

DREAMers Welcome Obama's Immigration Shift, But Pledge Caution

by [Julianne Hing](#)

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Nearly a million undocumented youth won a historic reprieve Friday when President Obama announced an initiative to end the deportations of those who would be eligible for the federal DREAM Act. The move came on the heels of aggressive actions and a groundswell of public support demanding exactly such a fix. Yet many activists long accustomed to hearing Obama promise humane immigration policy on one hand and do exactly the opposite say they cannot afford to give up their vigilance.

“This is not amnesty. This is not immunity. This is not a path to citizenship,” Obama said Friday, in a preemptive response to those on the right, who, before the day was over already pledged to [sue him](#), and called the announcement an effective get out of deportation free card.

“It’s not a permanent fix. This is a temporary stop gap measure that lets us focus our resources wisely while giving a degree of relief to talented, driven, patriotic young people.”

Obama said the fix was necessary in the absence of the DREAM Act a narrow legalization bill for undocumented youth who were raised in the country, clear a host of hurdles and commit two years to the military or higher education. “It makes no sense to expel talented young people who for all intents and purposes are Americans,” Obama said. The White House estimates that some 800,000 could benefit from the policy, yet according to Pew, relief could be available to up to 1.4 million youth.

“President Obama’s announcement brings peace and relief to many DREAMers,” said Lorella Praeli, a member of the United We Dream network. “It is one step in the right direction after years of work that will allow students to apply their professional degrees and know that they need not fear deportation, that they will be able to continue living as Americans in the only country they call home.”

While immigrant rights groups roundly hailed the news as a landmark victory, there is not a consensus among immigrant youth about the news. For many activists accustomed to Obama’s past announcements of immigration fixes, Friday’s news instead makes them wary.

“The thing that sits badly with us is DHS cannot provide any assurance of relief and is going to do everything on a case by case basis,” said Mohammad Abdollahi, with the National Immigrant Youth Alliance, which had [staged sit-ins](#) in Obama’s campaign offices in the days leading up to Friday’s announcement. “After reading the memo, it’s an echo of the prosecutorial discretion memo that came out literally a year ago.” That memo, which issued enforcement guidelines to ICE field offices, was the agency’s effort to more proactively adopt its own enforcement

guidelines to focus on deporting convicted criminals and those who presented a national security risk. Yet in the year since the Obama administration [released the memo](#), plenty would-be DREAMers were still getting swept up into the deportation dragnet.

In August of last year, the Department of Homeland Security opened a deportation review initiative to comb through nearly 300,000 open deportation cases. DHS said it would pull from the queue those who weren't a "high priority" for removal, yet at the end of the review, just 4,363 cases were closed. The results of both reforms were deeply disappointing to advocates. Over the course of his presidency Obama has ratcheted up deportations, removing nearly 400,000 people every year.

"I think the announcement today is more specific than last year's memo," said Hiroshi Motomura, an immigration law professor at UCLA. "[It] seems implicitly to be in a context of 'we really mean it' as opposed to the fact that much of what the prosecutorial discretion memo of last year seemed to promise never happened."

Friday's changes are different from the administrative fixes of late in other substantive ways as well. With her directive ([PDF](#)), DHS Secretary Janet Napolitano allowed her department to defer moving on the deportation cases of undocumented youth who would be eligible for the 2010 version of the federal DREAM Act. Those who qualify for deferred action may apply for work authorization, the most crucial change, said Michael Wishnie, a professor of immigration law at Yale. Those who are under 16 may apply for deferred action and a work permit as they age into eligibility.

Work permits will be granted on a case by case basis according to "economic necessity," said Cecilia Munoz, the White House Director of Intergovernmental Affairs. Those who want work permits must come forward to apply for deferred action first, and according to Department of Homeland Security officials, there will be no appellate mechanism for those who are denied. Future administrations will be allowed to make their own determinations about how to deal with DREAMers in the future.

The immigration fix, however small, nonetheless showed political savvy from Obama. With the election around the corner and a Supreme Court ruling on Arizona's anti-immigration law SB 1070 expected any day now, Obama faced heavy political pressure to prove to Latino voters, whose support is crucial to his re-election, that his immigration record would be about more than just heavy, indiscriminate enforcement. Advocates had been pressing Obama to take some action to ever since the federal DREAM Act's most recent failure in the Senate in 2010. And with seemingly indefinite congressional inaction on the issue stretches stoking the ire of Latino and immigrant voters, even Republicans, who are these days often loathe to discuss any immigration action besides enforcement, have been suggesting DREAM Act-like fixes of their own this spring. Florida Senator and rumored GOP vice presidential hopeful Marco Rubio had floated an idea for a bill that looks much like what President Obama put into action on Friday.

With one move, Obama seemed to neatly deal with all those competing pressures. "DREAMers made it clear, it was clear to [the Obama administration], that they can't fuck this one up if they

want to get any political bounce out of it,” said Frank Sharry, executive director of America’s Voice, a D.C.-based immigration reform advocacy group. “

“I’m happy that it’s an election year, and happy that they need the Latino vote because that’ll make it more likely that they make the right decisions and implement it fairly and fully and much more aggressively,” Sharry said.

Abdollahi promised that for the NIYA’s part, more actions, and as many as were necessary, would come in the upcoming days until they see definitive proof that Obama can keep to his word. “We know Obama needs the Latino vote,” Abdollahi said. “But until he stops our deportations, we’re going to keep pushing.”

http://colorlines.com/archives/2012/06/obamas_small_immigration_fix_for_dreamers_a_big_political_win.html