

Obama administration sparing some from deportation

By Alan Gomez, USA TODAY

Updated 2h 11m ago

WASHINGTON – Ignoring complaints from congressional Republicans, the Obama administration announced today that it would halt deportations of up to 800,000 illegal immigrants who were brought to the country as children.

In recent years, congressional Democrats have tried and failed to pass the DREAM Act, which would grant legal status to illegal immigrants who were brought to the USA as children and have completed high school and either attended college or served in the military.

The administration's decision, announced by Department of Homeland Security Secretary Janet Napolitano this morning, does not grant legal status to those DREAM students but halts any deportation proceedings against them for two years and allows them to apply for a work permit.

While announcing the new policy, President Obama called DREAM-eligible students, or DREAMers, Americans "in every single way but one: on paper."

"This is not amnesty. This is not immunity. This is not a path to citizenship. It's not a permanent fix," Obama said. "This is a temporary, stopgap measure that lets us focus our resources wisely while giving a degree of relief and hope to ... patriotic young people.

"It's the right thing to do," he said.

The announcement thrusts the immigration debate squarely into the presidential election, as both sides try to win over the ever-increasing Latino vote and Democrats try to energize the crucial bloc.

Obama won the Latino vote by more than 2 to 1 in 2008 — 67% to 31% — according to the Pew Hispanic Center. But Latinos have been vocal in their opposition to Obama's policies since then, as he sets records each year for the number of people deported and has failed to pass any immigration legislation through Congress.

Mohammad Abdollahi, 26, heard of today's announcement while he was occupying an Obama re-election office in Dearborn, Mich., with three other DREAM-eligible students. Abdollahi said DREAM students were occupying other re-election offices in San Francisco, Los Angeles and Ohio, and they received the announcement with cautious relief.

"We want to be excited, but at the same time, we're being realistic," he said. "We completely know that both sides are vying for the Latino vote. We know everyone's trying to use the community. But if you're going to use the community, at least give us something legitimate."

The announcement puts pressure on Republican nominee Mitt Romney, who has said he would veto the latest version of the DREAM Act if it reached his desk but supported a version that granted legal status only for DREAM students who served in the military. Sen. Marco Rubio, R-Fla., a potential vice presidential pick, has discussed an alternative version of a DREAM Act, which would not grant legal status to those students but would allow them to stay in the country.

Romney interrupted his bus tour of swing states today to make a brief statement on Obama's action. Romney said the status of DREAM students is "an important matter to be considered," but the new policy would make it harder to find consensus in Congress.

"I'd like to see legislation that deals with this issue, and I happen to agree with Marco Rubio," Romney said. "If I'm president, we'll do our very best to have that kind of long-term solution that provides certainty and clarity for the people that come into this country through no fault of their own by virtue of the action of their parents."

Republicans in Congress reacted angrily today, led by Rep. Lamar Smith, R-Texas, who called Obama's decision a "breach of faith with the American people."

"How can the administration justify allowing illegal immigrants to work in the U.S. when millions of Americans are unemployed?" said Smith, chairman of the House Judiciary Committee. "President Obama and his administration once again have put partisan politics and illegal immigrants ahead of the rule of law and the American people."

Obama was to address the new policy from the White House this afternoon.

Under the plan, illegal immigrants will be immune from deportation if they were brought to the USA before they turned 16 and are currently younger than 30. They must have been in the country for at least five continuous years, graduated from high school or served in the military, and have a minimal criminal record — no convictions for felonies, "significant misdemeanors" or multiple misdemeanors, according to a memo from Napolitano.

The application process will start in 60 days, according to Napolitano's memo.

Reaction to the decision was mixed across the political spectrum. Some questioned whether Obama's decision would sabotage any chance of the DREAM Act passing Congress.

Sen. Charles Schumer, D-N.Y., chairman of a Judiciary subcommittee on immigration, refugees and border security, lauded Obama and said his move puts even more pressure on Congress to pass the act.

"In one fell swoop, the president has accomplished what far too few Republicans were brave enough to even discuss," he said.

Even though Obama's new policy closely resembles many of the aspects of the DREAM Act being contemplated by Rubio, the Florida senator accused Obama of "ignoring the Constitution and going around Congress" by instituting the policy.

"There is broad support for the idea that we should figure out a way to help kids who are undocumented through no fault of their own, but there is also broad consensus that it should be done in a way that does not encourage illegal immigration in the future," Rubio said in a statement. "This is a difficult balance to strike, one that this new policy, imposed by executive order, will make harder to achieve in the long run."

Some said it didn't go far enough.

The National Immigrant Youth Alliance, which advocates for equal rights for legal and illegal immigrant youth, held a conference call this morning and did not endorse the plan.

Dulce Guerrero, who heads the alliance's operations in Georgia and is herself an illegal immigrant, said she has heard something similar before. Last year, Immigrations and Customs Enforcement Director John Morton issued a memorandum instructing ICE officials to close deportation cases of illegal immigrants that do not fall into their deportation priorities. If the illegal immigrants did not have criminal records, were not repeat border crossers or recent crossers and were not a threat to national security, ICE officials were to use "prosecutorial discretion" and close out the cases.

Guerrero, 19, said that memo didn't change much. She said she continues lobbying the ICE office in Atlanta to drop several cases against DREAMers but has been unsuccessful. She is hesitant to trust this new memo.

"It took us a whole year to realize that less than 1.5% of these cases were being closed," Guerrero said. "Prosecutorial discretion was a complete failure. I know a lot of people are going to be saying, 'You know, you should thank the president.' But it's just another memo, just like the last one. We're definitely not endorsing it until an executive order is granted."

But the announcement clearly changed the topic of discussion on the presidential campaign, at least for the day.

"(Obama) is daring the Romney campaign to go after him," said Steven Camarota, director of research at the Center for Immigration Studies, which opposes the DREAM Act. "The president has now chosen to inject a very controversial issue into the middle of the campaign. This may mean that immigration will play a significant role in this election in a way that it hasn't in the past."

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