



Written by [Warren Mass](#) on April 10, 2014

Obama Administration Weakens Illegal Immigration Enforcement

The Obama administration continues to come under fire from constitutionalists because of its ever-weakening stance on enforcing immigration laws, including the deportation of illegal immigrants.

The concerns of Americans worried about an overwhelming wave of illegal immigration taxing our nation's resources to the limit have escalated of late because illegal immigration is expected to increase, while effective enforcement measures, such as deportation, have decreased.



Alan Gomez, an immigration reporter at *USA Today*, wrote a column on April 7 in which he noted: "There is growing consensus that changes in the economies of Latin America and the U.S. are creating the perfect climate for another wave of undocumented immigrants racing north."

Gomez quoted Demetrios Papademetriou, whom he identified as president of the Migration Policy Institute, a Washington-based non-partisan think tank that tracks migration around the world: "There will be more pressure for immigrants — both legal and illegal — to come to the United States."

He also cites Pew Research Center studies showing that the size of the undocumented immigrant population has increased each year since 2010, climbing to the all-time high of 12.2 million — as well as a study conducted by two officials from the Central Bank of Mexico that Mexican migration to the United States will soon increase to levels not seen since before the recession of 2007-2009.

Gomez laments the fact that the House has not passed legislation similar to the Senate Gang of Eight bill passed last summer, writing: "House Republican leaders like Speaker John Boehner, R-Ohio, keep saying that immigration changes are a priority that must get done this year. But as the midterm elections approach, time is running out."

He further warns: "If Congress fails, the only certainty remaining will be that we're on the verge of another wave of illegal immigration."

While the problem of illegal immigration is undeniably an urgent one that needs to be addressed swiftly, it is possible that the reason the House has not passed immigration legislation similar to the Senate bill is not that the House is negligent but that the Senate bill is severely flawed.

Shortly after the bill was filed on the Senate floor on April 17 by the bipartisan "Gang of Eight," several conservative members of Congress, including Rep. Lamar Smith (R-Texas) and Sen. Jeff Sessions (R-Ala.), expressed sharp criticism of the legislation.

"It's hard to believe, but the Senate immigration bill is worse than we thought," said Smith, at the time. "Everyone in the country illegally is given amnesty. The bill guarantees there will be a rush across the border to take advantage of massive amnesty."



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Smith noted that in addition to most of the 11 million illegal immigrants already in the country, the Senate bill offered to legalize the relatives of illegal immigrants outside the United States and even others who have already been deported back home. "So current immigration laws are shredded," he said.

Smith also promised that the House Judiciary Committee would "come up with a better plan that improves our immigration system and puts the interests of American workers first."

A quick review of the immigration-related bills introduced in the House indicates that the bill that has progressed the furthest (with 199 cosponsors) is H.R. 15, the "Border Security, Economic Opportunity, and Immigration Modernization Act," and it has some major flaws. The Federation for American Immigration Reform notes:

Democrats describe the legislation as the Senate Gang of Eight's bill with alternative "border security" provisions. As put by Pelosi herself, H.R. 15 contains the "best of the Senate bill," without the Corker-Hoeven "border surge" amendment, and with the McCaul-Jackson Lee border bill (H.R. 1417) in its place. Which "border security" provisions the bill contains, however, is completely irrelevant given that: (1) neither actually takes any real steps to secure our nation's borders, and (2) the bill still contains S. 744's core amnesty-first, enforcement-later (probably never) approach.

As Senator Sessions noted of the Gang of Eight's bill:

This proposal would economically devastate low-income American citizens and current legal immigrants. It will pull down their wages and reduce their job prospects. Including those legalized, this bill would result in at least 30 million new foreign workers over a 10-year period — more than the entire population of the state of Texas.

On January 30, *The Hill* reported that Sen. Ted Cruz (R-Texas) blasted his Republican colleagues in the House for crafting an immigration plan that he denounced as "amnesty."

"I think it would be a mistake if House Republicans were to support amnesty for those here illegally," he said when asked about a proposal to be included in the House Republicans' immigration principles statement.

"In my view we need to secure the borders, we need to stop illegal immigration," Cruz said during a *Bloomberg News* breakfast. "And we need to improve and streamline legal immigration."

While "immigration reform" (which usually includes a "path to citizenship" — amnesty — for illegal immigrants) may not have passed Congress, the Obama administration is implementing "reform" on a piecemeal basis. The *New York Times* reported on March 13 that President Obama announced that day that deportations of illegal immigrants should be more humane, and to achieve that, he had ordered a review of his administration's enforcement efforts.

During a meeting in the Oval Office with Hispanic lawmakers, the president said that he had "deep concern about the pain too many families feel from the separation that comes from our broken immigration system."

Obama did not consider that separation from families is a natural consequence of breaking the law — as happens every time a convicted felon is sent to prison. At least deported illegal aliens have the option of taking their families back home with them when they leave.

The *Times* reported that Obama told the lawmakers that he had ordered Secretary of Homeland Security Jeh C. Johnson to conduct the evaluation, and that the president "is under increasing pressure



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from Latino advocates to all but suspend aggressive efforts to deport illegal immigrants.”

In reaction to Obama’s statement, Stephen Miller, communications director for Senator Sessions, said, “Fifty million working-age Americans in this country don’t have jobs, and what does the president do? He takes more steps that would provide companies with illegal workers.”

The *Times* noted that the week before the president’s statement, Senator Robert Menendez (D-N.J.) called on Obama to do something the *Times* called “drastic,” but which constitutionalists would call unconstitutional.

“While we continue waiting for the House of Representatives to wake up and move on immigration reform legislation, I urge the president to take action today and halt needless deportations that are splitting apart our families and communities.”

Even President Obama, certainly no strict constitutionalist, is cognizant of the fact that the Executive branch does not have the power to change immigration law. During a speech last November, when a heckler shouted that the president had “a power to stop deportation for all undocumented immigrants in this country,” Obama responded, “Actually, I don’t.”

And the *Times* noted that White House officials said on March 6 that the president would not suspend deportations because his advisers did not believe such a move would be legal.

Legal or not, constitutional or not, the Obama administration has, by its actions, been making a mockery of our immigration law. As we noted in a report on April 1, Immigration and Customs Enforcement (ICE) officials released 67,879 illegal immigrants with criminal convictions in 2013 — and made no move to deport them.

An ICE document, “Weekly Departures and Detention Report” for the end of fiscal year 2013, showed that its agents encountered 193,357 illegal immigrants with criminal convictions last year, but issued charging documents for only 125,478.

While concerns that any immigration reform bill passed by either house of Congress will contain provisions for amnesty are well justified, it appears that for the Obama administration, amnesty has already arrived.

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