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Obama Calls for Immigration Reform amidst Record Levels of Deportations

On Tuesday, President Obama visited the U.S.-Mexico border for the first time since his election in 2008 to deliver a major policy speech on comprehensive immigration reform. Meanwhile, Illinois Gov. Pat Quinn and 38 New York state lawmakers have asked to withdraw from Obama's flagship immigration enforcement program, Secure Communities, which has led to a record number of deportations. We get reaction from Ali Noorani, executive director of the National Immigration Forum, and Sunita Patel, staff attorney with the Center for Constitutional Rights. "This enforcement-first-and-reform-later approach is just not working. And the states and Congress are losing patience at this point," Patel says. Acknowledging the political hurdle Obama faces in passing immigration reform with a divided Congress, Noorani notes, "The President has administrative or executive authority to better prioritize his enforcement resources, so that those who are causing real harm to our communities are the ones that are removed, not the students, not the families who are working hard." [includes rush transcript]

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Guests:

Ali Noorani, executive director of the National Immigration Forum, a Washington, D.C.-based immigrant advocacy organization.

Sunita Patel, staff attorney with the Center for Constitutional Rights.

Molly Molloy, Latin American specialist focused on border issues and co-editor of the new book, *El Sicario: The Autobiography of a Mexican Assassin*, about the hidden face of America's war on drugs.

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RUSH TRANSCRIPT

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AMY GOODMAN: On Tuesday, President Obama visited the U.S.-Mexico border for the first time since his election in 2008. He used the opportunity to deliver a major policy speech on immigration reform. Speaking to a crowd of about 2,000 people near El Paso, Texas, he called for a path to citizenship for the estimated 11 million undocumented immigrants living in the United States.

PRESIDENT BARACK OBAMA: So what would comprehensive reform look like?

First, we know that government has a threshold responsibility to secure our borders and enforce the law. And that's what Janet and all her folks are doing. That's what they're doing.

Second, businesses have to be held accountable if they exploit undocumented workers.

Third, those who are here illegally, they have a responsibility, as well. So they broke the law, and that means they've got to pay their taxes, they've got to pay a fine, they've got to learn English, and they've got to undergo background checks and a lengthy process before they get in line for legalization. That's not too much to ask.

And fourth, stopping illegal immigration also depends on reforming our outdated system of legal immigration. We should make it easier for the best and the brightest to not only stay here, but also to start businesses and create jobs here.

AMY GOODMAN: President Obama used his address to criticize Republicans for blocking immigration reform efforts until the U.S.-Mexico border is secure. He argued, because of steps taken by his administration, the border is, quote, "more secure than ever."

PRESIDENT BARACK OBAMA: The Border Patrol has two—has 20,000 agents. The Border Patrol has 20,000 agents, more than twice as many as there were in 2004. It's a buildup that began under President Bush and that we've continued, and I had a chance to meet some of these outstanding agents and actually saw some of them on horseback, who looked pretty tough. So, we put the agents here.

Then they wanted a fence. Well, the fence is—

AUDIENCE: Boo!

PRESIDENT BARACK OBAMA: The fence is now basically complete.

AUDIENCE MEMBER: Tear it down!

PRESIDENT BARACK OBAMA: Then we've gone further. We tripled the number of intelligence analysts working at the border. I've deployed unmanned aerial vehicles to patrol the skies from Texas to California. We have forged a partnership with Mexico to fight the transnational criminal organizations that have affected both of our countries. And for the first time—for the first time, we're screening 100 percent of southbound rail shipments to seize guns and money going south, even as we go after drugs that are coming north.

AMY GOODMAN: That was President Obama speaking Tuesday near El Paso Texas, just across the Rio Grande River from Mexico. Immigration reform was a centerpiece of Obama's 2008 presidential campaign. But critics say he's focused mostly on immigration enforcement programs that have led to record levels of deportations and note his failure to secure passage of relatively popular measures such as the DREAM Act, which would create a path to citizenship for millions of undocumented students.

To discuss Obama's handling of immigration reform, we're joined by three guests.

