed the girl's father and was recently sentenced, but was regarded as mentally unbalanced. How many more mentally unbalanced people are out in our state with guns, ready to shoot at anyone who has a brown skin?

Rudy Padilla – 8531 Lamar Ave. Overland Park KS 66207 - (913) 381-2272

To view the "Caminos" articles each Wed. afternoon – go to [www.kansascitykansan.com](http://www.kansascitykansan.com)

House Judiciary  
Date 3-10-11  
Attachment # 42

## WRITTEN TESTIMONY IN OPPOSITION TO HOUSE BILL NO. 2372

To: The Honorable Lance Kinzer, Chairperson  
Members of the House Committee on Judiciary

From: Captain Thomas Hongslo, Patrol Commander, Lenexa Police Department

Date: March 8, 2011

RE: House Bill 2372 – Kansas Immigration Bill

Thank you for the opportunity to submit written testimony regarding HB 2372. The Lenexa Police Department has concerns with HB 2372 regarding the enforcement of immigration laws by local law enforcement. The Lenexa Police Department opposes HB 2372 for the following reasons:

- **Section 2 (c), (l) - Illegal Immigrant Status Verification**

This bill states that law enforcement officers shall determine the immigration status of the person if reasonable. However, there is not an easily accessible database where an officer can submit a name and determine the legal status of the person contacted. The only database that contains this information is with the United States Customs and Immigration Services. This database identifies only immigrants that are in the country legally and those previously cited for breaking immigration laws. The database would have no record of someone that simply crossed the border illegally. An inquiry into the database is made by a police dispatcher. The response time to get the results from the inquiry varies, and can take a substantial amount of time. Short of an admission by the person contacted, this is the only source of evidence for an officer make a decision on their immigration status. In fact, according to this bill, even the admission that one is an illegal alien is not acceptable and must be verified by the federal government. The time and difficulty associated with this inquiry will likely result in civil litigation to determine what a reasonable time is to detain a subject when the sole purpose of the detention is to verify their immigration status. HB 2372 does not, and cannot, shield the City from civil liability in this situation.

As did similar measures in Arizona, HB 2372 will create the perception that only certain populations or persons of a particular national origin will be investigated, and therefore "targeted" by police. Reasonable suspicion is a very low threshold. The Bill provides that an officer may not consider race, color or national origin in implementing the requirements of the bill and further provides four documents that create a presumption of legality, if presented to the law enforcement officer, but provides no guidance on what constitutes reasonable suspicion to inquire into legal status. This puts the police in a dilemma. Officers are trained to observe and detect behaviors reasonably relate to criminal activity. However, immigration laws, as this section proposes, rely heavily on an officer's observation of appearances, rather than behavior. Those appearances are largely in the form of color, ethnicity and or language, which is expressly prohibited by the bill and others aimed at curbing "racial profiling", and feeds a

negative perception that police are targeting a specific group. This, too, raises civil liability concerns that the bill does not address.

- **Section 2 (c), (d), (e) – Increased Cost for Local Law Enforcement**

This bill would cost law enforcement agencies in time and money. The police methods to investigate legal status are complex and costly. The investigation into the immigration status may involve computer database inquiries, phone calls, interviews and the documentation of evidence. This may include the collection of fingerprints and electronic submission.

Lenexa, like many other law enforcement agencies, has already made drastic cuts in manpower and community policing programs due to the economy. The additional time, manpower, and resultant costs associated with enforcing the provisions of HB 2372 would further exaggerate the economic issues that are already having negative consequences for law enforcement agencies.

For example, in 2010, the Lenexa Police Department had contact with 2,001 Hispanic individuals. This equates to 5.5 contacts per day and approximately 167 contacts per month. If, conservatively, 20% of the Hispanic persons contacted in Lenexa did not provide one of the four pieces of documentation necessary to create a presumption of legality pursuant to HB 2372, the Lenexa Police Department will be required to verify immigration status of approximately 30 persons a month. If it took the officer 45 minutes to make a determination on the status of the person contacted, this would account to 23 hours a month. This is over half of a full work week of one police officer's time and does not include any time necessary to contact the U.S. Bureau of Immigration and Customs Enforcement or transport those found to be in the U.S. illegally to a federal facility, nor any classroom training that would have to be conducted before the implementation of an immigrant verification process. In tight economic times such as these, the Lenexa Police Department simply does not have the resources necessary to implement the provisions of HB 2372 without significant negative impacts to the other services we provide.

- **Section 2 (e) – Transportation**

This provision of HB 2372 would have a large impact on the city courts and the police department by requiring that any illegal immigrant, who is convicted of a misdemeanor or traffic infraction in city court, would possibly be transported by a local law enforcement officer to a federal facility. This would involve more court time and officer time in the notification and transportation process. It is also very unclear on where a police department will obtain judicial authorization to transport the alien out of the state.

- **Inhibit Relationships with Hispanic Community**

This bill will inhibit community policing initiatives of the Lenexa Police Department. The Lenexa Police Department is currently working to increase the level of trust with our Hispanic community through community policing initiatives. Pursuant to HB 2372, law enforcement officers would be required to check the immigration status of crime victims if reasonable suspicion existed. This provision could create a fear of police, inhibiting people from reporting crimes or cooperating with investigations.

The goal of law enforcement should be to put programs in place that target the violent or felony crime offenders. If an individual of any race is placed under arrest for a felony crime, then the immigration status of the individual should be verified and, if the individual is found to be in the

U.S. illegally, the appropriate federal agency should be contacted. A requirement that law enforcement verify the immigration status of crime victims where the officer has reasonable suspicion that they may be illegal will deter persons from reporting crimes out of a fear that they will be deported. This is not only time consuming and costly, but runs directly counter to the Lenexa Police Department's community policing initiatives and could result in increased crime in our community.

The Lenexa Police Department urges you to consider these points and remove or revise these provisions of HB 2372 accordingly. If you need any additional information, please do not hesitate to contact me at 913/477-7260 or by e-mail at [thongslo@ci.lenexa.ks.us](mailto:thongslo@ci.lenexa.ks.us).

Thank you for your consideration.



**Testimony on:**  
**Opposition to HB 2372**

**Presented to:**  
**House Judiciary Committee**

**By:**  
**Cathy Harding, Executive Director**  
**Kansas Association for the Medically Underserved**

**March 10, 2011**

**For additional information contact:**

KAMU  
1129 S Kansas Ave., Ste. B  
Topeka, KS 66612  
Ph: (785) 233-8483  
Fax: (785) 233-8403

House Judiciary  
Date 3-10-11  
Attachment # 44

Chairman Kinzer and Members of the Committee:

Good afternoon Chairman Kinzer and members of the House Judiciary Committee. I am Cathy Harding, Executive Director for the Kansas Association for the Medically Underserved (KAMU). I write to you today in opposition of HB 2372.

KAMU was designated the Primary Care Association of Kansas by the federal Bureau of Primary Health Care in 1991 and maintains that designation today. As the Primary Care Association, KAMU represents 39 primary care safety net clinics that all share the same mission of providing health care services without regard for patients' ability to pay. The 39 safety net clinics along with their 26 satellite sites provide a total of 65 access points for people in need of health care services. Our members include public and private non-profit primary care clinics, Federally Qualified Health Centers (FQHC's) and one Federally Qualified Health Center Look-Alike.

