

# CENTER FOR *Law and Government*

## **BREACHING BORDERS — STATE ENCROACHMENT INTO THE FEDERAL IMMIGRATION DOMAIN?**

*Thursday and Friday, October 20-21, 2011*



Washburn Law is pleased to convene a symposium exploring the political and legal controversies mounting at the intersection of federal and state immigration law. Plans are underway to host a number of distinguished experts in three distinct plenary sessions: (1) Comparative Assessment of State Immigration Policies; (2) Immigration and Employment; and (3) Birthright Citizenship.

The symposium is sponsored by the Center for Law and Government and the *Washburn Law Journal*. The second issue of Volume 51 (spring 2012) of the *Law Journal* will be dedicated to the topic of this symposium, and articles written by the participants will be featured.

### SESSION 1 –

#### State Policy Potpourri: Some Comparative Assessments

State policy makers across the country are advancing a number of proposals that are bound up in the great debate regarding the current state of federal immigration law and its shortcomings. In some states, leaders are advancing efforts to adopt stepped-up anti-voter fraud provisions. In other states, local law enforcement officials are becoming deeply enmeshed in the enforcement of federal immigration law. In another set of states, some leaders have worked to enhance the prospects for undocumented immigrants either by enabling them to attend public colleges and universities at in-state tuition rates, authorizing them to obtain driver's licenses, or both. Yet many in those same states opponents are actively seeking to block or roll back those efforts. This panel will discuss and analyze this state policy potpourri and offer some comparative assessments.

### SESSION 2 –

#### Immigration and Employment

A significant number of immigrants are working illegally in the United States. In an effort to both protect the legal work force and deter illegal immigration, the federal government has criminalized the hiring of undocumented workers and in recent years has heightened workplace enforcement. Some states are experimenting with new laws designed to complement, mirror, and/or expand upon federal law and have been challenged by the federal government on preemption grounds. This panel will explore the competing sides of the debate, and the implications of the Supreme Court's recent decision in *Chamber of Commerce v. Whiting*, 563 U.S. \_\_\_\_ (2011).

### SESSION 3 –

#### Curtailling Birthright Citizenship

Anchored within the 14th Amendment to the U.S. Constitution is the principle that a person born within the boundaries of the United States is a citizen thereof, regardless of the immigration status of his or her parents. Some members of Congress have submitted legislative proposals that would alter this policy at the federal level. In addition, a number of state legislatures are considering proposals that would limit birthright citizenship to those who have at least one parent who is either a citizen or lawful permanent resident. What is the likely effect of these efforts? Given the immigration challenges confronting the nation, should policy makers revisit the concept of birthright citizenship? Is this an issue appropriate for state policy makers at all? These and other related questions will be among those considered by this panel.



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