



Obama Takes Aim at Arizona Immigration Law

President Barack Obama on Friday took aim at Arizona's strict new law aimed at curbing the flood of illegal immigrants in the state, calling the state legislation an example of "irresponsibility." Obama called on Congress to pass "comprehensive immigration reform" during a White House naturalization ceremony for 24 members of America's armed forces.



"Surely we can all agree that when 11 million people in our country are living here illegally, outside the system, that's unacceptable," Obama said during the Rose Garden ceremony. "Our failure to act responsibly at the federal level will only open the door to irresponsibility by others. And that includes, for example, the recent efforts in Arizona, which threatened to undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and their communities that is so crucial to keeping us safe." Later that day, the state's Republican governor signed the bill into law, saying Arizona had waited long enough for Washington to stem the flow of illegals crossing the border.

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"We in Arizona have been more than patient waiting for Washington to act," Gov. Jan Brewer said as hundreds of protestors outside the State House in Phoenix shouted that the new law would violate civil rights. "But decades of inaction and misguided policy have created a dangerous and unacceptable situation," Brewer said. The law makes it a state crime for anyone to be in the country illegally and requires requires police during lawful stops to question people they have reason to believe are illegal immigrants. [The law reads: "For any lawful contact made by a law enforcement official or agency of this state or a county, city, town or other political subdivision of this state where reasonable suspicion exists that the person is an alien who is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person."]

The law makes it a misdemeanor under state law for immigrants not to have immigration papers. It also makes it a criminal act for employers to hire illegals as day laborers or to knowingly transport them. The legislation also authorizes lawsuits against government agencies that hinder the enforcement of immigration laws.

Opponents say the law will unfairly target Latinos and other ethnic or racial minorities and will require



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them to carry their immigration papers with them at all times. Brewer insisted racial profiling will not be tolerated and said she would sign an executive order requiring training for police on how to enforce the new law without violating anyone's civil rights.

At least two organizations have already promised lawsuits against the state over the legislation, scheduled to take effect 90 days after the end of the current legislative session. William Sanchez, president of the National Coalition of Latino Clergy and Christian Leaders Legal Defense Fund, said his group would seek a preliminary injunction federal court to stop the law. The Mexican American Legal Defense and Education fund also plans to sue the state. The American Civil Liberties Union is also likely to be involved in the legal challenges. The governor "has just given every police agency in Arizona a mandate to harass anyone who looks or sounds foreign, while doing nothing to address the real problems we're facing," said Alessandra Soler Meetze, executive director, American Civil Liberties Union of Arizona.

Federal courts have previously ruled that federal law preempts state law enforcement against illegal immigration.

"States have no power to pass immigration laws because it's an attribute of foreign affairs," Professor Karl Manheim of Loyola Law School in Los Angeles told the Wall Street Journal Law Blog. "Just as states can't have their own foreign policies or enter into treaties, they can't have their own immigration laws either."

Hours after the governor signed the law, Arizona Congressman Paul Grijalva sent a letter to the President urging him to use his authority "to limit cooperation with Arizona officials in their enforcement" of the new law. At the White House ceremony, Obama said his administration would "closely monitor the situation and examine the civil rights and other implications of this legislation." Earlier in the week, Grijalva warned that the state would lose conventions and other major events, as he called on organizations around the country to boycott the state over what he called the "racist" law. The Arizona Democrat recalled that in the 1990's the state lost a bid for the Super Bowl because it had not made Martin Luther King Day a state holiday. At noon Friday Grijalva closed his congressional offices in Tucson and Yuma after receiving death threats over his opposition to the bill, a spokesman said.

On Thursday, thousands of protestors gathered outside the capitol, calling on the governor to veto the bill. The crowd included 3,500 students from 11 schools who walked out of class to protest the measure, KNX-TV in Phoenix reported. Obama on Friday said his administration has been working on border security, as he praised the work of Homeland Security Janet Napolitano, the former governor of Arizona. The immigration reform he described, however, would allow illegal aliens to remain in the country if they are willing to "earn their citizenship."

"And people who are here illegally have a responsibility-to pay their back taxes and admit responsibility for breaking the law, pay a penalty, learn English, pass criminal background checks, and get right with the law — or face removal — before they can get in line and eventually earn their citizenship." He praised Sen. Charles Schumer (D-N.Y.) and Lindsey Graham (R-S.C.) for drafting such a bill and noted that 11 Republicans in the Senate now voted for a similar measure when it was being pushed by the Bush administration.

But the issue is expected to remain contentious, particularly in Arizona, home to an estimated 460,000 illegal immigrants and believed to be the busiest border crossing for human smuggling and drug trafficking between Mexico and the United States. Brewer, who was Arizona's Secretary of State, is now



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running for a full term as Governor, after succeeding Napolitano, who resigned to become Secretary of Homeland Security. A Rasmussen poll conducted April 13 shows Brewer the frontrunner among four Republican candidates and ahead of the lone Democratic candidate, state Attorney General Terry Goddard. Goddard came out last week against the immigration bill Brewer signed, saying it "does nothing to improve border security or address the core causes of illegal immigration."

John McCain, the Republican presidential candidate in 2008, is running for a fifth term in the U.S. Senate and is facing a tough primary challenge from former Congressman J.D. Hayworth, a hawk on illegal immigration. McCain, who a few years ago co-sponsored with Sen. Edward M. Kennedy the kind of "comprehensive immigration reform" that Obama described, has recently supported the controversial Arizona law. It seems likely that the issue will remain one on which, as Obama said, "the passions are great and disagreements run deep."



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