In 2009 our 39 clinics provided care for over 223,000 underserved Kansans – a 31.6 % increase in patients in just two years (2007 – 2009). With the current economic climate in our state the number of individuals who are uninsured and underinsured will continue to rise. The patients our clinics serve are our poorest residents. In 2009, 94% of all patients had incomes below 200% of the Federal Poverty Level, and over 81% were either uninsured or Medicaid/CHIP beneficiaries.

KAMU is concerned of the potential implications to our clinics if HB 2372 is passed as proposed. It appears that this legislation would require our clinics to use eVerify for all patients served, or they would not be eligible for their state primary care grants. As you likely know given the data provided here about the poverty and insurance status of our patients, our clinics' resources are stretched so thin as to be near the breaking point. In order to use the eVerify system; these clinics will need to divert resources for additional staff for this work, leaving fewer resources to provide care for our low-income residents who are eligible for these services. The result, unfortunately, will be that our clinics will likely be forced to reduce the number of Kansans served.

Additionally, regardless of the immigration status of people residing in our state, they will seek health care services when they must. With the passage of this bill, people will be left with only one alternative – to seek health care in hospital emergency rooms, which is the most costly alternative.

Thank you, Chairman Kinzer and members of the committee, for the opportunity to provide this written testimony in opposition of HB 2372.



Kansas NOW  
Amber Versola, Lobbyist  
Phone (785) 979-1733  
lobbyist@ksnow.org

PO BOX 1860  
Wichita, KS 67201



3/7/2011

TO: Kansas House Judiciary Committee

FR: Amber Versola, Kansas NOW Lobbyist

RE: Opposition to HB 2372 – Written Testimony Only

HB 2372 is a law that Kansas can simply not afford. Our state cannot afford the financial cost of the bill. We cannot afford to compromise the integrity and trust of our law enforcement officers. Certainly, we cannot afford the negative consequences that it would have for women who are in vulnerable situations.

- Kentucky produced a fiscal note of \$88.9 million <sup>mark</sup> (\$40 million after subtracting the \$49.9 million benefit) for similar legislation. At a time when the state is considering cutting the Kansas Arts Commission, Head Start funding, community mental health centers, women's healthcare services, and more – how can the legislative body justify this?
- Sec 5 (e) of the bill makes it illegal for an undocumented person to receive any state or local public benefits. Housing is among the prohibited "benefits." Domestic violence shelters are funded through a variety of sources, including through the Family Violence Prevention and Services Act. While FVPSA mandates that the programs it funds cannot discriminate based on national origin, HB 2372 suggests otherwise. This conflict could prevent a woman who has a credible fear for her life from seeking the security of a domestic violence shelter. Additionally, trained advocates may feel ethically compromised if they are forced to deny services to a woman simply because of her current citizenship status.
- HB 2372 is an example of bad public policy that feeds the anti-immigrant public discourse. *"Batterers use a variety of tactics to isolate and intimidate an immigrant survivor, including threatening to have her deported if she attempts to reach out for help. These tactics are often reinforced by the anti-immigrant sentiment that is present in the media and throughout our society. In recent months, the increase in this anti-immigrant public discourse has made an immigrant survivor's path to safety even more daunting."*<sup>1</sup>
- Out of concern for all of its' clients and workers, shelters would then be forced to ask a woman her immigration status – even if the "wrong" answer would result in more trauma to those involved. It would even be possible that the person who knowingly "harbors" the undocumented person would be criminalized (Sec 3 (b)).
- *21.7% of battered immigrant women surveyed stated fear of being reported to immigration authorities as their primary reason for remaining in an abusive relationship.*<sup>2</sup>
- *72.3% of battered Latinas' spouses never filed immigration petitions for their wives even though 50% qualified. And those who did took nearly 4 years to do so.*<sup>2</sup>

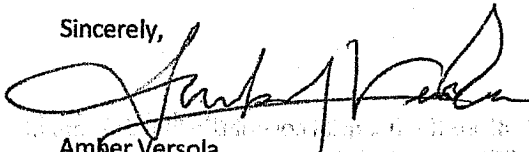
<sup>1</sup> Kansas Coalition Against Sexual and Domestic Violence, "U.S. Department of Health and Human Services Issues Reminder That Services Need to be Available to All Survivors, Regardless of Immigration Status."  
<http://www.kcsdv.org/summer10p3.html> (Mar 3, 2011)

<sup>2</sup> Dutton, M.A., Orloff, L.E. and Aguilar Haas, G. (2000). Characteristics of Help-seeking Behaviors, Resources and Service Needs of Battered Immigrant Latinas. *Georgetown Journal on Poverty Law & Policy*. 2 (2), 245-305.

- Under this legislation, more children could be separated from their mothers. Immigrant women are likely to be unable to participate in family law cases after a separation due to the threat of deportation.<sup>3</sup>

There is a human face to the cost of this bad legislation, and that face is likely to be female. This policy is not only expensive and unjust, but also inhumane. Respectfully, I request that the committee reject HB 2372.

Sincerely,



Amber Versola  
Lobbyist, Kansas NOW

HB 2372 is an example of the kind of legislation that the Legislature should not pass. It is a law that would separate children from their mothers and fathers, and it is a law that would prevent immigrant women from participating in family law cases. This is a law that is not only expensive and unjust, but also inhumane.

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<sup>3</sup> The Women's Legal Defense Fund, "Legal Momentum Joins the Court Battle to Overturn Arizona's Immigration Law." <http://www.legalmomentum.org/news-room/press-releases/legal-momentum-joins-the.html> (Mar 9, 2011)

**PRAIRIE BAND POTAWATOMI NATION  
TRIBAL COUNCIL RESOLUTION No. 2011-048**

*Ron Hein*

Prairie Band Potawatomi Nation Opposition to Kansas House Bill 2372

- Whereas:** The Prairie Band Potawatomi Nation (the "Nation") is a duly organized Indian Tribal entity, with a Constitution and By-Laws approved by the U. S. Secretary of the Interior and last amended on December 6, 2007.
- Whereas:** Under Article V of the Constitution, the Tribal Council is the Nation's governing body with enumerated powers of authority to negotiate, consult, and contract with Federal, State, local and Tribal governments, private enterprises, individuals, or organizations.
- Whereas:** Pursuant to the Prairie Band Potawatomi Constitution, the Tribal Council is charged with the duty of protecting the health, security and general welfare of the Nation and its members and of regulating law and order on the reservation.
- Whereas:** Kansas House Bill No. 2372 (hereafter "KS HB 2372") is an Act concerning immigration that appears to be based largely on the State of Arizona Senate Bill 1070.
- Whereas:** KS HB 2372 requires state law enforcement officials making a lawful stop, detention, or arrest to determine an individual's immigration status if the officer has a "reasonable suspicion" that the individual is an alien and unlawfully present in the United States.
- Whereas:** KS HB 2372 permits officers to consider race, color, or national origin to determine reasonable suspicion of illegal status when permitted by the United States or Kansas Constitution.
- Whereas:** KS HB 2372 fails to define "reasonable suspicion" and in so doing encourages racial profiling that disproportionately affects not only minority residents with legal immigration status; but also members of federally recognized Indian tribes, who are then subject to arrest if they are suspected of being illegal aliens and are unable to provide proof of citizenship or lawful presence.
- Whereas:** KS HB 2372 provides that a tribal member who can show a tribal enrollment card or other tribal identification will be "presumed" *not* to be an illegal alien; however, the Prairie Band Potawatomi Nation opposes any state law requirement *that tribal members carry proof, under threat of arrest, that they are lawfully present within their aboriginal homelands.*
- Whereas:** Although Native Americans have been present in the United States since time immemorial, many tribal members were not issued birth certificates; and tribal enrollment records and documentation are unique to each tribe throughout the hundreds of tribal nations across the United States.
- Whereas:** The Kansas Act conferred state criminal jurisdiction on the tribal reservations, KS HB 2372 may be enforced within tribal reservations, thus subjecting the tribal members to arrest in their homeland.
- Whereas:** Many tribal members maintain residencies off the reservation, travel across country to and from employment, work, school, including Haskell University; all of which put tribal members at risk and subject to enforcement of KS HB 2372 as a discriminatory law.

