

Obama's Immigration Options

The president is under increasing pressure to do something on the issue before the midterms. Here are his likely paths.

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Hispanic voters twice helped put President Obama in the White House, and twice were promised immigration reform. Six years into Obama's administration, Democrats' repeated blaming of Republican obstructionism has not only lost resonance with activists but to some extent has backfired: As hopes for broad-based legislation have faded, many advocacy groups have given up on Congress altogether and are now focusing their energies entirely on the White House.

Advocates are demanding that government do something—anything—to address unauthorized immigrants' deportation and detention fears. And they're looking squarely at the president.

If Congress remains stalled on the issue, the pressure for Obama to act before the midterms will only increase. If he does, there are two schools of thought on what that might entail.

Groups such as the U.S. Conference of Catholic Bishops are advocating the more cautious strategy: They worry that if Obama goes too far, he will offend Republicans who might someday help pass an immigration bill.

The bishops recently sent a letter to the Homeland Security Department saying it should greatly expand its use of discretion to allow individual undocumented immigrants to remain in the country. But the conference deliberately avoided recommending a blanket expansion of Obama's deferred-action program for undocumented immigrants who were brought into the country as children, for fear that such a move would poison any hope of bipartisan collaboration down the road.

Recent comments from Sen. Jeff Flake, R-Ariz., buoyed that point of view. "Were President Obama to choose to ignore existing law in order to stop legal deportations, he would only validate [Republicans'] concerns and further jeopardize the prospects of immigration reform," he said.

Grassroots organizations outside of Washington are pressing for a far more aggressive approach. They say Obama should suspend deportations of all undocumented immigrants who haven't broken any other laws—and they don't particularly care whether that would earn the president an impeachment trial. In their view, the administration should stop telling Latinos to wait for comprehensive immigration legislation when it can't deliver.

"Talking about comprehensive immigration reform in a Congress that has no interest in it is a joke," said Roberto Lovato, cofounder of Presente.org, a left-leaning Latino advocacy group.

"What do they have to show for themselves? Two million deportations. Four hundred thousand immigrant prisoners."

The National Day Laborer Organizing Network is another such group. It is staging protests in more than 40 cities Saturday to decry the 2 million deportations that have already occurred on Obama's watch. The group is one of the loudest to be publicly blaming Obama for ongoing deportations, and it has clashed with other Washington-based immigration advocacy organizations for rejecting the Senate-passed immigration bill because undocumented day laborers would not qualify to become legal residents. The group's leaders remain unapologetic. The president "can give immigrants relief with the stroke of a pen," said NDLOM campaign organizer Marisa Franco.

That kind of rhetoric doesn't sit well with the White House, which is still reeling from National Council of La Raza President Janet Murguia's labeling of Obama as "deporter-in-chief" last month. Yet the president can look forward to more of the same if Congress hasn't passed a bill by the end of the summer.

"Yes, we understand that it's uncomfortable to be faced with the consequences of your actions, but we're not letting up," said NCLR Director of Civic Engagement Clarissa Martinez-De-Castro. "Inaction is our enemy."

That may be, but regardless of what activists want, Obama won't act for a few months, at least. He needs to hold out for the long-shot possibility that Congress will pass a law to provide relief to some unauthorized immigrants, such as farmworkers or parents of U.S. citizens. The chances of Congress approving a small immigration bill are slim, according to congressional aides, because such a measure would split constituencies, create winners and losers, and divide an already agitated immigrant community. Still, Democratic leaders say they need to give Republicans a chance to warm to the issue after their primary season is over this summer.

But congressional Democrats are also laying the groundwork for unilateral action from the White House, using Republican inaction as the scapegoat. Sen. Chuck Schumer, D-N.Y., has publicly called for the president to stop deporting undocumented immigrants who would qualify for a path to citizenship under a Senate-passed bill, as long as the House doesn't pass its own immigration bill. House Democratic leaders are also engaged in a campaign to force Speaker John Boehner to bring a Democratic-sponsored immigration bill to the House floor. Although the effort is destined to fail, it would help Democrats make the case that Republicans are stalling.

Either way, the ball might finally move, if only a few inches.

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