From Washington, D.C., Ali Noorani, executive director of the National Immigration Forum. Here in New York, Sunita Patel is staff attorney with the Center for Constitutional Rights. She has worked to shed light on Obama's flagship immigration enforcement program called Secure Communities. And in Las Cruces, New Mexico, about an hour from El Paso, we're joined by Molly Molloy. She's a Latin American specialist focused on border issues and co-editor of *El Sicario: The Autobiography of a Mexican Assassin*, a new book about the hidden face of America's war on drugs.

I want to thank you all for being with us. Let's begin with Ali Noorani. Your response to President Obama's immigration address yesterday?

ALI NOORANI: Well, the President's address yesterday was a constructive step forward. It set the table, and it really starts to place the burden on Republicans in Congress of whether or not they're going to come to the table with a solution. And they haven't come to the table with a solution for years.

But another thing really needs to be highlighted here, in that the President has administrative or executive authority to better prioritize his enforcement resources, so that those who are causing real harm to our communities are the ones that are removed, not the students, not the families who are working hard. So I there's a—you know, while the speech was a good step, there's a lot of things that the President can do on his own, with his own authority, to actually bring relief to communities across the nation.

AMY GOODMAN: Like what exactly can President Obama do?

ALI NOORANI: So, for example, he can look at the issue of waivers, making sure that those people who have been detained, if they have U.S. citizen children, that they can apply for a waiver here, because we, as a nation, want to make sure that families are together. So that's one piece, is making sure that parents of U.S. citizen children who have been detained can apply for a waiver to remain in the country.

The second piece is that—making sure that the enforcement resources that are being deployed, like Secure Communities, which Sunita will talk about, are actually prioritizing the folks who are dealing drugs, who are the violent criminals, not the ones who are the students going to our colleges, the students who are making ends meet, and the families who are looking to put food on the table. There are things that the President can do using his prosecutorial discretion. But again, it's also a function of starting this legislative process and making sure that the Republicans are feeling the pressure that they have to come to the table with a solution.

AMY GOODMAN: Sunita Patel, what about the issue of enforcement? And explain exactly what Secure Communities is.

SUNITA PATEL: OK. Secure Communities is a Department of Homeland Security program that automatically sends fingerprint information to the Immigration and Customs Enforcement agency at the same time as FBI, Federal Bureau of Investigation, databases to check for criminal background checks. So what it does is it essentially puts local police and the actions of arrest and booking at the center of immigration enforcement.

And I think it's really important just to respond to Mr. Noorani's statement about criminal immigration enforcement. Obama cited the statistic that 70 percent of—there has been 70 percent increase in immigration enforcement towards people with criminal convictions. But we need to demystify what that number means. It means people with driving offenses. It means people with misdemeanor nonviolent offenses, including this woman Maria from Maryland who was arrested when she called for assistance because of a domestic violence dispute. So it's really important to demystify what it means and also to really challenge the Obama administration about not only what the priorities are, but why he's even going forward with this program at all. Through—not even through executive order, but through his own policy programs, he can just do away with this program.

AMY GOODMAN: There's many different levels of resistance. There's grassroots

activists, immigration rights activists. But there's also the states themselves. Talk about what's happening at the state level.

SUNITA PATEL: Of course. Well, just recently, on May 4th, Governor Patrick from—excuse me, Governor Quinn from Illinois did an astounding step and wrote a letter to the immigration authorities saying that he would in no way participate in information sharing for the purpose of immigration enforcement. He has terminated the memorandum of agreement between the federal authorities and his state.

AMY GOODMAN: Because?

SUNITA PATEL: Because of the improper use of the program. He said that there's no way that he could come to an agreement with the federal authorities about the way the program would operate. In addition, just yesterday, 38 state officials wrote a letter to Governor Cuomo in New York asking him to follow suit and terminate the program, and if not, at least to put a moratorium on the program while there's a further investigation. We also have, on the federal level, the Congressional Hispanic Caucus has called for a freezing of the program just last week. And Zoe Lofgren, representative from California, has also asked the Office of Inspector General of the Department of Homeland Security to investigate whether there's been intentional misleading of state and local officials as a result of emails that have been uncovered through litigation by the Center for Constitutional Rights.

AMY GOODMAN: And here in New York?