House Judiciary  
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**Whereas:** The Nation is a member tribe of the National Congress of American Indians (NCAI) which was established in 1944 and is the oldest and largest of national organization of American Indian and Alaska Native tribal government.

**Whereas:** NCAI approved a June 2010 NCAI Resolution opposing the Arizona Senate Bill 1070, the legislation that forms the basis of the KS HB 2372 and announced their NCAI policy of support for lawful measures for repeal and invalidation of that law.

**Whereas:** The American Civil Liberties Union and a coalition of civil rights groups filed a class action lawsuit in federal court last year on grounds that the SB 1070 violates the First Amendment and the federal law.

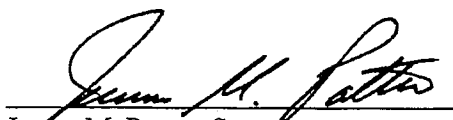
**Whereas:** The Prairie Band Potawatomi Nation endeavors to support law enforcement initiatives that protect the safety and security of both tribal members and residents throughout the State of Kansas; however, the Nation cannot support measures that are discriminatory and biased in practice and thus opposes the KS HB 2372.

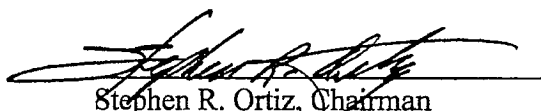
**NOW, THEREFORE BE IT RESOLVED** that the Prairie Band Potawatomi Tribal Council on behalf of the Prairie Band Potawatomi Nation does hereby oppose Kansas House Bill 2372 and supports lawful measures to repeal or invalidate it.

#### CERTIFICATION

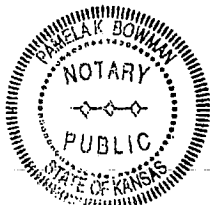
This resolution was duly adopted on the 9<sup>th</sup> day of March, 2011, at a Meeting of the Prairie Band Potawatomi Tribal Council, during which ( 7 ) members were present, constituting a quorum, by a vote of ( 6 ) for, ( 0 ) opposed, ( 0 ) abstaining, ( 0 ) absent from voting and the Chair not voting.

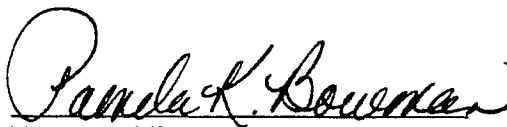
ATTEST:

  
James M. Potter, Secretary

  
Stephen R. Ortiz, Chairman

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



  
Notary Public

My Commission Expires: 08-10-2014

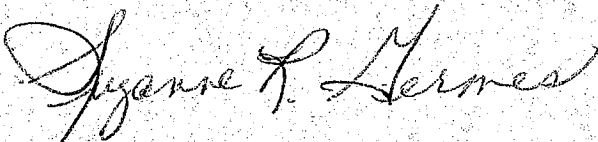
I am writing this letter in opposition of HB 2372.

As a retired KS Superintendent of Schools and former principal, I have first hand experience in educating and transporting students. In our public education system all students are educated and transported as per state guidelines. Administrators, teachers, non-classified as well as transportation personnel transport students to school and to a wide variety of school sponsored events such as athletics, JROTC and many other competitions.

Under HB 2372, educating and transporting undocumented students would certainly be problematic.

Thus, I am asking you to replace HB 2372 with AD ASTRA for KS High School and College Graduates.

Thank You .



Suzanne R. Germes

March 9, 2011

## THE GOOD SAMARITAN

As Jesus was talking to His disciples, a certain lawyer stood up and asked, "Who is my neighbour?" And Jesus answered by telling them this story:

A certain man went down from Jerusalem to Jericho, and fell among thieves, who robbed him, stripped him of his clothes, and, wounding him, left him on the road half dead. By chance there came a priest that way, and, as a teacher of religion to men, he should have stopped to help the poor man. Instead of this, he pretended not to see, and passed by on the other side of the road. Then there came by a Levite, who also, as an official of the church, should have given help. But he merely came and looked on the injured man, and passed on the other side as the priest had done.

Afterwards there came by a Samaritan, and, when he caught sight of the wounded Jew, he went over to him and was very sorry for him. Now the Jews hated the Samaritans, and were their enemies, so that it would not have been surprising if he, also, had done as the priest and the Levite did. But, no! Though it was his enemy, he could not pass him by and leave him on the road, perhaps to die. He examined his wounds and bound them up; doing all that he could to soothe them. Then he lifted him carefully on his own beast, and brought him to the nearest inn, and took care of him through the night. The next day, when the Samaritan departed, he paid the man who kept the inn, and said to him, "Take care of this poor man until he is well, and whatever it may cost for his lodging and food, that I will pay thee when I come again."

"Which of these three, thinkest thou, was neighbour unto him that fell among thieves?" The lawyer answered, "He that showed mercy unto him." Then said Jesus, "Go, and do thou likewise."



*Pastor Joan C. Postec*  
*March 9, 2011*

House Judiciary  
Date 3-10-11  
Attachment # 48

House Judiciary Committee  
House Bill 2372  
Opposed

Members of the House Judiciary Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a statewide not-for-profit association of 29 programs providing direct services to victims of domestic and sexual violence across Kansas. They provide crisis intervention, emergency shelter, 24-hour hotlines, and much, much more.

Foreign-born women and their children are particularly at risk for being preyed upon by perpetrators of sexual and domestic violence and stalking. They are a vulnerable and often isolated community. Perpetrators of domestic and sexual violence and stalking often use immigration status to keep their victims from accessing services and safety. This is true regardless of whether that victim is legally in this country or not. In the current climate, foreign-born victims are often told by their batterers that they will be deported or will lose custody of their children, never to see them again, should they reach out for help to law enforcement or to a victim services agency.

While HB2372 does allow some victims to access help by making reference to 8 U.S.C. 1621 and 8 U.S.C. 1641 (page 6, lines 15, 29-30), this Bill still creates an extremely chilling climate for victims seeking help. KCSDV is extremely concerned that a victim, even if present in this country lawfully, will not reach out for help because her abuser has provided her with false information about what will happen to her. Additionally, in order to have a "prima facie" determination of qualification for some of these federal protections, a victim must know these provisions exist and must have help in qualifying for them. So, access to these remedies must be preceded by some sort of advocacy assistance.

