



MIGRATING ISSUES

ARIZONA, COLORADO BALLOT MEASURES REVEAL
FORCES BEHIND IMMIGRATION-REFORM EFFORTS

By
EDWIN BENDER

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INTRODUCTION

From the Capitol steps in Washington, D.C. to state legislatures and city halls across the country, policymakers are being asked to consider issues ranging from access to education and health care services for undocumented workers and their families to employment documentation and the deportation of undocumented workers.

The immigration debate swirls around politicians who are working to appease conservative voters who want them to take a tough stance on immigrants and those who are trying to serve the real needs of the business community, which desperately wants low-wage workers — often undocumented immigrants — to perform seasonal or manual work.

In the 2004 and 2006 election cycles, ballot measures dealing with immigration issues proved to be harbingers of things to come in states and cities across the country.

Three stood out: Colorado voters were faced with Referendum H in 2006 to eliminate businesses' ability to claim wages for undocumented workers as expenses and with Referendum K to require that the state sue the federal government to enforce existing immigration statutes. Voters in Arizona saw Proposition 200 in 2004, which required proof of citizenship for voting and benefit privileges.

In addition to those measures, more than 570 pieces of immigration-related legislation were introduced in state legislatures in 2006: 90 bills and resolutions passed, 84 became law and six were vetoed.¹ In 2007, the number of bills in state legislatures dealing with immigrants more than doubled to 1,169, with 18 states enacting 57 bills to date.² And efforts to address immigration issues are not limited to state and federal governments: since July 2006, more than 86 local governments in 27 states considered policy aimed at those who aid undocumented workers in one way or another; 26 ordinances passed.³

Perhaps the broadest immigrant-related legislation was sent to the Oklahoma governor to sign in May 2007. The bills, overwhelmingly approved by the Oklahoma Legislature, aimed to limit public benefits to U.S. citizens and legal immigrants only; to let state law enforcement officials enforce federal immigration laws; and to restrict illegal aliens' access to driver's licenses and official ID cards.⁴ In making his arguments for the legislation, the sponsor of the bills, Republican Rep. Randy Terrill, used the conservative Federation of American Immigration Reform's estimates that illegal immigrants cost state taxpayers \$200 million a year in public benefits and resources.⁵

While it is difficult to know all the players behind the wave of legislation at the state and local levels, an analysis of the financial interests behind the three ballot measures provides some initial

¹ *National Conference of State Legislatures* [on-line]; available from <http://www.ncsl.org/programs/immig/6ImmigEnactedLegis3.htm>; Internet; accessed May 2, 2007.

² *National Conference of State Legislatures* [on-line]; available from <http://www.ncsl.org/programs/immig/2007StateLegislationImmigration.htm>; Internet; accessed May 2, 2007.

³ *American Civil Liberties Union* [on-line]; available from <http://www.aclu.org/immigrants/discrim/27848res20070105.html>; Internet; accessed May 2, 2007.

⁴ Tim Talley, "House Sends Sweeping Immigration Reform Bill to Governor's Desk," *Associated Press*, May 2, 2007 [on-line]; available from <http://ap.ardmoreite.com/pstories/statte/ok/20070501/166963647.shtml>; Internet; accessed May 2, 2007.

⁵ *Ibid.*

insights into who is weighing into the contentious and complicated issues of immigration, undocumented immigrants and their role in our society.

An analysis by the National Institute on Money in State Politics of contributors to the three ballot-measure campaigns found:

