



# MALDEF

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## TALKING POINTS ON BUSINESS, EMPLOYMENT, AND CONTRACT PROVISIONS OF ANTI-IMMIGRANT ORDINANCES

- Local anti-immigrant laws and proposed laws often include components related to doing business with, employing, or contracting with undocumented immigrants. These provisions may impose penalties on businesses that employ undocumented workers, or restrict the award of permits, contracts, or grants to businesses that hire or rent to undocumented immigrants
- The power to regulate immigration is exclusively reserved to the federal government, and so these housing ordinances – which are aimed at controlling immigration – are *pre-empted* by federal law.
- The federal government already has an extensive and complex system of laws that restrict employment of undocumented immigrants, as well as an employment verification system and designated penalties for employers that fail to comply.
- No matter how frustrated a local government official is with our broken immigration system, regulating immigration through a housing ordinance of this type is off-limits.
- These ordinances provide strong incentives for employers and businesses to discriminate based on national origin. Because they provide severe penalties for failure to comply, employers may opt to avoid hiring job applicants who look or sounds foreign.
- Our nation's broken immigration system will not be fixed at the local level, on an ad hoc basis. A comprehensive solution at the national level is required; local legislation targeting immigrants just fuels divisiveness within our communities.