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SENATE JOINT RESOLUTION NO. 26

Offered January 9, 2008

Prefiled January 3, 2008

Requesting the Attorney General of Virginia to pursue all remedies through litigation to recover moneys owing from the United States government to the Commonwealth for reimbursement of costs incurred by the State in dealing with illegal immigration. Report.

Patrons—Colgan and Hanger

Referred to Committee on Rules

WHEREAS, the illegal immigrant population in Virginia has increased 300 percent between 1996 and 2004; and

WHEREAS, estimates show that the total number of illegal immigrants currently residing in the United States is in excess of 21,258,500 and that Virginia has surpassed 300,000 illegal immigrants in 2007; and

WHEREAS, a direct result of lax federal immigration policy and enforcement has led to increased financial burdens on Virginia in the areas of emergency medical care, prisons, and public schools; and

WHEREAS, many officials in state and local government feel the best solution to the problems caused by illegal immigration is for the federal government to enforce existing immigration laws and pass stronger immigration laws, thereby slowing the growth and reducing the number of illegal immigrants allowed to enter and stay in the United States; and

WHEREAS, several states, such as Florida, Texas, New Jersey, New York, California, Colorado and Arizona, have either filed lawsuits or are contemplating the filing of a lawsuit against the federal government for these purposes; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Attorney General of Virginia is requested to pursue all remedies through litigation to recover moneys owing from the United States government to the Commonwealth for reimbursement of costs incurred by the State in dealing with illegal immigration. The Attorney General should examine the various legal arguments utilized by other states that have previously contemplated or filed such a suit and any other arguments that may present a ground for such an action, and determine whether the filing of such a suit is within the best interests of the Commonwealth.

The Attorney General shall submit to the Division of Legislative Automated Systems an executive summary and report of his findings in meeting the request of this resolution no later than the first day of the 2009 Regular Session of the General Assembly. The executive summary and report shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.