- Immigration-reform measures that do make it to the ballot pass, often by wide margins, even if no committees are formed to raise money for or against the effort.
- Out-of-state organizations provided the lion's share of funding for the Arizona measure, with 91 percent (50 percent from Washington, D.C.) for proponents and 42 percent for opponents, with 40 percent coming from the nation's capital. In Colorado, measure proponents received more than 70 percent of their funding from in-state, with 27 percent coming from a Michigan group, U.S. Inc., which also gave \$8,200 in Arizona.
- In both Arizona and Colorado, the number of individuals who supported or opposed the measures was small. In Arizona, proponents and opponents alike received about 2 percent of their money from just over 500 individuals. In Colorado, 67 percent of the money was raised from just over 1,600 individuals to promote the measures, but only a handful gave four- and five-figure donations. No committees were formed to oppose the measure.
- The ballot measures drew individual contributors who for the most part did not give money directly to candidates. Just six percent of the people who gave money to one of the three measure campaigns also gave money to candidates in Arizona, Colorado or any other state in the country.
- Arizona's Proposition 200 was largely a battle between labor unions, which spent millions to oppose the measure, and a small set of conservative anti-immigrant organizations — part of a loose net of groups led by John H. Tanton, founder of the Federation of American Immigration Reform and U.S. Inc. of Michigan.
- The major supporters of Arizona's Proposition 200 were 501(c)3 and 501(c)4 organizations that were not required to disclose the names of those who funded their efforts.

METHODOLOGY

In conducting its analysis, the National Institute on Money in State Politics compiled comprehensive contributor information for all of the committees formed to support or oppose the immigration-related ballot measures in Arizona in 2004 and Colorado in 2006. That information was then put into a database, names standardized and the backgrounds of major donors researched to determine the Standard Industry Code that best fit the economic or ideological background of the contributor. The results are available to the public at www.FollowTheMoney.org.

THE INITIATIVES

Voters in Arizona and Colorado faced five immigration-related ballot measures in the 2004 and 2006 election cycles, one in the former and five in the latter. All were successful; most passed overwhelmingly.⁶

While immigration-related measures have been offered in past cycles, few actually made the ballot.⁷

The measures included on the ballots in 2004 and 2006:

- Proposition 200 in Arizona in 2004 requires anyone registering to vote to show proof of U.S. citizenship, and it requires that state and local officials verify the identity of applicants for state benefits. Three committees formed to promote this measure and raised a total of \$783,733, while six committees opposed the measure and raised just over \$2.3 million.
- Proposition 100 in Arizona in 2006 prohibits bail for anyone charged with a felony offense if the person is in the United States illegally; proponents reported raising no money for the effort, while those opposing the measure reported raising just \$300 and received a transfer of \$61,000 from the sponsoring organization.
- Proposition 300 in Arizona in 2006 changes standards of eligibility, enforcement and reporting for certain state-funded services; no committees reported raising money to promote the measure, while two committees opposed the effort and raised a total of \$7,500 and received a transfer of \$61,000 from the sponsoring organization.
- Referendum H in Colorado in 2006 restricts the ability of businesses to claim wages for unauthorized aliens as an expense for state income-tax purposes; one committee formed to promote both this referendum and Referendum K and raised \$177,533 in donations.
- Referendum K in Colorado in 2006 directs the Colorado attorney general to sue the federal government to enforce existing federal immigration laws; the same committee supported both this referendum and Referendum H and raised \$177,533 in donations.

⁶ In New Mexico, voters considered Amendment 1 in 2006, which repeals an obsolete alien land law; no committees formed or raised money in this measure campaign.

⁷ *National Conference of State Legislatures* [on-line]; available from <http://www.ncsl.org/programs/immig/BallotInitiatives.htm>; Internet; accessed May 2, 2007.

THE PLAYERS: ARIZONA

Proposition 200 in Arizona proved to be the most costly of the immigration-related campaigns waged, with donors on both sides raising a total of more than \$3 million. But neither side rode a wave of popular support from individual donors.

Measure supporters raised nine percent of their money, or nearly \$73,000, from individuals giving amounts that ranged from \$5 up to \$1,000, and a handful giving thousands more. Six organizations gave the other 91 percent of the money.

Proposition opponents raised a scant \$6,350 from 32 individuals, while raking in more than \$2.3 million from 41 business and labor organizations.

PROPOSITION 200 PROPONENTS

At the top of the list of measure supporters is the Federation for American Immigration Reform (FAIR), which gave 12 times for a total of \$373,731. FAIR was founded in 1979 by Michigan ophthalmologist John H. Tanton, a former member of Zero Population Growth who argued that large numbers of immigrants raised serious sustainability issues for the country.⁸ Tanton also is credited with the formation of several anti-immigrant organizations and has ties to other groups that contributed in support of Proposition 200, including Americans for Immigration Control, which gave seven times for a total of \$125,766; Population-Environment Balance Inc., \$17,000; and U.S. Inc. of Petoskey, Mich., which was founded and is controlled by Tanton, \$8,200.

