

In the years since the passage of the border security bill, the impasse over immigration has gotten deeper and the debate more acrimonious. As we saw in *What's at Stake . . . ?* in Chapter 2, Congress has continued to be paralyzed when it comes to immigration reform and President Obama has been determined to act alone where he can. The efforts of those demanding federal immigration reform have been stymied by the necessity of dealing with the tricky problems associated with an influx of young children coming into the border states from Central America without their parents.

Clearly the current state of immigration reform at the national level has strained relations between states and the federal government, illustrating that although federalism can enhance flexibility it can also blur the

lines of responsibility. Particularly when problems seem to be intractable, a lack of clear lines of accountability can increase acrimony and finger-pointing, as the parties try to avoid taking the blame for problems that are difficult to fix.

What's at stake here is the ability of states to step in and attempt to manage a problem that approaches crisis proportions for some of them, and the federal government's ability to apply uniform standards and rules to immigrants in all fifty states. The law concerning employer sanctions already reached the Supreme Court, which had not dealt with a case concerning federalism and immigration since 1976. The newest justice, Elena Kagan, who was solicitor general when the case came up, recused herself, leaving only eight justices to decide the case.