



FEDERATION FOR AMERICAN IMMIGRATION REFORM  
Legislative Fact Sheet

---

## MINNESOTA HOUSE FILE 348

### Summary

Minnesota House File (HF) 348 makes illegal aliens eligible for Minnesota's driver's license, instruction permit, and identification card. Specifically, HF 348 amends current law to expand the list of acceptable documents that an applicant may use to prove identity to include a valid, unexpired passport issued by a country other than the United States with a certified birth certificate from a country other than the United States, Guam, Puerto Rico or the United States Virgin Islands. A driver's license, permit, or identification card issued based on the above must include the term "status check" without a date. The law would be effective January 1, 2014, and applies to a new driver's license, permit, or identification card or a renewal issued on or after that date.

### Analysis

**HF 348 Poses National Security Risks.** Granting illegal aliens government-issued identification documents makes them invisible to enforcement authorities by giving them the document they most need to secure employment, transact business and register to vote. This fact is especially disturbing considering that, unlike legal immigrants, illegal aliens are not subject to stringent background checks or face-to-face interviews to determine the existence of any national security threat that they might pose. Remember, the 19 September 11 terrorists carried among them over 30 state driver's licenses and identification cards. These documents allowed them to obtain housing, transportation and other accommodations without raising suspicion while they planned and executed their deadly conspiracy.<sup>1</sup>

Moreover, illegal aliens by definition do not have valid U.S. identification or work authorization documents. Therefore, they depend on foreign or forged documents when necessary. HF 348, in fact, expressly authorizes Minnesota officials to accept foreign passports and birth certificates as proof of identification. Minnesota, however, does not have the capacity to verify the validity of these documents.

**HF 348 Encourages More Illegal Immigration.** States who grant driver's licenses to illegal aliens become magnets for illegal immigration.<sup>2</sup> Illegal immigration results in higher costs of living, reduced job availability,<sup>3</sup> lower wages,<sup>4</sup> higher crime rates,<sup>5</sup> fiscal hardship on hospitals and substandard quality of care for residents,<sup>6</sup> burdens on public services, increasing their costs and diminishing their availability,<sup>7</sup> and a reduction on the overall quality of life.

**HF 348 Is Fiscally Unwise.** It is not fair to constituents to continue to increase taxes, cut their benefits and mortgage against their children's futures while expanding benefits for illegal aliens. States should conserve its fiscal resources for the benefit of its lawful residents and not provide public benefits to those, because of the risk of deportation if detected, are less likely to pay taxes.

Providing driver's licenses and identification cards to illegal aliens will only encourage illegal aliens to remain in the state and continue to work in the underground economy for lower wages – severely undercutting American workers and yielding little to no tax revenue for the state. States must not invite illegal immigration to their state and place the fiscal burden of providing education, health care and other services to illegal aliens on the backs of taxpayers.

Legislators should not spend scarce resources by granting driver's licenses to illegal aliens who are subject to immediate deportation. States have a legitimate interest in restricting licenses to those who are citizens or legal residents because of the concern that persons subject to immediate deportation will not be financially responsible for property damage or personal injury due to automobile accidents.

**HF 348 Rewards Lawbreakers.** States should not subsidize violations of law. Granting driver's licenses and identification cards to illegal aliens is a perverse incentive for illegal alien families to move to those states who issue them. Accommodating and rewarding those who violate our immigration laws encourages others to follow the same path and gives prospective immigrants little incentive to pursue the legal paths to immigration when they can side step the process and gain the same benefits.

Granting driver's licenses and identification cards to illegal aliens also insults those legal immigrants who patiently waited for months and years for the U.S. State Department and the U.S. Department of Homeland Security to approve their application for admission or adjustment and paid thousands of dollars in travel, legal and medical fees to abide by the entry, employment, health and processing laws and regulations.<sup>8</sup>

**HF 348 Conflicts with and Frustrates the Purposes and Objectives of Federal Immigration Law.** Illegal aliens have no legal right to remain in the United States and are prohibited from being employed. Through immigration law, Congress intended to make illegal immigration impractical and unlawful. However, state laws that grant identification documents to illegal aliens do the opposite, making it easier and more attractive for illegal aliens to live and work in the United States.