Two other groups, POPSTOP Inc., which gave \$115,766, and Americans for Better Immigration, which gave \$65,766, are part of a loose network of groups related to Tanton⁹ and who espouse strong immigration reforms.

While several of these groups tout broad membership, much of their funding comes from foundations that support conservative immigration reforms. Those foundations include the Pioneer Fund, which supported FAIR with more than \$1.2 million in the late 1980s and early 1990s, and the conservative foundations controlled by the family of Richard Mellon Scaife.¹⁰

FAIR is a 501(c)3 tax-exempt nonprofit organization¹¹ and as such does not have to disclose its contributors. Americans for Immigration Control and POPSTOP Inc. are 501(c)4 nonpartisan, nonprofit organizations¹² that also do not have to disclose their supporters.

⁸ "The Puppeteer: The Organized Anti-Immigrant 'Movement,' Increasingly in Bed With Racist Hate Groups, Is Dominated By One Man, John Tanton," *Southern Poverty Law Center*, Summer 2002 [on-line]; available from <http://www.splcenter.org/intel/intelreport/article.jsp?pid=180>; Internet; accessed March 22, 2007.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ *Federation for American Immigration Reform* IRS Form 990, 2004 [on-line]; available from <http://www.fairus.org/site/PageServer?pagename=990forms>; Internet; accessed May 2, 2007.

¹² *Americans for Immigration Control* [on-line]; available from http://www.immigrationcontrol.com/become_member.htm; Internet; accessed May 2, 2007, and *POP.STOP*, http://popstop.org/pages/about_us.html; Internet; accessed May 2, 2007.

MAJOR BACKERS OF ARIZONA PROPOSITION 200, 2004

CONTRIBUTORS	TOTAL
Federation for American Immigration Reform	\$373,731
Americans for Immigration Control	\$125,766
POPSTOP Inc.	\$115,766
Americans for Better Immigration	\$65,766
Population-Environment Balance Inc.	\$17,000
U.S. Inc.	\$8,200
TOTAL	\$706,229

OPPONENTS OF PROPOSITION 200

While Proposition 200 supporters represented a core of conservative immigration-reform advocates, opponents came largely from the labor union community, which gave 73 percent of the money raised in opposition, but also included such unlikely partners as the Arizona Chamber of Commerce.

In all, eight groups gave more than 93 percent of the money raised by opponents of Proposition 200. The largest contributor to the opposition was a group called Arizona United for Immigration Reform (funded partly by the SEIU), which gave a total of \$737,993. The Service Employees International Union gave three times for \$660,000; the Arizona Chamber of Commerce, 12 times for \$479,270; AFSCME, once for \$100,000; and one check of \$50,000 each from the AFL-CIO, the Arizona Hospital & Healthcare Association, the Food & Commercial Workers, and the Laborers.

MAJOR OPPONENTS OF ARIZONA PROPOSITION 200, 2004

CONTRIBUTORS	TOTAL
Arizona United for Immigration Reform	\$737,993
Service Employees International Union	\$660,000
Arizona Chamber of Commerce	\$479,270
AFSCME	\$100,000
AFL-CIO	\$50,000
Arizona Hospital & HealthCare Association	\$50,000
Food & Commercial Workers/UFCW	\$50,000
Laborers/LIUNA	\$50,000
TOTAL	\$2,177,263

IN-STATE VS. OUT-OF-STATE DONATIONS

Proposition 200 proponents raised more than 91 percent of their money from outside Arizona. The largest proportion came from Washington, D.C. groups, which gave \$391,731, or 54 percent, of the donations, followed by Virginia with \$191,752 and \$116,461 from Maryland.

Opponents of the measure were somewhat more home-grown, with 57 percent of their donations coming from within Arizona, and just over 40 percent, or \$945,750, from Washington, D.C.

