

Immigration change gives legal status to undocumented relatives of US military

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Immigration reform may be stalled in Congress, but a new Obama administration policy is extending legal status and military benefits to thousands of illegal immigrants who are the spouses, parents and children of American military members.

Supporters say the policy -- which applies to active-duty military, reservists and veterans -- is long overdue.

"Those veterans and those men and women who serve in the National Guard certainly deserve the peace of mind that their family members will not be deported," immigration attorney Faye Kolly said.

But critics say the policy is tantamount to backdoor amnesty.

"A whole class of aliens with no right to be in the United States are suddenly going to be allowed to live and work here on the basis of their relationship with military and veterans," said Dan Cadman, with the Center for Immigration Studies.

The exemption, called parole in place, came in the form of a U.S. Citizenship and Immigration Services "policy memorandum." It was not submitted to or approved by Congress, and the regulations were not published in the Federal Register, which allows for public comment prior to a rule taking effect.

"I don't want to overstate it, but it sounds very similar to imperial decree if you ask me," Cadman said. "The public had no chance to comment on this new policy. I believe the way this was done was illegal."

Obama administration officials say the new rules do not require congressional action because they're based on existing statutes.

"It's clearly within the president's authority to enforce the law and choose which immigrants he thinks are the priority," said Brent Wilkes of the League of United Latin American Citizens. "These folks aren't threats. They've got a relative that's serving our nation."

One face of this new policy is Christian Gonzalez, a retired Marine who has been recommended for a Purple Heart. He was attacked five days in a row by improvised explosive devices (IED's) in Afghanistan. The last one nearly claimed his life.

"For a brief period, I was paralyzed from the waist down. I suffered a pretty traumatic brain injury from that," said the San Antonio resident, sitting alongside his wife Laura, who was brought to the U.S. illegally as a child.

"Without her, you know, I'd be lost with my disabilities. Critics only look at her as an illegal alien. They're not looking at her as the spouse of a veteran," he said.

Christian and Laura met in middle school. He enlisted in the Marines during high school. They got married when he returned from multiple tours in Afghanistan and Iraq. Under the new policy, tens of thousands of illegal aliens like Laura will be offered a green card and legal residency.

As the wife of a veteran, she would be entitled to his health care, education and survivor benefits, as well as simple things like a Social Security number and driver's license.

"I'm covered, my kids are covered, but the woman that runs the house, she's not covered. So that's probably the hardest part," Gonzalez said. "Now she'll be able to get a job, go to school. It would make her feel like she contributes more to the family."

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