**HF 348 Will Not Significantly Impact Road Safety or Guarantee More Insured Drivers.** In 2011, the AAA Foundation for Traffic Safety released a report that analyzed traffic accident data collected by the National Highway Traffic Safety Administration's Fatality Analysis Reporting System database.<sup>9</sup> The AAA report reveals that from 2007-2009 less than 5 percent of the drivers involved in fatal car accidents nationwide were unlicensed drivers.<sup>10</sup> More than 95 percent of all drivers involved in fatal car accidents were licensed drivers or driver's whose licenses were suspended, revoked, expired, cancelled, or denied.<sup>11</sup> As a result, any correlation asserted by advocates of illegal alien driver's licenses between road safety and unlicensed illegal alien drivers is tenuous at best.

By the same token, it defies common sense to contend that the best way to combat accidents by illegal aliens is to give them all driver's licenses. If states really want to prevent crashes by unlicensed drivers, the state would discourage them from driving in the first place. This could be done in a variety of ways, but it is certainly not done by lowering standards for driver's licenses.

Also, granting driver's licenses to illegal aliens does not guarantee that they will purchase auto insurance. While many states' laws require all motorists to have auto insurance, there is no reason to think that illegal aliens, having disregarded so many other laws, would obey this one.

What is mistakenly assumed is that illegal aliens, who generally are low-income, have the cash available to acquire auto insurance plus the incentive to buy it in order to protect what little assets they have. While a few illegal aliens may be willing and able to buy insurance, on the whole it will not significantly reduce the number of uninsured drivers. For instance, New Mexico, which issues illegal alien driver's licenses, is also home to the nation's second highest percentage of uninsured drivers.<sup>12</sup>

---

<sup>1</sup> "More than half of the 48 Islamic radicals convicted or tied to recent terrorist plots in the United States over the past decade either were themselves illegal aliens or relied on illegals to get fake IDs. Immigration violators participated in the first attack on the World Trade Center, the Los Angeles Millennium bombing plot, and the New York subway bombing conspiracy. Three of the 9/11 hijackers were here illegally; two had previous immigration violations. Three 9/11 hijackers—Mohammed Atta, Hani Hanjour, and Ziad Jarrah—came into contact with state and local police before the attacks for speeding. Atta and Hanjour were visa violators." Testimony of Michelle Malkin before the Senate Judiciary Subcommittee on Immigration, Border Security, and Citizenship (May 6, 2004), available at <http://www.vdare.com/articles/the-other-wall-michelle-malkins-senate-testimony>.

<sup>2</sup> Data obtained by the Associated Press from three states who issue driver's licenses to illegal aliens reveals that the states saw a surge in illegal aliens seeking driver's licenses and IDs after Arizona's tough immigration enforcement bill, Senate Bill 1070, was signed into law. See Tim Korte and Manuel Valdes, *More immigrants getting driver's licenses in Washington*, August 13, 2010, available at [http://o.seattletimes.nwsources.com/html/nationworld/2012619222\\_licenses14.html](http://o.seattletimes.nwsources.com/html/nationworld/2012619222_licenses14.html). Specifically, during the ten weeks after Arizona's Senate Bill 1070 became law, the number of licenses issued to foreign nationals in the three states rose by 60 percent over the annual average for the previous year. *Id.* In Washington State, the FBI was tipped that people from across the country were coming to the State because of its license law. *Id.* Indeed, Washington experienced a surge in driver's license applications from out-of-state illegal aliens after amending its law to allow illegal alien driver's licenses. See Stephen Clark, *States Revise Rules on Driver's Licenses for Illegal Immigrants as National ID Approaches*, FOX NEWS, February 17, 2011, available at <http://www.foxnews.com/politics/2011/02/17/states-revise-rules-drivers-licenses-illegal-immigrants-national-id-approaches/>.

