



Written by [Joe Wolverton, II, J.D.](#) on May 3, 2010

Obama Administration Cutbacks on Immigration Force Arizona's Hand

Article IV, Section 4 of the United States Constitution states in part: "The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion." The second of those clauses is the source of a great controversy surrounding Arizona's recent enactment of legislation criminalizing illegal immigration status in that state.



In Governor Jan Brewer's statement issued at the time she signed Senate Bill 1070 into law, she pointed to the federal government's failure to carry out its Article IV mandate as the chief impetus for the passing of the legislation. "The bill I'm about to sign into law — Senate Bill 1070 — represents another tool for our state to use as we work to solve a crisis we did not create and the federal government has refused to fix," she said. Governor Brewer continued, "We in Arizona have been more than patient waiting for Washington to act. But decades of federal inaction and misguided policy have created a dangerous and unacceptable situation."

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The failure of the federal government to exercise powers granted it in our national charter is stupefying in light of its typical habit of usurping powers reserved to the states and to the people and fashioning new and expansive powers out of the few it legitimately possesses.

The Commerce Clause is Congress's version of the Archimedean lever with which they lift into place every block of socialism, using the American middle class as the fulcrum. The Necessary and Proper Clause doesn't fare much better, with their being few policies of social engineering that aren't defined as "necessary" or "proper" in the federal dictionary.

When it comes to protecting the United States from invasion across the southern border, however, the national government for decades has been content to sit idly on the banks of the Potomac and watch the little people suffer like parasoled ladies watching bloody Civil War battles from a safe, sun-blocked distance.

The Obama administration has been particularly apathetic when it comes to protecting our borders, [statements of the Secretary of Homeland Security](#) notwithstanding.



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Just days after taking the presidential oath of office (the second time), President Barack Obama promised to make the repair of the broken immigration policy one of his first priorities. That was then, this is now. While a few of his congressional allies have run various immigration legislation proposals up the flag pole, President Obama has yet to salute.

In fact, President Obama hasn't raised a finger to relieve the suffering citizens of Arizona, where crime, drug smuggling, and kidnapping have [grown to a level](#) rivaling cities on the other side of the border. "The border security implications are frightening," said T.J. Bonner, president of the National Border Patrol Council, the union for law-enforcement officials guarding the border.

The ramparts separating our Republic from the fearsome flood of crime daily inundating Arizona and her sister states along the southern border have been left unmanned, and there isn't a single dollar presently allocated to fund increased manpower.

Given the inexplicable failure of the federal government to provide spackle sufficient to plug the porous southern border, efforts on the state level to staunch the flow of illegals into the country are understandable and to be expected.

In the case of Arizona, the new law empowers local and state police to enquire as to a person's immigration status whenever that person is lawfully detained for some other purpose. And as if taking up the federal government's slack on sentry wasn't enough, the money to fund this project will come from state budgets already squeezed into oblivion by the panoply of federal mandates placed on them by an otherwise hyperactive national government and its servile bureaucracy.

President Obama's disregard for the illegal immigration issue has come to the attention of some in Congress. Rep. Lamar Smith (R-Texas) is the ranking member of the House Judiciary Committee and he vocally called the President on the carpet for his reluctance to recommend that Congress allocate funds for the next fiscal year that are critical to the cause.

Specifically, Representative Smith points to several key areas where the lack of funding is hamstringing the mission: First, the new budget contains not a dollar for additional beds in the various detention facilities; second, there is no increase in the money to find and deport criminal aliens and those on the run from the immigration courts; there is no provision made for increased staffing, where there is urgent need for additional agents that specialize in the investigation of businesses hiring those without work permits. And finally, Representative Smith indicts the Obama administration for its unforgivable, inexplicable, and unapologetic failure to spend a dime on projects to repair the fence along the border or to construct new portions of it.