Additionally, New Section 3 (page 5, lines 34-42) appears to criminalize some of the most important work domestic violence programs do on a daily basis...sheltering victims in order to conceal and protect them from batterers, stalkers, or abusers. Domestic violence programs should not ask about immigration status before allowing a victim to access shelter. They should not ask about immigration status before granting permission for a victim to come to shelter from another state; a victim who may have been stalked and harassed from state to state to state. As advocates, our relationships with victims are based on a foundation of trust and safety. To immediately ask about immigration status before providing safety is contrary to the core services we provide for victims.

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Date 3-10-11  
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I am aware of at least one victim, lawfully present in this country for many years, who was told by her abuser throughout their marriage that she was an "illegal." This permanent resident victim did not seek help because her batterer told her someone would find out about her status and deport her. Had she called one of our crisis hot lines only to be asked to prove her immigration status, she would likely have hung up and continued to live in fear and danger. It was only after she was brave enough to reach out to a program and was able to talk to an advocate that she discovered she had been a lawful permanent resident for many years.

HB2372 is very broad and there are many unknowns. KCSDV has great concerns that this Bill will impede and may prohibit some of the life-saving and life-changing services programs provide every day.

While KCSDV appreciates that some exceptions have been included in this Bill, we remain concerned that many, many foreign-born victims will not seek out the assistance they need from both law enforcement officers and victim services programs should this Bill be enacted in Kansas.

Submitted by,

Joyce Grover  
Executive Director



**TITLE 8 - ALIENS AND NATIONALITY****CHAPTER 14 - RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS****SUBCHAPTER II - ELIGIBILITY FOR STATE AND LOCAL PUBLIC BENEFITS PROGRAMS****§ 1621. Aliens who are not qualified aliens or nonimmigrants ineligible for State and local public benefits****(a) In general**

Notwithstanding any other provision of law and except as provided in subsections (b) and (d) of this section, an alien who is not—

- (1) a qualified alien (as defined in section 1641 of this title),
- (2) a nonimmigrant under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.], or
- (3) an alien who is paroled into the United States under section 212(d)(5) of such Act [8 U.S.C. 1182 (d)(5)] for less than one year,

is not eligible for any State or local public benefit (as defined in subsection (c) of this section).

**(b) Exceptions**

Subsection (a) of this section shall not apply with respect to the following State or local public benefits:

- (1) Assistance for health care items and services that are necessary for the treatment of an emergency medical condition (as defined in section 1396b (v)(3) of title 42) of the alien involved and are not related to an organ transplant procedure.
- (2) Short-term, non-cash, in-kind emergency disaster relief.
- (3) Public health assistance for immunizations with respect to immunizable diseases and for testing and treatment of symptoms of communicable diseases whether or not such symptoms are caused by a communicable disease.
- (4) Programs, services, or assistance (such as soup kitchens, crisis counseling and intervention, and short-term shelter) specified by the Attorney General, in the Attorney General's sole and unreviewable discretion after consultation with appropriate Federal agencies and departments, which

(A) deliver in-kind services at the community level, including through public or private nonprofit agencies;

(B) do not condition the provision of assistance, the amount of assistance provided, or the cost of assistance provided on the individual recipient's income or resources; and

(C) are necessary for the protection of life or safety.

**(c) "State or local public benefit" defined**

- (1) Except as provided in paragraphs (2) and (3), for purposes of this subchapter the term "State or local public benefit" means—

(A) any grant, contract, loan, professional license, or commercial license provided by an agency of a State or local government or by appropriated funds of a State or local government; and

(B) any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of a State or local government or by appropriated funds of a State or local government.

- (2) Such term shall not apply—

(A) to any contract, professional license, or commercial license for a nonimmigrant whose visa for entry is related to such employment in the United States, or to a citizen of a freely

**TITLE 8 - ALIENS AND NATIONALITY****CHAPTER 14 - RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS****SUBCHAPTER IV - GENERAL PROVISIONS****§ 1641. Definitions****(a) In general**

Except as otherwise provided in this chapter, the terms used in this chapter have the same meaning given such terms in section 101(a) of the Immigration and Nationality Act [8 U.S.C. 1101 (a)].

**(b) Qualified alien**

For purposes of this chapter, the term "qualified alien" means an alien who, at the time the alien applies for, receives, or attempts to receive a Federal public benefit, is—

- (1) an alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.],
- (2) an alien who is granted asylum under section 208 of such Act [8 U.S.C. 1158],
- (3) a refugee who is admitted to the United States under section 207 of such Act [8 U.S.C. 1157],
- (4) an alien who is paroled into the United States under section 212(d)(5) of such Act [8 U.S.C. 1182 (d)(5)] for a period of at least 1 year,
- (5) an alien whose deportation is being withheld under section 243(h) of such Act [8 U.S.C. 1253] (as in effect immediately before the effective date of section 307 of division C of Public Law 104-208) or section 241(b)(3) of such Act [8 U.S.C. 1231 (b)(3)] (as amended by section 305(a) of division C of Public Law 104-208),
- (6) an alien who is granted conditional entry pursuant to section 203(a)(7) of such Act [8 U.S.C. 1153 (a)(7)] as in effect prior to April 1, 1980;<sup>1</sup> or
- (7) an alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).

**(c) Treatment of certain battered aliens as qualified aliens**

For purposes of this chapter, the term "qualified alien" includes—

**(1) an alien who—**

**(A)** has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented to, or acquiesced in, such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and

**(B)** has been approved or has a petition pending which sets forth a prima facie case for—

**(i)** status as a spouse or a child of a United States citizen pursuant to clause (ii), (iii), or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act [8 U.S.C. 1154 (a)(1)(A)(ii), (iii), (iv)],

**(ii)** classification pursuant to clause (ii) or (iii) of section 204(a)(1)(B) of the Act [8 U.S.C. 1154 (a)(1)(B)(ii), (iii)],

**(iii)** suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act [8 U.S.C. 1254 (a)(3)] (as in effect before the title III—A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).<sup>2</sup>

**(iv)** status as a spouse or child of a United States citizen pursuant to clause (i) of section 204(a)(1)(A) of such Act [8 U.S.C. 1154 (a)(1)(A)(i)], or classification pursuant to clause (i) of section 204(a)(1)(B) of such Act [8 U.S.C. 1154 (a)(1)(B)(i)];<sup>3</sup>

- (v) cancellation of removal pursuant to section 240A(b)(2) of such Act [8 U.S.C. 1229b(b)(2)];
- (2) an alien—
- (A) whose child has been battered or subjected to extreme cruelty in the United States by a spouse or a parent of the alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty, and the alien did not actively participate in such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and
- (B) who meets the requirement of subparagraph (B) of paragraph (1);
- (3) an alien child who—
- (A) resides in the same household as a parent who has been battered or subjected to extreme cruelty in the United States by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented or acquiesced to such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and
- (B) who meets the requirement of subparagraph (B) of paragraph (1); or
- (4) an alien who has been granted nonimmigrant status under section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(T)) or who has a pending application that sets forth a prima facie case for eligibility for such nonimmigrant status.

