



Immigration Issues in Tennessee

Unauthorized aliens' impact and related issues have recently received considerable attention nationally and in Tennessee. Tennessee legislators filed numerous bills in 2006 and 2007 to try to further limit unauthorized aliens' access to employment, as well as public benefits and services. However, federal law limits the state's power to control immigration. The U.S. Constitution gives the federal government primary jurisdiction over immigration issues and enforcement. Federal law specifically limits state and local efforts to establish more stringent requirements regarding immigrants' employment and immigration law enforcement.

In addition, the economic impact of unauthorized aliens on jobs and wages, and their eligibility for public benefits and services are limited.

According to Pew Hispanic Center estimates, 100,000 to 150,000 unauthorized aliens resided in Tennessee in 2005, only about two percent of the state's population. The total foreign-born population in Tennessee, both authorized and unauthorized, has increased significantly in recent years and in 2005 was 3.8 percent of the population. That year about 58 percent of the foreign-born population was concentrated in the Nashville and Memphis metropolitan areas.

Unauthorized aliens are not eligible for most federal, state and local public assistance programs such as TennCare, housing, food stamps and welfare. Federal law requires access to elementary and secondary education, as well as emergency health care.

Many economists nationwide agree the increase in immigrants boosts the national and state economies and that unauthorized aliens are not taking jobs or significantly affecting American workers' wages. Unauthorized aliens contribute to state and local revenue through sales tax, property tax included in rents and other consumption taxes.

Several Tennessee trade associations directors interviewed by Comptroller's Office of Research indicated immigrants are filling the need for additional low-skill workers in the restaurant, hotel, and construction industries.

Trade association representatives indicated that most of their businesses try to follow the laws restricting employment of unauthorized aliens, but find it difficult to detect fraudulent documents. A 2005 Government Accountability Office (GAO) report found that document and identity fraud make it difficult for employers to comply with federal requirements to hire only authorized workers.

The report acknowledges that state and local governments have some increased costs from the incarceration of unauthorized aliens for criminal behavior.

Recommendations:

The General Assembly may wish to encourage the federal government to take a stronger role in controlling and funding required services for unauthorized aliens in Tennessee.

State agencies, such as the Departments of Safety and Health, should continue to assist the federal government to provide fair and timely mechanisms of worker verification.

View the full report at <http://www.comptroller.state.tn.us>
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