As if the passive failure to address the problem wasn't enough, the President is presently considering cutting 180 border patrol jobs in 2011. This is a bold and brazen move in view of the violence terrorizing citizens of the United States that live and work along the border with Mexico. Does the President not read the papers or watch the news? Surely he is aware that undocumented aliens carrying AK-47s shot 53-year-old Pinal County Sheriff's Deputy Louie Puroll during an attempt to arrest them as they tried to smuggle marijuana across the desert border south of Casa Grande, Arizona.

The data collected supports the story on the ground.

In the last year of George W. Bush's administration, agents arrested about 1,100 people working illegally in the United States. In 2009, just over 400 were similarly arrested. In 2008, 900 aliens were indicted on criminal charges, while in 2009, that number fell to 376, less than half the previous number. This precipitous decline cannot be brooked, especially given the clamor of citizens for their elected



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representatives to do something to control the chaos and quell their fear.

Reading these stories and these statistics makes it easy to understand why Arizonans felt their hand was being forced. "That's precisely the reason Arizona had to do what it did," said Ira Mehlman, spokesman for the Federation for American Immigration Reform (FAIR). "The Obama Administration has gutted worksite enforcement efforts."

Predictably, administration officials deny the charges of apathy. "The Department of Homeland Security has dedicated unprecedented manpower, technology, and infrastructure resources to the Southwest border over the course of the past 14 months," said Matt Chandler, spokesman for the DHS. "The administration continues to evaluate additional law-enforcement options as needed, including the use of the National Guard, along the Southwest Border. We continue to work with Congress on comprehensive reform of our immigration system, which would provide lasting and dedicated resources at our borders."

The evaluations vaunted by Chandler do little to allay the fears of Arizonans living in constant fear of home invasion, kidnapping, and other drug or smuggling related crimes. So prevalent are the acts of violence, that Phoenix has acquired the lamentable nickname of "kidnapping capital of the U.S." This sun-drenched city is stifling under a surge of extortion-related abductions tied to drugs and human smuggling. On average Phoenix sees about a kidnapping a day in recent years — some resulting in torture and death. [Reports tell](#) of victims' legs being burned with irons, their arms tied to the ceiling, their fingers broken with brickbats. Little wonder that the frustration is now overflowing. One of the last straws took place in late March when cattle rancher Rob Krentz was brutally gunned down while on his own property near the Mexican border.

Homeland Security Secretary Janet Napolitano attempts to downplay the chilling effect of such stories by reminding Arizonans that she has signed several bilateral agreements with Mexican officials in an effort to fight transnational crime that occurs along our shared border. Relying on Mexican law enforcement to pursue and prosecute criminals trying to conduct business across the border with the United States is akin to trusting the wolves to keep the coyotes from harassing the flock on the other side of the fence.

Even with all of the foregoing and the uproar from Latino activists that form a significant bloc of the Obama coalition, the President has barely shifted in his chair. He is understandably weary from the fight over the healthcare overhaul and the thought of another scrum on an equally divisive issue must make him want to head for a holiday.

The President took heat from opponents of the Arizona law after he told reporters aboard Air Force One that he doubted Congress had the "appetite" for another prolonged, partisan, and polarizing battle. He claims that left to his own devices he would do something to correct the situation on the border, but Congress is reluctant to lend a hand. "So it's a matter of political will," Obama said. "Now, look, we've gone through a very tough year, and I've been working Congress pretty hard. So I know there may not be an appetite immediately to dive into another controversial issue. There's still work that has to be done on energy. Midterms are coming up."

"I don't want us to do something just for the sake of politics that doesn't solve the problem," Obama said.

There may be something sinister driving the policies of Barack Obama and his congressional cohorts. For when citizens overwhelmingly express their resistance to government's excessive and unlawful



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activity (ObamaCare), they [the feds] betray their constitutionally enumerated powers and enact legislation that burdens the states and the people, in spite of the will of the people. But when the states and people beg them to fulfill their rightful role as protectors of the borders, Congress and the President sit idly by.



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