In 2003, New Mexico amended its driver's license statute to allow foreign nationals to obtain driver's licenses regardless of immigration status. See N.M. Stat. Ann. § 66-5-9 (2012). Currently, 71,729 foreign nationals possess a New Mexico driver's license. Since July of 2010, anyone applying for the state's foreign national driver's license must make an appointment with the New Mexico Motor Vehicle Division (MVD). MVD offices review applications and grant a temporary driver's license to persons who meet the documentary requirements. The application is then passed on to the New Mexico Taxation & Revenue Department's Tax Fraud Investigations Division (TRD-TFID), who oversees the MVD. Between August 2010 and April 2011, TRD-TFID investigators found that 37 percent of the 16,000 foreign national requests for appointments came from out-of-state, most from Arizona, Georgia, and Texas. See Tim Maestas, *Immigrant License Fraud Increases*, KASA FOX, May 16, 2011, available at [http://www.kasa.com/dpps/news/news\\_other\\_4/immigrant-license-fraud-increases\\_3813419](http://www.kasa.com/dpps/news/news_other_4/immigrant-license-fraud-increases_3813419). Investigators found one New Mexico number was used 228 times, a phone number with an Arizona area code was used 24 times, and one address in Albuquerque was used more than 70 times in the application process. *Id.*

Conversely, States that refuse benefits or privileges to illegal aliens see a dramatic decrease in illegal immigration. For example, the U.S. Department of Homeland Security ("DHS") estimated that Arizona's illegal alien population grew from 330,000 in 2000 to 560,000 by 2008, one of the fastest rates nationally. See Office of Immigration Statistics, DHS, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2008*, available at [http://www.dhs.gov/xlibrary/assets/statistics/publications/ois\\_ill\\_pe\\_2008.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2008.pdf). After Arizona's SB 1070 strict immigration law passed, however, Arizona's illegal alien population dropped by 18 percent from 2008 to 2009. See Office of Immigration Statistics, DHS, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2009*, available at [http://www.dhs.gov/xlibrary/assets/statistics/publications/ois\\_ill\\_pe\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2009.pdf).

See also, e.g., Prince William County ("PWC"), Virginia. After PWC instituted a policy of cooperation with DHS, its illegal alien population decreased significantly in just two years, resulting in a reduction in violent crime and hit-and-run accidents. See Center for Survey Research, University of Virginia, *Evaluation Study of Prince William County's Illegal Immigration Enforcement Policy FINAL REPORT 2010*, available at <http://www.pwcgov.org/government/bocs/Documents/13188.pdf>.

---

<sup>3</sup> There is no such thing as an “illegal alien job.” Illegal aliens and natives compete for the same jobs, and native workers are increasingly disadvantaged because employers have access to a steady supply of low-wage foreign workers. Illegal immigration has a disproportional impact on poor Americans. Because a large proportion of illegal aliens are low-skilled workers, they are more likely to compete with and undercut the wages of low-skill native workers. See Jeffrey S Passel and D’Vera Cohn, *A Portrait of Unauthorized Immigrants in the United States*, Pew Research Center, April 2009, at 11-12, available at <http://pewhispanic.org/files/reports/107.pdf>.

<sup>4</sup> In Georgia, where the illegal alien share of the labor force went from about 4 percent to 7 percent from 2000 to 2007, a study by the Federal Reserve found that the illegal labor caused a 2.5 percent wage drop overall and a 11 percent drop in construction wages over that time period. See Julie L. Hotchkiss and Myriam Quispe-Agnoli, *The Labor Market Experience and Impact of Undocumented Workers*, Federal Reserve Bank of Atlanta, February 2008, at 36, 39, available at <http://www.frbatlanta.org/filelegacydocs/wp0807c.pdf>. Harvard University’s George Borjas concluded that immigration reduced wages for the poorest 10 percent of Americans by about 7.4 percent between 1980 and 2000 with even larger effects for workers with less than 20 years of experience. George J. Borjas, *Increasing the Supply of Labor through Immigration: Measuring the Impact on Native Workers, Background*, Center for Immigration Studies, May 2004, at 1, available at <http://www.cis.org/sites/cis.org/files/articles/2004/back504.pdf>.

