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SOME SENATE DEMOCRATS BALK AT FASTER DEPORTATIONS

By Kristina Peterson
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WASHINGTON – Senior Senate Democrats are expressing concern that President Barack Obama’s plans to speed up deportation of thousands of children crossing the southern border could hamper a careful review of the migrants’ cases and potentially return them to danger back home.

Mr. Obama has asked Congress to direct \$3.7 billion to deal with the surge of migrants, many of whom are Central American children and families fleeing gang violence. He has also asked for more flexibility in dealing with a 2008 trafficking law seen as slowing down the administration’s response, but Mr. Obama didn’t directly tie altering the law to his funding request.

While Democrats are broadly supportive of the funding request, some of them worried Thursday that changes in the law to expedite deportation of children could prevent them from getting the appropriate legal protections.

The top Democratic leaders in the House and Senate, however, didn’t take a hard line on altering the law, saying their top priority is getting the funding request passed. House Minority Leader Nancy Pelosi (D-CA) said that while she would prefer not to see the law altered, “it’s not a deal breaker.”

Republicans including House Speaker John Boehner have said they want to change the 2008 law to expedite the process used to return many of the children to their home countries.

The 2008 law, signed by President George W. Bush, aimed to protect children from human trafficking. It requires that migrant children other than those from Mexico and Canada be placed with sponsors in the U.S. during potentially lengthy waits until the backlogged court system can hear their deportation cases.

“We’re required to hold those people,” said Mr. Boehner, who said Republicans “would probably want language similar to what we have with Mexico” to speed up the process.

Senate Judiciary Chairman Patrick Leahy (D-VT) said he would “fight tooth and nail” changes to the 2008 law. “When you have an 8- or 9-year-old girl who’s being raped by gangs, that are being sent by their parents to escape that kind of violence, I’m not sure Americans really feel we should immediately send them back,” he said at a Senate appropriations hearing on the president’s request.

Sen. Richard Durbin of Illinois, the second-ranking Democrat in the Senate, also told reporters Thursday that he couldn’t support changing the 2008 law unless he had more confidence that the children were receiving adequate legal representation and wouldn’t be returned to dangerous situations.

“There’s terrible poverty and violence going on and I need some assurance that there’s some basic social service infrastructure there to protect them,” said Mr. Durbin, who noted that he had discussed his concerns with Mr. Obama in a phone call last week.

In the Senate, a bill introduced by eight Republicans including Arizona Sens. Jeff Flake and John McCain, would enable officials to treat unaccompanied children entering from Guatemala, Honduras and El Salvador – where most of the children are coming from – comparably to how they treat children from Mexico and Canada.

In the House, Rep. Matt Salmon (R-AZ) has introduced legislation that would give immigration officers the authority to quickly remove minors from Central America and guarantee they could still be afforded a removal hearing if there was evidence they had been involved in trafficking or suffered abuse.

At the appropriations hearing, Homeland Security Department Secretary Jeh Johnson said “some type of added discretion on my part would be helpful to address this particular situation.” Changing the law would enable children coming from Central America to “accept a voluntary return,” he said.

But Mr. Johnson also indicated that even without changing the law, the administration would be able to expedite its process and tighten security along the border by building more detention facilities if the funding request is granted. “We have to return people and we have to show others in Central America that we are returning people,” he said.

The Department of Health and Human Services is preparing for 90,000 children to cross the border in this fiscal year, said its chief, Sylvia Mathews Burwell.

Republicans have indicated they will insist on some policy changes attached to Mr. Obama’s funding request, but haven’t stipulated any formal set of demands yet. Many GOP lawmakers have said they think the president’s 2012 decision to slow deportations of illegal immigrants who arrived in the U.S. at a young age is motivating families to send their children here.

“The president’s action was motivated by compassion, but it seems clear to me that it sent the wrong message to those parents in Central America,” said Sen. Susan Collins (R-ME).

Mr. Johnson said he has sought to broadcast the message that Mr. Obama’s 2012 decision wouldn’t apply to these children, since it applies only to youth who have been living in the country for seven years by now