



Written by [Raven Clabough](#) on June 21, 2010

Federal Government Set to Sue Arizona

The latest ABC news poll shows 59 percent of Americans in favor of the Arizona immigration law. Likewise, Mary McHugh of The New American noted that even before the bill is in effect, “it seems to be having an impact ahead of schedule” — causing illegal immigrants to exodus from the state.

Unfortunately for the American people, none of this will prevent the federal government from suing the state of Arizona.

In a June 8 interview with a reporter in Ecuador, Secretary of State Hillary Clinton announced just that.



Clinton told the Ecuadorian reporter, “President Obama has spoken out against the law because he thinks the federal government should be determining immigration policy. The Justice Department, under his direction, will be bringing a lawsuit against the act”.

Ironically, the Department of Justice appears to be less enthusiastic about the lawsuit. A DOJ spokesperson blandly announced, “The Justice Department continues to review the law.”

There is legal authority for the federal government to sue a state, but it is a rarity. Normally, when a state passes a controversial law, a citizen of that state will pursue a lawsuit that can be taken all the way up to the Supreme Court where the constitutionality of the law is decided, as was seen in the case of *Roe v. Wade*.

However, it’s rare for the federal government to sue a state, but it does happen. In 2007, for example, the Bush administration sued the state of Illinois for hindering a federal system meant to confirm the citizenship status of its workers.

The decision to pursue a lawsuit against the state of Arizona has several negative consequences. In addition to provoking anger from the 60 percent of Americans who support the law, the way in which Americans learned of the lawsuit has indicated a lack of transparency that the Obama administration promised. The Department of Justice did not announce the lawsuit; instead, Americans learned of it from a foreign interview with the Secretary of State.

Arizona’s Governor Brewer responded to the bombshell by saying, “To learn of this lawsuit through an Ecuadorean interview with the secretary of state is just outrageous. If our own government intends to sue our state to prevent illegal immigration enforcement, the least it can do is inform us before it informs the citizens of another nation.”

Regardless of the surprise, Brewer has declared, “We are not going to back away from this issue. We are going to pursue it, we’re going to be very aggressive. We’ll meet them in court... And we will win. The population of America agrees with Arizona.”

The Arizona law has been staunchly criticized by both President Obama and Attorney General Eric Holder, who embarrassingly admitted that despite his criticism, he didn’t actually read the 16-page bill.



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Despite the severe controversy sparked by the immigration bill, SB1070, it merely reiterates federal law by making it illegal to be in Arizona illegally. The bill, like the federal law, requires immigrants to carry documentation that verifies legal status. If engaged in a “lawful stop” with Arizona police, the detained individual is required to present said documentation. It also prohibits seeking day-labor work along the streets of Arizona.

The bill came as an answer to a solution for which Arizonians have been in search. Arizona has struggled with illegal immigration without any support or assistance from the federal government for too long. Arizona taxpayers spend \$1.3 billion annually to educate, medically treat, and incarcerate illegal aliens in the state.

President Obama met with Arizona Governor Jan Brewer a few weeks ago but little was achieved in the brief 30 minutes the President allotted for the meeting.

The law is scheduled to go into effect on July 29, barring a judicial stay, providing little time for the Justice Department to act.

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