<sup>5</sup> The Federal Bureau of Prisons reported that, although illegal aliens only make up an estimated 3.7 percent of the United States population, non-citizens account for 26 percent of the federal jail population. See United States Department of Justice, Federal Bureau of Prisons, *State of the Bureau* at 3 (2010), available at <http://www.bop.gov/resources/pdfs/sob10.pdf>. DHS estimates that non-citizens nationally comprise 20 percent of inmates in prisons and jails. See Center for Immigration Studies, *Immigration and Crime: Assessing a Conflicted Issue* at 1 (November 2009), available at <http://www.cis.org/sites/cis.org/files/articles/2009/crime.pdf>. Even so, every crime illegal aliens commit in the United States was potentially preventable if the illegal alien had been identified, apprehended, and removed before they victimized anyone. States who give driver’s licenses to illegal aliens create safe havens that facilitate criminal activity, especially in regard to drug- and gang- related crimes, human trafficking, and identity theft.

<sup>6</sup> The national annual state and local costs related to health care for Illegal aliens is \$5.8 billion. See FAIR, *The Fiscal Burden of Illegal Immigration on United States Taxpayers* (2010), available at <http://www.fairus.org/publications/the-fiscal-burden-of-illegal-immigration-on-u-s-taxpayers>.

<sup>7</sup> Illegal immigration costs United States taxpayers about \$113 billion a year at the federal, state and local level. See FAIR, *The Fiscal Burden of Illegal Immigration on United States Taxpayers* (2010), available at <http://www.fairus.org/publications/the-fiscal-burden-of-illegal-immigration-on-u-s-taxpayers>. The bulk of the costs — some \$84 billion — are absorbed by state and local governments. *Id.*

<sup>8</sup> See Michelle Malkin, *Amnesty Gang Throws Law-Abiders Under the Bus*, TOWNHALL, January 30, 2013, available at <http://townhall.com/columnists/michellemalkin/2013/01/30/amnesty-gang-throws-lawabiders-under-the-bus-n1500802/page/full/> (“President Obama and the bipartisan Gang of Eight in Washington who want to create a ‘pathway to citizenship’ for millions of illegal aliens have sent a message loud and clear to those who follow the rules: You’re chumps! Have you patiently waited for months and years for the State Department and Department of Homeland Security to slog through your application? You’re chumps! Have you paid thousands of dollars in travel, legal and medical fees to abide by the thicket of entry, employment, health and processing regulations? You’re chumps! Have you studied for your naturalization test, taken the oath of allegiance to heart, embraced our time-tested principle of the rule of law, and demonstrated that you will be a financially independent, productive citizen? You’re chumps!”).

<sup>9</sup> AAA FOUNDATION FOR TRAFFIC SAFETY, *Unlicensed to Kill*, November 2011, available at <https://www.aaafoundation.org/sites/default/files/2011Unlicensed2Kill.pdf>.

<sup>10</sup> *Id.* at 5, 6. The 5 percent figure includes not only illegal aliens, but citizens and legal residents as well. Thus, the percentage of fatal crashes involving illegal alien unlicensed drivers is reduced further.

<sup>11</sup> *Id.*

<sup>12</sup> Insurance Research Council, News Release, *Recession Marked by Bump in Uninsured Motorists*, April 21, 2011, available at [http://www.insurance-research.org/sites/default/files/downloads/IRCUM2011\\_042111.pdf](http://www.insurance-research.org/sites/default/files/downloads/IRCUM2011_042111.pdf).