SUNITA PATEL: And here in New York, there's going to be a vigil today also pushing forward this letter that was sent yesterday to Cuomo asking the Governor to rescind the program and to put a moratorium.

AMY GOODMAN: On the issue of the DREAM Act at the state level, where is the resistance, Ali Noorani?

ALI NOORANI: The resistance really comes from, really, the extreme right at the state level, who is saying that students do not—the investment that we made in students at the high school level, we should not be making that investment at the college level. But in fact, the students who go to high school, who are the highest achieving, have earned these spots in local and state universities and colleges, so that the implementation of the DREAM Act at a state level is actually a very powerful solution for local economies and local communities. In fact, the state of Maryland is on its path to passing the DREAM Act. Illinois also just recently passed a DREAM Act bill through its senate. And California has a DREAM Act legislation also moving through its state house. So, there's an assumption that things are bad in the states, but actually there's a lot of incredible work happening in the states and a lot of very courageous politicians who are saying, "You know what? Immigrants and immigration are of value to my state's economy, so I'm going to take positive steps." And those are just a few examples.

AMY GOODMAN: Ali Noorani, the issue of what President Obama himself can do as the executive and what he is kicking back to Congress?

ALI NOORANI: So, what he's kicking back to Congress, he's saying, "Well, I don't have the authority to—or I don't want to change the way that I'm enforcing the law. I don't have these administrative powers." Well, we believe that he does have the administrative powers. And there's a precedence, going back to the days of INS, you know, before even the creation of DHS, of the president being able to use prosecutorial discretion to make sure that his enforcement resources are going after the violent criminal, not, as Sunita said, the person with a driving offense. And this also makes sense at a local law enforcement level, because these are individuals who—these are cases that take up a lot of time of a local police officer, much less erode that trust between the immigrant community and local police. So the President does have this authority to make administrative changes to enforce immigration law in a much—in a much more highly prioritized fashion.

But again, what the pressure is now on Congress, because the President laid out this

framework yesterday, which is actually fairly detailed, I think a 20-page document that went through. One of the things that he would like to see in terms of legislation is that the President needs to draw together, you know, Speaker Boehner, Senate Leader Reid, their respective teams in the House and the Senate, Democrats and Republicans, and bring folks around the table, around that framework, to start to craft legislation. Now, that legislation may not move this year or next year, in terms of being comprehensive, but it does tee up a conversation for 2013.

And I would also be remiss to not mention the importance of today's move by Senator Durbin to reintroduce the DREAM Act. That's a piece of legislation that we all know passed the House last year and got very close to passing the Senate and serves some of the most valuable parts of our community. So today is also a continuation of this immigration reform energy that's building in terms of reintroducing the DREAM Act.

AMY GOODMAN: Sunita Patel, the record number of deportations—this might surprise people—not under Bush, but President Obama?

SUNITA PATEL: That's right. Obama has deported more people, detained more people, than the Bush administration did. I mean, I think we really need to ask the Obama administration to take a hard look at what it's doing. This immigration—this enforcement-first-and-reform-later approach is just not working. And the states and Congress are losing patience at this point. He really needs to make change.

AMY GOODMAN: Molly Molloy is a Latin American specialist focusing on border issues, co-editor of *El Sicario*, which is a new book about the hidden face of America's war on drugs. President Obama says there's more boots on the ground at the border than ever before. What about this, Molly Molloy?

MOLLY MOLLOY: There definitely is more enforcement on the U.S. side of the Mexican border right now. I think the figure he gave for Border Patrol is 20,000. Also, in the Southwestern states here on the border, there are a lot of National Guardsmen in Arizona, New Mexico and Texas that are patrolling and, you know, doing things that assist the Border Patrol.

And the other thing that he did say in this speech that is often not understood or not accepted by the majority of people in the United States is that on this side of the border, the U.S. side, the border communities are actually, in terms of crime, safer than they've ever been. The statistics—all of the accepted statistics on violent crime and property crime, as well, are down in border counties. And this has been verified by the FBI and the Attorney General's Office and all of the entities in the United States administration at both the local and the federal level that account for these kinds of things. So, despite the real chaos and terror and violence in Mexico due to the so-called war on drugs, U.S. border communities are safer than they've ever been.



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