

US weighs curbing deportations

By [ERICA WERNER](#) — Apr. 21, 2014 3:54 PM EDT

WASHINGTON (AP) — Homeland Security Secretary Jeh Johnson is weighing limiting deportations of immigrants living in the U.S. illegally who don't have serious criminal records, according to two people with knowledge of his deliberations.

The change, if adopted following an ongoing review ordered by President Barack Obama, could shield tens of thousands of immigrants now removed each year solely because they committed repeat immigration violations, such as re-entering the country illegally after having been deported, failing to comply with a deportation order or missing an immigration court date.

However, it would fall short of the sweeping changes sought by activists. They want Obama to expand a two-year-old program that grants work permits to certain immigrants brought here illegally as children to include other groups, such as the parents of any children born in the U.S.

John Sandweg, who served until February as acting director of U.S. Immigration and Customs Enforcement, said he had promoted the policy change for immigrants without serious criminal records before his departure and that it was being weighed by Johnson. An immigration advocate who's discussed the review with the administration also confirmed the change was under consideration. The advocate spoke on condition of anonymity because the proceedings are confidential.

"Any report of specific considerations at this time would be premature," Clark Stevens, a spokesman for the Homeland Security Department, said Monday. Stevens said Johnson "has undergone a very rigorous and inclusive process to best inform the review," including seeking input from people within DHS as well as lawmakers of both parties, and other stakeholders.

The approach outlined by Sandweg and the immigration advocate would change the existing priority categories that now include immigrants who've re-entered the country after they have been deported previously, and those who are fugitives from immigration proceedings. Such people would be taken off the priority list.

The remaining priority categories focus on recent border-crossers and immigrants who pose a danger to national security or public safety or who've been convicted of crimes. Some of those categories might also be refined or changed, and others could be added.

"The time had come to focus ICE's efforts exclusively on public safety and national security," Sandweg said in explaining why he pushed for the change prior to his departure from the agency. He estimated that some 20,000 deported immigrants fell into the categories in question last year.

The potential changes come as Johnson proceeds with a review ordered by Obama on how to make deportation policy more humane. With comprehensive immigration legislation stalled in the GOP-led House after passing the Senate last year, Obama has come under intense election-

year pressure to stem deportations, which have neared 2 million on his watch, and allow more of the 11.5 million immigrants living illegally in the U.S. to stay.

Many activists, who've staged hunger strikes on the National Mall and outside the White House, want sweeping action by Obama to give legal certainty and work permits to millions more immigrants, like he did for those who arrived illegally as children and attended school or served in the military.

It's not clear whether the administration ultimately will take such steps. Obama has said repeatedly his options are limited without action by Congress and has sought to keep the onus on House Republicans.

"The only way to truly fix it is through congressional action. We have already tried to take as many administrative steps as we could," Obama said last week at a news conference. "We're going to review it one more time to see if there's more that we can do."

For now, administration officials appear more focused, instead, on more limited, near-term steps that could still make a difference for the immigrant population, according to lawmakers and activists who've met with administration officials.

Adjusting the department's priorities for deportation is one such approach. Depending on how it's done, it could have a significant impact by providing new guidance to ICE agents on the front lines. Activists want more wholesale changes; some say ICE agents don't always follow the priorities set by the administration.

"I think that is a step in the right direction, but not enough," said Gustavo Torres, executive director of CASA de Maryland, an immigrant service organization. "We believe the president has the authority to stop deportations" of larger groups of people.

At the same time, Obama would likely face GOP wrath for taking even the smallest steps toward providing relief to people in this country illegally. Republicans already accuse Obama's administration of subverting the law through previous moves to give "prosecutorial discretion" to immigration agents.

"We're already at a point where deportations are in a state of collapse and to go further would be exactly the wrong thing to do," said Sen. Jeff Sessions, R-Ala.

The Obama administration's deportation priorities have been controversial, with the administration contending they're meant to keep the focus on criminals. Immigration activists argue that in reality, many people with a minor criminal record or no record are swept up.

Advocates say part of the problem is that, although criminals are prioritized, people with no criminal record or a minor record can be removed if they've gotten caught up in the immigration system.

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