Yin and yang

by The San Diego Union-Tribune

With Congress failing to enact meaningful immigration reform, a lot of states are trying to take it on. But they're bound to find out just how difficult that job really is. After all, if it was that easy to fix a broken immigration system - in a way that honors both the rule of law and our country's immigrant tradition, while balancing labor needs with border security - don't you think Congress would have done it by now?

Last year, according to the National Conference of State Legislatures, state lawmakers considered more than 1,500 bills related to immigration and passed more than 200 laws.

Along the way, some of those states got caught between the competing pulls of enforcement and employment. Put simply: Americans demand more enforcement, but the reason we have so much illegal immigration in the first place is because we keep offering illegal immigrants employment. If there was less employment, there would be less need for enforcement.

Try explaining that to the folks in Mississippi, where legislators recently passed a law requiring employers to verify the status of immigrants they hire through the electronic verification system operated by the federal government. Or try telling it to people in Alabama, where lawmakers are considering legislation that would require that every worker in the state show a state-issued ID to prove legal residency.

Or try convincing folks in Indiana, where lawmakers are considering a bill that would require the Indiana State Police to partner with the federal government so state troopers can be trained to enforce immigration laws.

Other states want to deny illegal immigrants access to everything from driver's licenses to food stamps to state colleges.

A lot of this is familiar territory, especially in California where anti-illegal immigrant sentiment has cycled on and off for decades. Just this week, a group of Republican members of the Assembly introduced a package of 20 bills directed at the issue.

But what's new is that, more and more, states are also talking about taking action to bring in more immigrants - albeit legally - to address labor shortages. In Colorado and Arizona, lawmakers are considering creating their own state-run guest-worker programs to import more immigrant laborers. The Arizona plan would allow employers to use Mexican consulates to recruit workers once the employers demonstrate that they couldn't find U.S. workers to fill those jobs. In Colorado, the idea is to help locate workers specifically for chili, tomato and watermelon farmers - jobs for which not many Americans apply.

It's not even clear whether states have the authority to adopt such measures, but we may be about to find out if either of these measures passes and winds up being challenged in court.

To recap: One of the reasons we have labor shortages - especially in agriculture - is because of our attempts to crack down on illegal immigration. So now some people want to bring in new guest workers while we keep cracking down on the workers who are already here.

Confused? Join the club.

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