

EXHIBIT NO. 3

3/3/2011

DATE: 3-3-2011MONTANA should be HB 178

HB 178 (Senate hearing) Paul Nachman Bozeman

I lived in southern California from 1996 to 2005, with the effects of illegal immigration in my face. So I support HB178, because I think Montana should be doing everything in its power to discourage illegal immigration here. This includes keeping illegal aliens from getting driver's licenses and state IDs, since possessing these are key to many routine activities.

Opponents on these illegal-immigration-related bills routinely tell us that it's not a problem in Montana, and our legislature shouldn't be bothered to think about it.

But consider this: In 1990, illegal aliens were about half of one percent of Georgia's 6.5 million population. In 2010, they were about 4.4% out of 9.7 million. For North Carolina, the corresponding percentages are 0.4% and 3.5%. For the same epochs, California was (5.0%, 6.8%) and Texas was (2.6%, 6.6%). (The illegal-alien numbers are from the Pew Hispanic Center, February 1, 2011. Pew calls itself a "fact tank" and their numbers aren't limited to Hispanics.) Thus those 1990 Georgians and North Carolinians could, reasonably, have said about illegal immigration, "Oh, that's really just a problem in the southwest border states, like Texas and California." So they ignored their local problems until, fractionally, they became Texas- or California-sized. And now they have pitched legislative battles in attempting to address the consequences.

Further, the press releases at the website of the U.S. Attorney for Montana reveal that 10% to 15% of their cases involve illegal aliens – I've checked myself. And, still close enough to home, a Wyoming news story in early 2010 said that 30% of the Wyoming U.S. Attorney's cases specifically involved illegal re-entry of previously-deported aliens.

So let's not let Montana get lulled the same way Georgia, North Carolina, and many other states were.

Back to HB 178. Enacting it will incorporate the Systematic Alien Verification for Entitlements program -- the initials spell SAVE -- into Montana's issuance of driver's licenses to non-citizens. (A side note: Some people complain about the word "alien," but in this context it just means non-citizen. "Alien" and "illegal alien" are used throughout the U.S. Code. During a summer in France, I was a legal alien with respect to the French, because I entered legally and respected French law. And I'll remind you that Eric Blair, who was also known as George Orwell, strongly recommended honest language as a prerequisite for clear thinking.)

So what is SAVE? It's an online capability provided by U.S. Citizenship and Information Services for quick, efficient verification of immigration status information, accessing more than 100 million such records in Department of Homeland Security databases. It's very inexpensive for the state to use to verify alien applicants' identity claims, and the modest cost can and should be passed on to the driver's license applicant.

Interestingly, SAVE is already used by Montana's Public Assistance Bureau to make sure only eligible aliens – permanent residents who've been here legally for at least five years – can access the federally-funded benefits SNAP (food stamps), TANF (temporary assistance for needy families), and Medicaid.

I spoke with three people at different levels within the Bureau to get some idea of how SAVE is used and how user-friendly it is. Kathe Quittenton, who's the Public Assistance Bureau Chief, told me that they've used SAVE for at least all of her 17 years there.

In recent years they've had electronic access. They submit the information from an alien's immigration documents electronically and get a response electronically, but delayed by several working days. It's also possible to get responses within seconds, but that costs more, and for their type of use and volume, it's not worthwhile to pay the higher fee.

Someone below Quittenton in the hierarchy uses the SAVE program almost every day. The input information comes from the field offices, by faxing the immigration documents or by scanning them and then attaching to an email.

There's a Washington DC organization called the Coalition for a Secure Driver's License. Their President Brian Zimmer explained to me that enrollment in SAVE is first by the state and then by state agency. Since our public assistance agency is already using SAVE, I think this means that SAVE can be implemented for driver's licenses by simply signing an additional Memorandum of Understanding, to ensure data-privacy rules are followed. (Of course, there will be some training involved for the Motor Vehicle Division users.)

Finally, SAVE users don't have to be experts in anything to do with immigration. That's the point of SAVE, to rely on established federal tools for this precise purpose.