



Written by [R. Cort Kirkwood](#) on April 4, 2011

Napolitano: Unpassed DREAM Act Now the Law

She made the remarks at a webinar and roundtable on border issues sponsored by NDN, a leftist think tank. [The Washington Times reported what she said](#):

"I will say, and can say, that you know what? They are not, that group, if they truly meet all those criteria, and we see very few of them actually in the immigration system, if they truly meet those [criteria], they're not the priority," the secretary said at an event sponsored by NDN, a progressive think tank and advocacy group, on the future of the nation's border policies.



"The reason we set priorities is so that the focus could be on those in the country who are also committing other illegal acts," she said.

The practical result of the Obama administration's policy, as she explained it, is that the DREAM Act is now the law even though Congress did not pass it.

[Dream, Development, Relief and Education for Alien Minors](#), would have given illegal-alien students the chance to become citizens if they joined the military or went to college for two years, provided they jumped the border as minors and lived in the country for five years before the act was passed. The act permitted a gradual process of naturalization, but it was, in fact, an amnesty that would have permitted a massive increase in immigration.

John Morton, Napolitano's subordinate and the head of Immigration and Customs Enforcement, echoed her remarks, [the Times reported](#). "If you take a look at the record, people that fit within the confines of the Dream Act, there are in fact very, very few deportations of those kinds of individuals," he said.

Border Not Out of Control

Napolitano [also claimed](#) that the border with Mexico is not out of control. "It is simply inaccurate to state, as too many have, that the border with Mexico is overrun or out of control," she said. "This statement — I think sometimes it's made to score some political points — but it's wrong. It's just plain wrong."

Napolitano is wrong, according to Richard Stana, the director of homeland security issues at the Government Accountability Office. Indeed, [Stana told](#) the Senate Homeland Security on March 30, a week after Napolitano's assertion, that DHS has little to no control over the border.

[Stana reported](#) that DHS can stop illegal aliens on less than 150 miles of the border. Across about another 700 miles, it can catch them only after they have crossed.

Stana based his testimony on the Border Patrol's own assessment.



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[Said Stana:](#)

Our preliminary analysis of these Border Patrol data showed that the agency reported a capability to deter or detect and apprehend illegal entries at the immediate border across 129 of the 873 southwest border miles and 2 of the 69 northern border miles. Our preliminary analysis also showed that Border Patrol reported the ability to deter or detect and apprehend illegal entries after they crossed the border for an additional 744 southwest border miles and 67 northern border miles.

As we previously observed in December 2010 and February 2011, and through selected updates, Border Patrol determined in fiscal year 2010 that border security was not at an acceptable level of control for 1,120 southwest border miles and 3,918 northern border miles, and that on the northern border there was a significant or high degree of reliance on enforcement support from outside the border zones for detection and apprehension of cross-border illegal activity. For two-thirds of these southwest miles, Border Patrol reported that the probability of detecting illegal activity was high; however, the ability to respond was defined by accessibility to the area or availability of resources. One-fourth of these northern border miles were also reported at this level. The remaining southwest and northern border miles were reported at levels where lack of resources or infrastructure inhibited detection or interdiction of cross-border illegal activity.

The upshot of Napolitano's remarks is that the Obama administration has declared the entire country a sanctuary for illegals by unilaterally enacting the unpassed DREAM Act. As well, she simply doesn't know what is going on at the border.

Remarks Nothing New

Napolitano's remarks about immigration authorities refusing to deport illegal aliens who do not commit violent crime are nothing new.

Federal immigration officials consider illegal aliens who do not commit crimes — additional crimes, after entering the country illegally and working illegally — mere "administrative" cases and is not interested in pursuing them, it says, because it must focus on illegal aliens who belong in jail.

Photo of Janet Napolitano: AP Images



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