This subsection shall not apply to an alien during any period in which the individual responsible for such battery or cruelty resides in the same household or family eligibility unit as the individual subjected to such battery or cruelty.

After consultation with the Secretaries of Health and Human Services, Agriculture, and Housing and Urban Development, the Commissioner of Social Security, and with the heads of such Federal agencies administering benefits as the Attorney General considers appropriate, the Attorney General shall issue guidance (in the Attorney General's sole and unreviewable discretion) for purposes of this subsection and section 1631 (f) of this title, concerning the meaning of the terms "battery" and "extreme cruelty", and the standards and methods to be used for determining whether a substantial connection exists between battery or cruelty suffered and an individual's need for benefits under a specific Federal, State, or local program.

### Footnotes

<sup>1</sup> So in original. The semicolon probably should be a comma.

<sup>2</sup> So in original. The period probably should be a comma.

<sup>3</sup> So in original. The semicolon probably should be ", or".

(Pub. L. 104–193, title IV, § 431, Aug. 22, 1996, 110 Stat. 2274; Pub. L. 104–208, div. C, title III, § 308(g)(8)(E), title V, § 501, Sept. 30, 1996, 110 Stat. 3009–624, 3009–670; Pub. L. 105–33, title V, §§ 5302(c)(3), 5562, 5571 (a)–(c), 5581(b)(6), (7), Aug. 5, 1997, 111 Stat. 599, 638, 640, 643; Pub. L. 106–386, div. B, title V, § 1508, Oct. 28, 2000, 114 Stat. 1530; Pub. L. 110–457, title II, § 211(a), Dec. 23, 2008, 122 Stat. 5063.)

### References in Text

This chapter, referred to in text, was in the original "this title" meaning title IV of Pub. L. 104–193, Aug. 22, 1996, 110 Stat. 2260, which enacted this chapter, section 1183a of this title, and sections 611a and 1437y of Title 42, The Public Health and Welfare, amended section 1383 of this title, sections 32 and 6213 of Title 26, Internal Revenue

Dear State Senators:

I encourage you to vote no for the HB2372 bill. As a United States citizen and Kansas voter I urge the senate to not allow the bill to be passed out of the committee, because this bill would effect more than immigrants, it would effect my life as well.

I have been dating my boyfriend Javier for two years now. Javier is currently living undocumented in the United States. If this bill were to pass, it would change our relationship for the worse. Lawfully, I would be unable to drive him anywhere to go on a date, he would not be able to come visit me at school, and more seriously if there were to ever be an emergency situation that Javier needed my help, I would be unable to help him without being penalized. It is my duty as a human being to help someone in a time of need, and if this bill were to be passed, I would be penalized by the law for helping someone in need.

Over the two years Javier and I have been together my family and I have grown very close to him. We see Javier as a student with great potential, a hard worker, and a giving community member. We do not see him as an undocumented person living in Kansas. It is his character that defines him, not his documentation status. If something were to happen to Javier it would effect my life, and my family and I would be devastated. The possibility that the HB2372 bill could pass, and potentially put my boyfriend at risk of having to leave this country and leave me, makes me very worried. Furthermore, everyday he would live with the fear of being pulled over by law enforcement on the way to work or school. Javier just wants to better himself, and give his opportunities in the United States all he has. This is why I encourage you as Kansas state senators to vote no for the HB2372 bill, this bill would effect more than just immigrants living in the United States, but United State's citizens as well.

Sincerely,

Jennifer Ciszewski

March 10, 2011

TO: Chairman and Committee members

FROM: Pastor Sylvia Romero

RE: Kansas HB 2372

I am writing to you concerning this proposed bill. I am a Hispanic immigrant from Colombia, I am a United States citizen, a Kansas resident and a United Methodist pastor.

This proposed bill is of grave concern to me for the following reasons:

- I agree that our national immigration system is broken and that it needs to be fixed. However this is legislation that should be handled at the federal level, rather than state. I do not believe that this bill is the most humane or Christian way to send a message to Washington.
- Section 2 reminds me of the way the Jews were treated by the Germans in Nazi Germany with the "show me your papers". The "reasonable suspicion" will lead to racial profiling because the people targeted will be those who look like or sound like immigrants.
- As a pastor I am called to help all people for we are all God's children. In my 30 years in this country I have never been in trouble with the law. Section 3 would make me a felon for doing my job in helping the last and the least.
- Concerning Section 6, will every Kansas resident be made to carry documentation to prove that we are here legally, or are you again targeting only certain individuals?

I respectfully ask that you consider all the ramifications of this bill. As Kansas residents we all enjoy the benefits of the immigrant labor force. They grow our food, they work at our restaurants, they build our houses, they mow our lawns, they contribute to society and pay their taxes. This bill in my opinion does not address the immigration issue in a thoughtful, compassionate Christian manner.

LOVE THY NEIGHBOR MEANS LOVE THY NEIGHBOR

Sylvia Romero  
2293 W. Cothrell St.  
Olathe KS 66061

House Judiciary  
Date 3-10-11  
Attachment # 51

Chairman and Committee members.

I have been made aware of some of the provisions in this proposed legislation, and I am troubled by it. I am 75 years of age and a life long Kansas citizen. I do a lot of volunteer work through my church (Grace United Methodist in Olathe) which includes transporting people to ESL classes (English as a Second Language), also transporting people on Sunday to church, helping serve free meals to people each week, and other church activities.

I do believe God calls us to reach out and help 'the least' among us, and I believe that is exactly what I am doing. Just to set you straight, I have never been arrested, never protested, worked 40 years for a corporation, have children and grandchildren, always paid my taxes, etc.. A normal citizen.

Now as I read Section 3 of the bill - I may become a Felon! WOW really! I have no idea of the status of the people I transport on the church bus. I have no idea of the status of the people we 'aid' by feeding each week at our mission center.

Kansas residents by and large are Christian and generous and do help people, so I know I would not be alone in possibly becoming a 'felon' under your proposed legislation.

Is this really your intention?

The other part that is disturbing, is Section 2 forcing our law enforcement people to become racial pro-filers. It seems to me you are pushing the problem down to the lowest level of government, rather than addressing at your level. Some type of work permit program might be a good first step to finding a more permanent solution. If people could continue working under a state permit program, without fear, it might help bring the underground economy more into the open with an increased tax revenue for the state.

That would be more of a win-win proposition for all of us - rather than this approach of 'fear' which affects all of us. I care deeply about Kansas and the people (all people) that live here. Please think about what you are proposing. Respectfully,

Gerald L. Albright  
2293 W. Cothrell St.  
Olathe, KS 66061-6863  
gerald.albright@att.net

## Opposition to Kansas House Bill 2372

To see that the state of Kansas has joined other misguided states by proposing Kansas House Bill 2372 causes me tremendous concern.

Kansas House Bill 2372 does nothing more than permit the legal authorities to increase discrimination profiling.

Why do we continue to place all of this burden on law enforcement? Step up to the task law makers and address the real problem of immigration reform.

It takes years and a great deal of money to wait for our government to work through its complicated rules and regulations. Meanwhile people are so disenfranchised, in their own homeland, that they feel their only hope of survival is to enter another country without the proper approval.

The lengthy immigration process is broken. Immigrants feel they have to come in the back door of the United States instead of coming in the front door. No person wants to enter another country illegally but desperate people do desperate things to feed, clothe and house their families.