THE PLAYERS: COLORADO

The campaign surrounding Referendum H and Referendum K in Colorado in 2006 was markedly different than the earlier Arizona battle in several ways: A single committee, Defend Colorado Now, was formed to promote and raise money for both measures; no opposition committees were formed or reported any donations; many more individuals supported the measures with cash donations and far fewer national organizations weighed in on the effort. Overall, the amount of money raised to promote the measures — just \$177,533 — was much smaller than the total raised by all sides in the Arizona fight.

REFERENDUM H & K PROPONENTS

The lone organization contributing substantial money toward passage of both measures was U.S. Inc., the conservative immigration-reform organization run by Tanton.¹³ U.S. Inc. gave three times for a total of \$48,000, which amounted to 27 percent of the total raised.

Unlike the Arizona campaign, several individuals weighed into the Colorado campaigns with substantial donations. Jack F. Overstreet of Englewood, Colo., gave one \$25,000 check to the campaign. Overstreet is an oil and gas executive and a strong supporter of the Republican Party. He also gave \$100,000 to President George W. Bush's inauguration committee. Former Colorado Gov. Richard D. Lamm gave \$3,000, while retiree Robert Maich, and Lorenz Perry, a former organizer for the Buchanan 2000 campaign, all gave \$2,000. Congressman Tom Tancredo and Jo Anne Whiting, a Grand Junction philanthropist, each gave \$1,000.

In all, one group and six individuals gave 45 percent of the money raised in support of these two Colorado measures. A total of 1,630 individuals gave 67 percent of the reported donations, or \$120,365, with another \$8,673 reported as unitemized donations, showing much broader support among individuals than the effort in Arizona.

MAJOR BACKERS OF COLORADO REFERENDUMS H & K, 2006

CONTRIBUTORS	TOTAL
U.S. Inc.	\$48,000
Overstreet, Jack F.	\$25,000
Lamm, Richard D.	\$3,000
Maich, Robert	\$2,000
Perry, Lorenz	\$2,000
Tancredo, U.S. Rep. Tom	\$1,000
Whiting, Jo Anne	\$1,000
TOTAL	\$82,000

IN-STATE VS. OUT-OF-STATE DONATIONS

Another contrast with the Arizona immigration-reform effort is the amount of out-of-state money that flowed into the campaigns in Colorado. More than 72 percent of the money came from in state, with another 27 percent coming from Tanton's group in Michigan, U.S. Inc. Small amounts

¹³ "The Puppeteer: The Organized Anti-Immigrant 'Movement,' Increasingly in Bed With Racist Hate Groups, is Dominated By One Man, John Tanton," *Southern Poverty Law Center*, Summer 2002 [on-line]; available from <http://www.splcenter.org/intel/intelreport/article.jsp?pid=180>; Internet; accessed March 22, 2007.

of money in support of the Colorado measures came from California, Georgia, Illinois, Maryland, North Carolina, Texas and Virginia.

MEASURE SUPPORTERS' DONATIONS TO CANDIDATES

While the ballot-measure campaigns in Arizona and Colorado drew modest support from individual donors within the states, those donors did not follow through with donations to candidates who might share their views on immigration reforms. An analysis of the donors who gave to both the two state measures and to candidates running for office or party committees found just 264 individuals, accounting for \$126,149. These individuals accounted for \$60,218 of the total given to the ballot measure campaigns in the two states.

PROPONENTS' SUPPORT FOR CANDIDATES, PARTY COMMITTEES

In all, 86 winning candidates received political donations from the same individual donors that supported the immigration-related ballot measures in Arizona and Colorado: 60 in Colorado for \$26,052; 19 in Arizona, \$4,759; two in North Carolina, \$8,550; and one each in Florida (\$250), Indiana (\$4,000), New Mexico (\$25) and Washington state (\$15).

Individuals that gave to the immigration-reform measures supported the Colorado Republican Party with 59 contributions that totaled \$26,330. The Colorado Democratic Party received much less support from this group of contributors: just 14 donations totaling \$580.

The Colorado gubernatorial team of Bob Beauprez and Janet Rowland received the most support of all candidates in their losing run for the top elected seats, with 259 donations from measure supporters that totaled \$23,356.

Michael Coffman, who won his race for Colorado secretary of state, received 34 donations from people who also supported the two immigration-related measures in 2006, for a total of \$4,285.