



## **A patchwork of state immigration laws**

*Fareed Zakaria looks at how the immigration systems work – and don't work – in Japan, Europe, Canada and the U.S. in the TV special: "Global Lessons: The GPS Roadmap for Making Immigration Work" on CNN at 8 p.m. ET on Sunday, June 10. Watch on CNN International on Saturday, June 16, at 4 a.m. and 9 p.m. ET*

**Editor's note:** *Allie Devine is an attorney, Republican and the former Kansas Secretary of Agriculture. She currently leads the Kansas Business Coalition, an advocacy group of business organizations and the state's Chamber of Commerce. The opinions expressed in this commentary are solely those of Allie Devine. [Check out an opposing view](#)*

By **Allie Devine**, Special to CNN

According to the Ellis Island website, during the late 1800's, "as long as an immigrant's papers were in order and they were in reasonably good health, the Ellis Island inspection process would last approximately three to five hours." In today's information age, it only takes around 10 years.

Our country's immigration policy is broken. It has long been ignored by Congress and over the past four years, states have unfortunately started taking the issue into their own hands. This new patchwork of immigration policy is troublesome for the nation as a whole. For example, a business located in Olathe, Kansas, could be in compliance for Kansas laws, but out of compliance when conducting business in Missouri. Probably the most unattractive patch on the quilt are the "law enforcement" style bills which passed first in Arizona, then last year in Georgia and Alabama.

As one organization put it, these states are now the victims of their own success. They are all are facing costs of defending these laws and won't stop until they get to the United States Supreme Court. The costs only begin to add up during litigation. On top of all that, the economic costs have proven devastating to the states' economies.

While fear mongering and intimidation tactics draw headlines, they don't always result in good public policy. The Kansas Business Coalition for Immigration Reform is trying to bring

attention to the complexity of the immigration issue and promote a positive alternative to the harmful bills passed in other states.

Our coalition does not want to follow down the path of Arizona, Georgia and other states with draconian measures that cost the state millions upon millions of dollars. The coalition thinks we shouldn't go that direction and instead of saying "no," we have brought **forward a proposal** which focuses on the benefit of work authorization for specific industries, instead of incarceration and deportation.

In many industries, one of the most limiting factors involved in expansion of business in the state is the lack of an adequate labor force. If you look at the county-by-county unemployment rates in December 2011 in Kansas compared to the 2010 census data regarding counties with the highest percentage of Hispanics, you will see that the counties with higher percentages of Hispanics also have low unemployment rates. In fact, most of the counties with a higher percentage of Hispanics would be considered underemployed. At the least, they are at full employment. Therefore, the argument that undocumented workers are taking jobs from unemployed Americans appears to be nothing more than a red herring argument.

Another common argument regarding the immigration issue is that industries that hire Hispanic labor should simply pay a higher wage. These attacks are generally pointed toward the agricultural sector. Therefore, as an example, let's analyze the entry level wages for employees within the agriculture sector. The starting annual salary for most meatpacking, dairy, and feedlots is between the \$25,000 and \$30,000 range. For purposes of this exercise, we will use \$25,000 for the entry level wage in these industries. In a rough analysis of the 2011 Kansas Wage Survey, a \$25,000 entry level wage is higher than 45% of the entry level wages for all jobs categorized in the survey. Once again, this appears to be a red herring argument at best.

The Coalition's proposal works within the confines of the federal immigration matrix. This work authorization program is limited in scope and is only available to noncriminal unauthorized aliens who are not a priority for deportation by the federal government.

Looking at the economic costs of deportation, deportation is not an option. A 2010 estimate put the price of mass deportation at \$285 billion over five years. This represents over \$900 in new federal taxes for every U.S. man woman and child. The Cato Institute puts the price tag at \$80 billion, but that's just deporting 30% of the workers. Additionally, according to a May 2012 USDA study, a mass deportation policy would drive down the real wages of all U.S.

born and other permanent workers from 0.3 to 0.6 percent. Deportation is simply not the answer.

In summary, we now know the costs of a “detain and deport” strategy are too significant to ignore. Instead of heading down this path, we strongly believe a proactive solution which offers the chance to gain a work authorization status is the best approach for the United States and Kansas. Admittedly, the federal government is the ideal place for immigration reform to be accomplished. If the federal government will pass meaningful reform, maybe the patchwork of state immigration laws could be stored away forever.