People of Kansas who practice any religion, believe that all of our world is connected. We cannot exist without each other. All religions acknowledge our mission is to love each other unconditionally or "love your neighbor as yourself". All religions know that if a stranger comes into your land you are to welcome them as an important guest. All religions believe that the Source is love and that love does not discriminate.

As a person of faith, I see Kansas House Bill 2372 as a polite way to justify discrimination and further advocate for a sick and broken immigration system.

I urge you to vote against this bill.

Respectfully,

Reverend Judy R. Voss  
Shawnee, Kansas



TO: Chairman Kinzer and Honorable Members of the House Judiciary Committee  
DATE: March 10, 2011  
FROM: Michelle De La Isla  
RE: HB2372

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I would like to begin by expressing my appreciation for the opportunity to speak with you regarding HB2372. I was born in New York and my background is diverse. I am part Italian, Black, Puertorrican and White. I was blessed to be raised in Puerto Rico, therefore my primary language growing up was Spanish. If you look at me, you assume I am Latina. My children are half me and half second generation Mexican born in Wichita. Just like myself, by looking at them you might assume they are Hispanic in ethnicity.

The racial profiling aspects of this bill, such as the "show me your papers" portion, and the request of verification of naturalization for constituents who are arrested begin to cross a dangerous line. Honorable representatives, we are requesting of our officers, who are already compromised with keeping our city and state safe, with an additional administrative burden they certainly do not need.

In addition we are requiring our men and women serving to ensure our safety to make "judgment" calls on people of all races. This type of bill would create in communities of people of diverse background a lack of trust in our officers that will make their crucial work much harder their work in communities across the state. Working with Neighborhood Improvement Associations across the city of Topeka I have witnessed the trust and partnership diverse communities have established with their local officers and the benefit that this has provided in minimizing blight and crime. We do not want to risk such partnerships with this bill.

We must also acknowledge that a marker of thriving communities is diversity. The investors and corporations we need in this state to push innovation and development will look for diversity. We must also realize that many of the workers who are essential to initiatives like the bioscience corridor come from diverse, immigrant backgrounds.

Our Constitution was forged by men who following believed **deeply in majority and minority rights**. We are held to the same standard to protect the right of all people, native or foreign born. I urge you to reconsider HB2372. I appeal to your sense of constitutional justice, and I appeal to you from the standpoint of a citizen whose daughters and self could be victims of profiling through this bill.

I trust your intentions are the best for our state and the constituents that have elected you to the positions you now hold. I know you'll act in the best interest of all families in Kansas, including those of diverse backgrounds just like my own and most likely yours.

House Judiciary  
Date 3-10-11  
Attachment # 54

We Kansans are mindful of the importance of our communities and of the great benefits we derive from the sincere goodwill of our neighbors. And we have found that the more goodwill we give, the more we receive in return. We pull together in hard times, like those who came before us. Whether farmers or ranchers, professionals or laborers, children or retired people, we all feel a sense of responsibility for one another...and pride for our state and our local communities that reflect our caring. We welcome visitors, invite them in, and get to know them. We seek justice for ourselves, our families and our friends; we extend the protections of our abundance to our neighbors.

Have we thought for a moment about what will be said of us when, in an enforcement situation, a child remains in the USA with its non-alien parent and is torn from the bosom of its other, "alien," parent who is deported and forbidden from ever re-entering our country? And have we thought about what we will say about one another, fellow Kansans, among ourselves when families are torn apart on our watch? And if we allow such rending of families in our midst, what will remain sacred that binds us to one another in our communities? Will such actions truly make us stronger, safer, or more committed to each other? Or will such actions leave us asking whether such irrational behavior will one day threaten us?

In Kansas, if some of us have a problem, we ALL have that problem. We don't sweep our problems under the rug or stuff them in some closet to be out of sight. Absolutely not! We open our minds to the many possibilities, our hearts to the humanity of all people, and our talents to rational analysis and empathic solutions available to us. Sometimes the solution involves doing nothing; we need to consider that. And sometimes, the solution involves the authority and will to act of others, like our federal government; we need to contemplate that, too. The poet Robert Frost said it well: "Before I built a wall, I'd ask to know what I was walling in or walling out."

This issue of immigration is complicated. It's not a neat, clean, tidy bundle of facts and figures and the automatic application of rules. It is a complex web that pulses with the stress of political lack of will to tackle complex problems in realistic and meaningful ways, and with consideration for the ever-present ethical quandary about "the right thing to do."

Now is the time to roll up our sleeves and get busy with the challenging task of deciding what's right for us - for all of us - and to implement it in ways that are fair and equitable, economic and reasonable, compassionate and ethical. The moment we dissociate ourselves, our rights and our destiny from those of our neighbors, we lose the very sense of community that establishes our freedom and ensures its continuation.

Kansas is more than the heartland; it is the heartbeat of the nation. And we are and always have been people of goodwill and common sense. There is little common sense in this piece of legislation; there is only a rush to fulfill the will of the few who have, at times, come close to convincing us that we must make a change, and make it now. We do not! We have much serious work ahead of us, and our neighbors, our friends, our co-workers and their children deserve nothing less than our circumspect consideration.

Craig L. Salvay

Prairie Village, KS

House Judiciary  
Date 3-10-11  
Attachment # 55

March 10, 2011

Chairman Kinzer and Honorable Members of the House Judiciary Committee,

If the immigration issues were easy to understand and simple to resolve, they would no longer exist. The web of considerations is complex and the possible outcomes need to be weighed in the light of our laws, of our commerce, of the lives of this generation's immigrants, and of the health and well-being of our communities. Almost all of our families were once immigrants, some in times with more prejudice and more hostility than now. Still, we persevered. Our forebears were given the opportunity to prove themselves worthy of our country and its communities.

There are those who believe that the laws governing immigration should be uncomplicated; however, any simplistic view of such regulation diminishes the humanity of the very beings that are the objects of those laws. And the laws contemplate only a few of the myriad circumstances of the human condition in this hemisphere where each nation has historically and repeatedly demonstrated the unique character of its population with regard to culture, music, industry and religious beliefs. In the Biblical story of Cain and Abel, Cain asks God, "Am I my brother's keeper." But the King James Version of the translation of the Hebrew is not quite right. The word is not "keeper" (one who watches over or tends), it is "guardian" (one with an affirmative moral and legal duty to care for and to keep from harm). In our Sunday-school classes, each of us was presented with this ethical question and had to form an opinion about it: The Biblical story required each of us, when considering others, to balance our own sometimes selfish needs against our duty to our neighbors; and in our adulthood, we have learned that everyone – all those around us in our lives – contemplate this same question while considering us.

Many of the federal laws and regulations governing immigration are ambiguous, at best, given the contexts of their origins and the often impossible and costly nature of their implementation. It seems that the drafters of immigration laws in our country may never have intended for them to be used as a sword against all who assert the right to be in the United States; instead, their drafters, at least until recently, seem to have tempered their thinking about immigration regulation with a sense of humanity requiring that those who would implement these laws exercise common sense, circumspection and compassion. Decisions about the lives of our fellow human beings demand serious consideration and our Kansas Legislature is comprised of people of serious and sincere intent to do what is right.

