

Battle Over Immigration Reform Intensifies in Pennsylvania

Just when you thought the battle over immigration reform had been played out, supplanted – at least for a time – by more boisterous clashes over health care reform and financial industry regulation, Arizona’s strict new immigration law has launched the issue back into the headlines.

Among other things, Arizona’s new legislation instructs police to conduct random identity checks aimed at rooting out undocumented aliens in the state. Signed into law by Gov. Jan Brewer on April 23, the measure has become a rallying point for immigrant rights activists and has forced legislators across the country to weigh in on the issue.

Emboldened by the Arizona measure, conservative lawmakers in other states have been testing the waters with their own interpretations of the law. On May 4, Pennsylvania became the latest state to contemplate stringent measures to combat illegal immigration when Republican State Representative (and candidate for lieutenant governor) Daryl Metcalfe introduced House Bill 2479, an Arizona-styled law that, among other things, would require law enforcement officials to attempt to verify the immigration status of residents suspected of being undocumented.

A separate measure (House Bill 400) that would require proof of citizenship to anyone wishing to become an independent contractor in the state is already moving through the PA legislature. That bill recently passed the General Assembly and is reportedly nearing a vote in the Senate.

Chad Forcey, director of government affairs for the Pennsylvania Landscape and Nursery Association, says if passed, that bill and others like it would inflict a “significant blow” to the state’s economy, especially in industries like agriculture and construction, which rely heavily on immigrant labor.

Forcey said national estimates put the overall number of farm workers who lack legal status at 75 percent, while a recent Department of Labor survey found 65 percent of Pennsylvania farm workers admitted they lacked work authorization.

“We are facing a real significant threat from our state legislature right now for undocumented workers in Pennsylvania that I think is going to hit the immigrant community, the Latino community, but it’s also gonna hit the rest of us who are in business and want to hire folks,” Forcey said during a recent phone briefing with reporters. “The economy is bad enough right now, we don’t need to make it any worse by threatening workers and threatening the businesses that they support.”

For immigrant rights advocates in the Keystone State, the Arizona law and Metcalfe's bill have imparted a new sense of urgency to their ongoing efforts to force the hand of federal lawmakers to introduce comprehensive immigration reform this year.

"The harsh and discriminatory Arizona bill is a dramatic reminder of the moral and political crisis created by the federal government's failure to fix our broken immigration system," said Ali Kronley, the Pennsylvania coordinator for the Reform Immigration For America Campaign.

Kronley's group has been putting pressure on Senator Bob Casey (D-PA) -- who supports comprehensive reform -- to take a more decisive role in bringing a bill to the Senate floor. Last Thursday she joined more than 100 activists in front Casey's Center City office to urge the lawmaker to take the lead on immigration reform. Kronley says Casey, unlike his counterpart Sen. Arlen Specter (D-PA), has remained noncommittal on pushing forward a reform package before the year is out.

"Senator Casey has told us time and time again that when there is a bill he'll be with us...but we elected Senator Casey to move bills and take strong stances -- so we're looking for his leadership in moving this forward," Kronley said. "We're calling on him to do what Senator Specter did a few weeks ago and stand up and make a public commitment to passing comprehensive immigration reform this year."

Kronley is referring to a letter Specter penned to President Obama in April emphasizing his desire to work with the administration on a reform bill.

Specter's challenger in the May 18 Democratic primary, Rep. Joe Sestak (D-PA), has also taken a vocal stance on reform. Sestak's father immigrated to the United States from Slovakia as a child in the 1920s.

"We need a pragmatic approach to immigration reform," Sestak said, via e-mail. "That means securing the borders, identification for jobs, bringing unauthorized immigrants out of the shadows, and providing those with clean records a chance to pay all taxes and fines and work toward legal-worker status or citizenship."

Casey's camp, meanwhile, doesn't understand what all the fuss is about.

"I'm not sure what the group is protesting," said Casey spokesperson Larry Smar when asked about Thursday's rally. "Senator Casey has voted in the past to move legislation forward on comprehensive immigration reform. He thinks the status quo is unacceptable and we can't just ignore the issue. He has said that immigration reform is one of the issues that should be considered this year."

Casey was not among the group of Senate Democrats that, on April 29, introduced a "framework" for comprehensive reform that calls for strengthening border security while simultaneously creating a pathway to citizenship for undocumented immigrants already in the country.

The framework, put forth by Senate Majority Leader Harry Reid (D-NV), Sen. Richard Durbin (D-IL), Sen. Robert Menendez (D-NJ), Sen. Chuck Schumer (D-NY) and Sen. Dianne Feinstein (D-CA) would require undocumented immigrants wishing to stay in America legally to pay a fine, undergo a background check and demonstrate proficiency in English.

Kronley says her group has expressed tentative support for the new framework. "We do believe we need to strength our borders but we need smarter enforcement than we currently have," she said.

Nationally, public opinion is mixed on Arizona's new law. While a majority of Americans seem to favor it in theory, an equal number worry that in practice it could lead to violations of civil liberties, according to recent polling by Rasmussen.

After the law went into effect the Arizona suffered an immediate backlash in the form of widespread boycotts. The Arizona Hotel and Lodging Association reported that as of Friday, 19 meetings representing 15,000 room nights have been canceled because of the new law.

There's as yet no polling that shows where Pennsylvania residents stand on Metcalfe's copycat law here, but a similarly strict measure enacted in Hazleton, in Luzerne County, in 2006 that would have punished companies that hire undocumented workers and landlords who rent to them enjoyed wide public support. (A federal judge struck down that law in 2007).

So far Metcalfe has received support from a handful of Republican state legislators and conservative groups, but even he is aware that actually getting the law passed is a longshot. Governor Ed Rendell indicated he would veto the bill if it ever came across his desk.

"I think it's highly unlikely that Rep. Metcalfe's bill will move through the Pennsylvania legislature and pass...but I do think it's a symptom of a larger problem," said Kronley. "This problem's not going to go away. And until [Congress] acts, we're going to continue to see state legislatures try in a variety of ways to come up with their own ways to police and regulate immigration – and it's not going to work."

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