



Introduced Version

**SENATE CONCURRENT
RESOLUTION No. 7**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION urging Congress to defund
President Obama's amnesty for unauthorized immigrants program.

Delph

January 20, 2015, read first time and referred to Committee on Judiciary.



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2 President Obama's amnesty for unauthorized immigrants program.

3 *Whereas, 8 U.S.C. 1101(a) defines an alien as "any*
4 *person not a citizen or national of the United States";*

5 *Whereas, As defined by Wex Legal Dictionary,*
6 *undocumented, or illegal, immigrants are "foreign nationals*
7 *who lack proper authorization to be in the United States" and*
8 *either entered the United States without proper inspection or*
9 *on a temporary visa and stayed beyond the expiration date of*
10 *the visa;*

11 *Whereas, SECTION 1 of Senate Enrolled Act 590, passed*
12 *by the 2011 Indiana General Assembly, charged the Office of*
13 *Management and Budget (OMB) to calculate an estimate of*
14 *the total costs of illegal aliens to the state of Indiana and to*
15 *make a written request to the Congress of the United States*
16 *to reimburse the state of Indiana for the calculated costs;*

17 *Whereas, These costs include education, incarceration of*
18 *criminals, health care, and public assistance;*

19 *Whereas, The OMB determined that, during CY 2012, the*
20 *estimated annual cost to the state for K-12 tuition for illegal*
21 *aliens was \$110,644,011;*

22 *Whereas, As of June 1, 2012, Indiana had 661 adult*
23 *offenders classified as aliens incarcerated in Department of*
24 *Correction facilities costing the state approximately*



1 \$12,340,982.75;

2 *Whereas, Illegal aliens are eligible for Medicaid in*
3 *emergency situations if the alien meets the residency and*
4 *other Medicaid policy eligibility criteria but is eligible for*
5 *Medicaid only for treatment of certain medical conditions;*

6 *Whereas, The Family and Social Services Administration*
7 *(FSSA) accounted for \$10,204,392 of total incurred and paid*
8 *claims for emergency Medicaid services for calendar year*
9 *2010; the state's share of this cost was \$3,401,464;*

10 *Whereas, The Department of Child Services (DCS) costs*
11 *for child in need of service cases was \$3,075,144.45 and the*
12 *total cost for youth probation was estimated to be*
13 *\$1,492,376.79, bringing the cost to \$4,567,521.24 for*
14 *services provided to illegal aliens through DCS;*

15 *Whereas, The total cost of illegal aliens living in Indiana*
16 *for health care and public assistance is estimated to be*
17 *\$7,968,985.24;*

18 *Whereas, The OMB determined that the total cost of illegal*
19 *aliens to the State of Indiana was \$130,953,979;*

20 *Whereas, Over the past five years the State Criminal Alien*
21 *Assistance Program, a program that provides federal*
22 *payments to states that incur costs for incarcerating illegal*
23 *aliens, has provided nearly \$5,000,000 to help cover*
24 *Indiana's costs to incarcerate illegal aliens; however, this*
25 *figure does not change the amount paid by Indiana to*
26 *incarcerate illegal aliens;*

27 *Whereas, The OMB, at the request of the Indiana General*
28 *Assembly, should secure more up-to-date figures regarding*
29 *the total cost of illegal aliens to Hoosier taxpayers in*
30 *relationship to President Obama's amnesty program;*

31 *Whereas, When these updated figures are obtained, they*
32 *should be given to the Legislative Council;*

33 *Whereas, President Obama's unilateral action concerning*
34 *amnesty for unauthorized immigrants imposes a direct cost*



1 *on the state and local governments of Indiana;*

2 *Whereas, A District of Columbia based nongovernmental*
 3 *organization estimated the 2010 illegal alien population at*
 4 *120,000 and the cost of supporting these illegal aliens at*
 5 *\$608,492,238;*

6 *Whereas, Education for children of illegal aliens makes up*
 7 *the single largest cost to Hoosier taxpayers, with nearly all*
 8 *these costs being absorbed by state and local governments;*

9 *Whereas, The United States Supreme Court has recognized*
 10 *that "Congress may always circumscribe agency discretion*
 11 *to allocate resources by putting restrictions in the operative*
 12 *statutes";*

13 *Whereas, Article 1, Section 8 of the United States*
 14 *Constitution gives Congress the authority to defund the*
 15 *amnesty program;*

16 *Whereas, Based on this power, the members of the Indiana*
 17 *General Assembly request that the United States Congress*
 18 *use this authority to defund the President's actions; and*

19 *Whereas, If Congress does not choose to defund the*
 20 *amnesty for unauthorized immigrants program, Congress*
 21 *should approve reimbursing the State of Indiana for all the*
 22 *costs associated with this program: Therefore,*

23 *Be it resolved by the Senate*
 24 *of the General Assembly of the State of Indiana,*
 25 *the House of Representatives concurring:*

26 SECTION 1. That the Indiana General Assembly finds President
 27 Obama's unilateral actions concerning amnesty for unauthorized
 28 immigrants unconstitutional and encourages Congress to defund the
 29 President's amnesty program.

30 SECTION 2. That if the members of Congress choose not to defund
 31 the amnesty for unauthorized immigrants, the Office of Management
 32 and Budget, under the Pence Administration, should calculate the costs
 33 to the State of Indiana associated with this program and submit a bill
 34 to Congress for reimbursement.

35 SECTION 3. That copies of this resolution be transmitted by the
 36 Secretary of the Senate to President Obama, the Speaker of the United



1 States House of Representatives, the Majority Leader of the United
2 States Senate, each member of the Indiana Congressional delegation,
3 and each member of the United States Supreme Court.