The program proposed by HB 2372 is estimated to cost more than \$110 million in Kansas. This estimate is based on the numbers of illegal immigrants in Kentucky (50,000) and Kansas (65,000) by the Pew Hispanic Trust, and the estimate made by the State of Kentucky of \$88 million for the raw cost of implementation and enforcement (\$88 million) in Kentucky of a law similar to Kansas HB2372.

And where will all - or even a portion - of this money come from in a year when Kansas is running a \$900 million deficit? Will we take it from job-creation, allowing our workers and their skills to move away or fall into poverty? Will we take it from the education of our children with whom we, the predecessor generation, have a sacred trust? Or will we take it from our elderly whom we promised our support after their having spent their lives in support of us and of their own parents?

This issue of dollars also extends to the potential for a very real loss of skilled labor in large industries like meat-processing and packing. Where will replacement workers be found? At what cost will they be trained?

Comments on House Bill No. 2372

To the House Standing Committee on Judiciary:

I am a fifth generation Kansan, a retired energy executive and an attorney. I respectfully oppose much that is in House Bill No. 2372. I believe the bill is ill-considered and unnecessary, and I believe that the ambiguous obligations that it imposes on businesses, law enforcement, governmental agencies, charitable organizations and even children are over-reaching, as are the uncertain risks of penalties for violation of these obligations. If enacted, this bill will create a swirl of costly litigation rather than resolution of matters of national and local concern. It will assuredly create uncertainty in corporate HR departments, municipal offices and law enforcement bodies across the state, it may well lead to higher unemployment as it arguably has in Arizona, and it will impose new costs on everyone it touches; all to what end? Until the federal government acts to craft a rational policy that resolves immigration issues nationally, the individual states should limit themselves to restrained and focused actions to address specific issues directly and uniquely affecting their citizens. This law is neither restrained nor focused.

I do not believe the bill should be voted out of committee. Indeed, I believe the Legislature would better serve the people of this state by focusing on legitimate issues that reduce the costs of government, enhance revenues, encourage job growth, improve education, and provide opportunity for improving the lives of all our residents without further extending the intrusive reach of state government. This bill does none of that and takes your time and energy away from those actions that would. My detailed objections are set forth below. If the committee does decide to favorably act upon this bill, I encourage it to reconsider, clarify and narrow its reach.

**Costs of Compliance.** Section 1(a) requires businesses contracting with the state or any municipality to use E-Verify and to sign an affidavit to that effect. While the bill calls for "provision of documentation", it is silent as to form, content and the appropriate recipient to whom it is to be provided. Regardless of that detail, this obligation will require all contracting companies to become familiar with E-Verify and assure that their personnel responsible for hiring are trained to use the system. The Department of Homeland Security offers an 82 page training manual and seminars on use of the system, so implementation of the system in the workplace will impose additional costs on all affected businesses. Also, what companies are encompassed by the phrase "award of any contract or grant in excess of \$5,000?" Does it include utilities in whose service territories "contracted" services are provided and would vendors of fuels for state vehicles be included? Is the intent to capture all entities to whom the state pays out funds or only those with contracts actually awarded through a bidding process?

In January of 2011, Bloomberg estimated that the cost of requiring all employers to use E-Verify to confirm the legal status of new employees would be in excess of \$2.7 billion per year. Only 4% of companies used E-Verify in 2010 and their added costs were estimated at \$40 million. Small businesses are particularly and disproportionately impacted because they must spread the fixed costs of complying with the program over fewer people. The 2010 cost to a small business using the system for each potential new hire was estimated to be \$147.

Homeland Security estimates it will cost it \$765 million through 2012 and Social Security Administration estimates its costs will be \$281 million through 2013 if E-Verify is mandated for all employers. Since subsection (b) of this bill obligates *all* public employers in the state to use it, all those entities will also have to bear this increased cost as well. All of those added costs will be passed to the taxpayer in the form of higher taxes or reduced services. When our local

businesses are not hiring because they are already pressed to the wall, when local government entities are cutting services due to reduced tax revenues, and when school districts such as SMSD are having to cut tens of millions of dollars from their budgets because of the current economic situation, is *this* the time for the state to impose even greater financial and administrative burdens across the board? Is the anticipated added cost to Kansas taxpayers and to Kansas businesses or agencies for adopting E-Verify an acceptable demand for the state to impose at this time? Have you performed *any* independent analysis whatsoever or sought agency input or economists' input to determine what those added costs and any countervailing benefits are estimated to be and how they are distributed? Can you share those results with the public?

Another likely outcome from passage of this bill is that unemployment in Kansas will actually rise, as it has in Arizona since passage of a similar law. This is due to the fact that use of E-Verify will force a number of people who are currently employed and paying taxes out of their jobs and into the underground economy where no taxes are paid. Employers will do what's necessary to keep their businesses going, and employees will do what's necessary to earn income for themselves and their families. Only a retooling of the broken federal immigration system can hope to fix this economic reality. This bill's attempted "fix" will only lead to additional unemployed, a reduced state and local tax base, additional costs being piled onto already financially stressed entities, unfair advantage being unintentionally given to businesses which choose to hire from the underground economy and added human misery being experienced as more people who enter that underground economy are exposed to greater risks of exploitation and injury.

**Violation Penalties.** Section (1d) provides that

“Upon the first violation... the business entity shall be deemed in breach of the contract and the state or municipality may terminate the contract and, upon notice and opportunity to be heard, suspend or debar the business entity from doing business with the state or municipality for a period of three years.”

It appears from the plain language of the bill that the state or municipality may make a determination that the contractor is in violation of the contract and terminate it without due process. At the very least, I suggest that the phrase “upon notice and opportunity to be heard” be inserted after the phrase “terminate the contract” rather than where it is currently inserted in the bill, particularly since the bill gives the state or municipality the right to exact a forfeiture as “liquidated damages” against the vendor equal to 25% of the amount of the contract being terminated. A company should certainly have the right to challenge the termination of its contract by the state or a state agency.

Under section 1(e), the bill provides that the state or municipality has the right to be awarded costs if it is the prevailing party, but what if the company is the prevailing party? Will a company have the right to seek and be awarded its costs if it prevails? The ability to be awarded costs should flow equally to both sides.

**Impact on Employees.** Section 1(f) immunizes businesses that use E-Verify from wrongful termination claims by terminated employees – period. The immunity is absolute, and that is simply wrong. What is the obligation of the employer to inform the employee of the E-Verify decision, and what if the employee has not been given an opportunity to challenge an erroneous determination? The GAO has determined that the effort to correct an erroneous TNC can take more than 90 days and has acknowledged that it can be a difficult process to pursue. It is also a

fact that E-Verify is not perfect and that approximately .8% of all queries yield erroneous tentative non-confirmation notices. With 60 million people hired annually, that's 480,000 erroneously tagged individuals. With such an error rate, shouldn't the state suggest some other avenue besides giving an automatic grant of immunity to employers in this case? This should be an issue that's left to the parties to resolve among themselves if and when a dispute arises, but if the state believes it must provide some relief to employers that it is requiring to use the E-Verify system, perhaps giving those businesses a rebuttable presumption of good faith or obligating the employee to demonstrate some higher level of employer misconduct to support an action would be a more even-handed way of addressing the issue between the parties than is a grant of outright immunity to the employer.

