

U.S. ALTERS POLICY ON DEPORTING IMMIGRANTS

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In a surprise announcement, the Obama administration said it will review the deportation cases of 300,000 illegal immigrants and might allow many of them to stay in the U.S., a decision that angered immigration hard-liners and pleased Hispanic advocacy groups.

Under the plan, federal authorities will review individually all cases of immigrants currently in deportation proceedings. Those who haven't committed crimes and who aren't considered a threat to public safety will have a chance to stay in the U.S. and to later apply for a work permit.

The shift could help counter growing discontent among Hispanic voters and immigration advocacy groups about record deportations; audits of businesses that have pushed undocumented workers underground; and the lack of progress toward overhauling the immigration system under President Barack Obama.

The announcement comes as several states seek to pass laws to crack down on illegal immigrants, including millions who flocked to the U.S. before the recession to take blue-collar jobs in construction, agriculture and hospitality.

A senior administration official described the move as an effort to better use limited immigration-enforcement resources and to alleviate pressure on overburdened immigration courts. The idea, this person said, is to "identify low-priority cases...and administratively close the case so they no longer clog the system." The official added that such cases could be reopened by the government at any time.

While the announcement doesn't address illegal immigrants who aren't involved in deportation proceedings, it could benefit them indirectly. "They will be less likely to enter the caseload to begin with, so we can focus on folks in the caseload who are high priority," said the administration official.

Critics described the decision as a step by the administration toward offering amnesty for illegal immigrants. "The Obama administration should enforce immigration laws, not look for ways to ignore them," said Rep. Lamar Smith (R., Texas), head of the House Judiciary Committee.

Dan Stein, president of the Federation for American Immigration Reform, which lobbies against legalization, said: "In essence, the administration has declared that U.S. immigration is now virtually unlimited to anyone willing to try to enter—subject only to those who commit violent felonies after arrival."

Others welcomed the move. Ali Noorani, executive director of the National Immigration Forum, a nonpartisan advocacy organization, described it as a "step forward" and a "sound

policy decision that uses valuable law-enforcement resources to remove those who once caused harm but keeps contributing members of the immigrant community here."

The majority of agricultural workers are in the U.S. illegally. "We hope this is a move toward an immigration solution that works for agriculture," said Jason Resnick, general counsel of Western Growers, a California-based association that represents produce growers. "Even in this time of great unemployment, we are not seeing domestic workers apply for jobs."

Ordinarily, illegal immigrants can't get work permits, and most never apply for fear of opening themselves up to deportation. The new plan would enable some to get permits, said the administration official, who didn't elaborate other than to say decisions would be made on a case-by-case basis

In a letter to Senate Majority Leader Harry Reid (D., Nevada) outlining the plan, Homeland Security Secretary Janet Napolitano said that an interagency working group would execute a "case-by-case review of all individuals currently in removal proceedings to ensure that they constitute our highest priorities."

Administration officials said low-priority cases likely to be shelved include individuals brought to the U.S. as children by their parents, undocumented spouses of U.S. military personnel and immigrants who have no criminal record.

"This process will allow additional federal enforcement resources to be focused on border security and the removal of public safety threats," Ms. Napolitano said in the letter.

Current immigration policy aims to deport illegal immigrants who commit serious crimes, but critics say it is snaring too many immigrants who have committed only minor offenses, like traffic violations, or who have called the police to report a crime. Controversy over a key element of the policy, the Secure Communities program, is threatening the president's relations with the Hispanic community.

This week, there have been protests in several cities, including Los Angeles, Chicago and Atlanta, prompted by the surge in deportations and administration plans to expand the program.

More than 390,000 people were removed from the U.S. in each of the last two years, surpassing previous years. Immigration courts are so jammed it can often take more than a year for a judge to rule on a deportation case.

U.S. immigration policy has eclipsed the economy and jobs as the top issue for Hispanic voters, according to a national poll released in June. To Hispanic voters, Mr. Obama has touted his support for an immigration overhaul that would put illegal immigrants on the path to legalization, and has bemoaned a lack of support from Republicans.

The immigration issue is a critical one for Mr. Obama as he prepares for reelection. He won 67% of the Hispanic vote in 2008. Republicans are unlikely to significantly increase their share of the Hispanic vote, but Mr. Obama needs Latinos to turn out in large numbers.

An effort to pass the Dream Act, which would allow certain young people brought to the U.S. illegally as children to stay, failed at the end of last year and has little chance in the Republican-controlled House. The prospects for comprehensive immigration legislation, which would provide a path to citizenship for a broader group of illegal immigrants, are even worse.

Hispanic lawmakers have called on the Obama administration to hold off deporting any young people who would qualify for legal residency under the Dream Act. Last month, four House Democrats wrote Mr. Obama arguing that most of those being deported "are not criminals and pose no threat to our country's security."

Mercedes Gonzalez, 18 years old, who is facing deportation after being pulled over for speeding, briefly met Mr. Obama last month after he gave a speech to a Hispanic advocacy group. She said in an interview that the president told her: "Everything is going to be fine. You're going to be OK."