

# United States Senate

WASHINGTON, DC 20510

May 6, 2010

The Honorable Jan Brewer  
Governor of Arizona  
1700 West Washington  
Phoenix, Arizona 85007

Dear Governor Brewer:

As Chairman of the Senate Subcommittee on Immigration, Refugees and Border Security, I am responsible for directing the Senate's immigration reform efforts and for conducting oversight of the Department of Homeland Security's efforts to secure our borders and ports of entry.

I write to you, after the passage of SB 1070, to propose a way forward to best address Arizona's legitimate security interests. Yesterday, you indicated that you signed SB 1070 into law in order to "finally inspire the politicians in Washington, D.C., to stop talking and to start action now." I cannot agree more that urgent federal action is necessary this year to address our broken immigration system—which currently produces an unsustainable situation where thousands of people cross our southern border illegally each day.

I fully appreciate that, as Governor of Arizona, you felt duty-bound to take action to address the security concerns in your state. But I simply do not believe the remedy Arizona has enacted will succeed in resolving the problem it is designed to address. I oppose SB 1070, not only because it is wrong-hearted and is likely unconstitutional, but also because it will almost certainly fail to reduce illegal immigration into Arizona.

I propose an alternate approach. There is work currently being done in the Senate to produce a bipartisan comprehensive immigration reform bill this year. This bill would have four basic pillars: requiring high-tech, non forgeable Social Security cards to ensure that illegal workers cannot get jobs in the future; fulfilling and strengthening our commitments on border security and interior enforcement; creating a process for admitting temporary workers; and implementing a tough but fair path to legalization for those already here.

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This plan will provide substantially more resources for border security than the 10-point border-only security plan recently introduced by Senators McCain and Kyl, and will do far more to address the root causes of illegal immigration by implementing a secure employment verification system to eliminate the ability for employers to hire illegal workers and by mandating completion of the US-VISIT system to ensure that visa overstays are apprehended and removed from the United States.

The only way to combat illegal immigration is through comprehensive immigration reform, as it is the only practical solution that can pass in both the House and Senate. A bipartisan bill would likely require completion of significant border security measures, such as the border reinforcements sought by Senators McCain and Kyl, before any other measures could take effect. A bi-partisan bill would be a “border-first” bill, but it would not be a “border-only” bill because securing the border is a necessary but insufficient remedy for fixing our broken system.

I therefore ask you to call on Arizona’s legislature to delay the date of enactment of SB 1070 for 1 year in order to permit Congress sufficient time to enact comprehensive immigration reform to address Arizona’s security needs. This reform, however, cannot pass unless members from both sides of the aisle work together to reach a compromise. Consequently, I also ask that you publicly call on Senators McCain and Kyl to immediately begin discussions with me to enact comprehensive immigration reform legislation before enactment of SB 1070 becomes necessary.

I thank you for your attention to this important matter, and look forward to working with you to protect the people of Arizona in a manner that is both effective and in accordance with America’s finest values and traditions.

Sincerely,



Charles E. Schumer  
Chairman  
Subcommittee on Immigration, Border Security and Refugees