**Section 2.** My question with regard to Section 2(a) is what's the problem the state is trying to remedy by it? Is the state worried that municipalities are *not* following federal law under 8 USC Section 1373? Why is this subsection necessary? Is the Attorney General not already ensuring compliance?

Section 2(c) puts both law enforcement and the Hispanic population in a truly untenable position. Absent receipt of reliable independent information, how is a law enforcement official to have "reasonable suspicion" that a person is (a) an alien and is (b) unlawfully present in the United States? By the person's skin color? By the make or condition or license tag of the car being driven? By the clothes worn? By their accent or language spoken? That is a tall order for law enforcement, particularly since the bill precludes law enforcement from independently attempting to verify immigration status and from considering race, color or national origin in reaching his or her decision.



This provision perversely does seem to permit a dragnet to be carried out. People can be arrested based on this "reasonable suspicion" conclusion, and they are not to be released until the federal check is done. Even if the "reasonable suspicion" is later deemed to have been insupportable, if the immigration check showed the person was undocumented, then the lack of "reasonable suspicion" in the first place will not matter. The person will be turned over to immigration. This "the end justifies the means" result jeopardizes the civil rights of an entire group of people in our state and represents a manifold injustice which undermines respect for the law and the faith of all of us in its just application. This provision will lead many of our citizens who feel particularly targeted to distrust law enforcement, to avoid them and to be wary of supporting their efforts to enforce the laws and maintain the peace in our respective communities.

A number of the provisions of Section 2 also impose new obligations on law enforcement which will require substantial training and different courses of action by them. All that costs money. Will the state pick up those additional costs or will the municipalities? Have the additional costs, time and manpower requirements been quantified?

**Section 2(h).** This provision is wholly unreasonable. To the extent that any municipality or any official or agency of the state were to act in a manner that's arguably contrary to the clear mandates of 8 USC Section 1373, certainly the Attorney General can force compliance. You have made that clear in Section 2(a), though the Attorney General is clearly empowered to act even without adding the provisions of Section 2(a). Opening the courts to separate, perhaps frivolous, suits by individual legal residents is inappropriate given the ability of the Attorney General to challenge the claimed violation. In the case of frivolous suits, the ability of the court

to levy costs against the plaintiff will rarely be an adequate shield or remedy to compensate state agencies or municipalities for their lost time in defending themselves.

**Section 3.** This section is dangerously ambiguous and should be reconsidered for several reasons. I have no issue with seeking out and subjecting those who are trafficking in undocumented persons for profit, nor do I object to the provisions of Section 3(a)(2). As it is currently written, however, provisions of section 3 potentially criminalize American citizens whose parents are undocumented and this occurs simply by their continuing to live and interact as families. To expose the citizen to this Hobson's choice is morally wrong and certainly does nothing to promote a cohesive, civil society.


I object to the term "harbor" in Section 3(a)(1). This could be defined to include health care personnel treating a patient in an emergency room. Is that "harboring" someone? It could cover those of us who feed the indigent and provide clothing or shelter to them as part of our religious community's outreach efforts. In performing these acts of charity, we do not ask for proof of citizenship, and I am fairly certain that a number receiving our care and attention are undocumented. Are we being "reckless" in serving them? Are we or our religious organizations "persons" "harboring" these people who are in the country in violation of federal law?

Some churches are involved in assisting individuals identified as undocumented to challenge their deportation cases. They provide shelter and transportation to these individuals. Are they "harboring" or "shielding" an alien and are they doing so "recklessly?" I caution you in this particular area to recognize that the state must carefully balance its enforcement goals and objectives against religious commands that call on us to provide humane treatment to the alien in our midst and to provide care and attention to the poor, the sick, the incarcerated and the hungry,

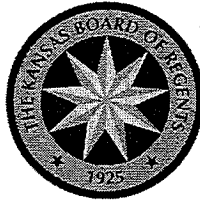
without asking for their papers. The state must not trample on religious freedoms, and I encourage this committee, to make the provisions of Section 3 clearer so that charity is not confused with profiteering and trafficking and so that citizen family members are not criminalized simply because of the status of their relatives.

**Closing.** I believe this bill should be voted down in Committee. If the Committee determines otherwise, I ask that it reconsider the specific sections of the bill I have referred to. My grandfather used to brag to me that our legislature was made up of "common-sense conservatives". Many in our state today argue that ideology has driven that "common-sense" moniker off the political stage. It is my hope that common sense prevails and that this bill will be rejected. However, if some form of this bill is a political "must have" for some people, I ask that the committee review it in a common-sense fashion and address the issues that I have raised concerning (1) the efficacy of E-Verify, (2) the costs that this measure *will* impose on all involved compared to the benefits obtained, (3) the willingness and abilities of the affected entities to bear these costs, (4) the impacts upon and the rights of wrongly-determined individuals under E-Verify, (5) the impacts of this bill's provisions on both law enforcement and on civil liberties for Hispanic persons, (6) the insupportable nature of Section 2(h), and finally (7) the dangers that ambiguous language in Section 3 create for health professionals, charities and religious organizations in fulfilling their missions and religious mandates.

Respectfully submitted,



Stephen T. Wertz  
480 Lakeshore Drive West  
Lake Quivira, KS 66217



## KANSAS BOARD OF REGENTS

March 10, 2011

Representative Lance Kinzer, Chairman  
House Judiciary Committee  
Statehouse, Room 165-W  
Topeka, KS 66612

Representative Janice Pauls, Ranking Member  
House Judiciary Committee  
Statehouse, Room 451-S  
Topeka, KS 66612

Dear Chairman Kinzer and Ranking Member Pauls:

I write to you on behalf of the Kansas Board of Regents and the state universities to express our opposition to aspects of HB 2372, proposed legislation that would substantially expand the current requirements for state universities under E-Verify pursuant to federal law. Currently, the state universities already participate in e-verify to the extent required by the federal government. However, HB 2372 covers a much broader array of contracts than the federal government's E-Verify requirements. Additionally, it is unclear whether this bill would require checks of *all* employees. If so, this is *far* beyond the requirement of the federal law. An important point to keep in mind is that state universities already have a federal requirement to do paper I-9 verifications for everyone.

State universities are already affected by E-Verify through their federal contracts and their federal I-9 requirements. The state universities provided the following examples of how HB 2372 would create costly administrative burdens for what may be little added value in light of existing E-Verify and I-9 requirements:

- Implementation of this proposed state legislation would require special procedures and account numbers to manage the contracts/awards with these requirements and it would create a significant burden for the university as a whole. Additionally, the timeline is tight – three business days from hire date or date funded on the grant.
- I have never known of an employee who could not supply documents for the I-9, which is the paper version of e-verify that we are required to do. In addition to the paper I-9s, there are background checks and, of course, visa requirements.
- The bill's broad application to any contract over \$5,000 raises concerns about getting contractors to do business with the universities. It could result in having fewer vendors competing for university business.

- It appears that this bill would require utilization of E-Verify for all new hires. I am concerned about the workload this would place on our office and student employment.

In summary, the administrative burdens would be especially heavy. Thank you for your consideration.

Sincerely,



Dr. Andy Tompkins  
President & CEO