



The Judicial Watch Verdict™

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JW Probes Obama Stealth Amnesty Scheme for Potentially Millions of Illegal Aliens

The October issue of the *Verdict* reported that President Obama has a plan in place to bypass Congress and the will of the American people and enact stealth amnesty through “administrative means.” This month Judicial Watch can report that parts of this Obama amnesty scheme has already been put into action.

According to the August 24, 2010 edition of *The Houston Chronicle*:

“The Department of Homeland Security is systematically reviewing thousands of pending immigration cases and moving to dismiss those filed against suspected illegal immigrants who have no serious criminal records, according to several sources

familiar with the efforts. Culling the immigration court system dockets of noncriminals started in earnest in Houston about a month ago and has stunned local immigration attorneys, who have reported coming to court anticipating clients’ deportations only to learn that the government was dismissing their cases.”

In some instances, the article notes, illegal aliens who have been convicted of crimes will be allowed to stay in the country as long as these crimes do not involve a DWI, family violence or sexual assault. But other than those specific circumstances, right now it appears the other deportation candidates are in the clear.



President Obama

(Most of these illegal aliens are in the system because they were arrested for committing crimes, so to release those who have only been “convicted”

means that illegal alien violent criminals are being set free.)

The court “was terminating all of the cases that came up,” said one immigration attorney who was notified that the government requested dismissals in three of his deportation cases. “It was absolutely fantastic.”

According to an Immigration and Customs Enforcement (ICE) memo this new policy could impact up to 17,000 cases.

And what is the justification for this lawlessness? The Obama administration is pretending it does not have enough money to do its job of deporting all aliens living in the United States illegally.

So now the evidence is clear. The Obama administration has decided that neither the will of the American people nor the rule of law matter at all. Obama is implementing illegal alien amnesty by hook and by crook.

“Expand the Use of Parole-in-Place:

USCIS [U.S. Citizenship and Immigration Service] has the discretionary authority under [federal law] to parole into the U.S. on a case-by-case basis for ‘urgent humanitarian reasons’ or ‘significant public benefit’ any applicant for admission... Granting parole to aliens in the U.S. who have not been admitted or paroled is commonly referred to as ‘parole-in-place’ (PIP). By granting PIP, USCIS can eliminate the need for qualified recipients to return to their home country for consular processing, particularly when doing so might trigger a bar to returning.”

– Obama administration memo uncovered in July 2010 contemplating this and other administrative strategies to bypass Congress and enact stealth illegal alien amnesty.

But does this really come as a surprise?

Remember, it was in late July that an Obama administration memo surfaced outlining a comprehensive strategy to grant amnesty without approval by Congress. The two-faced Obama administration tried to downplay the significance of the memo. (Administration officials called it “brainstorming.”) But all the while the Obama administration continued to push forward with its backdoor amnesty plan.

Following the memo’s disclosure, on August 23, Judicial Watch joined a number of other conservative organizations and sent a letter to President Obama expressing our extreme dissatisfaction with his administration’s unlawful strategy:

“There have been reports that your administration is considering usage of its administrative authority to effectively legalize significant numbers of illegal aliens. We strongly urge that you refrain from pursuing that tactic. We believe that such an abuse of power would further polarize the immigration issue, which already is so controversial that reasonable discussion is confounded.”

The letter (and a related press conference that included Judicial Watch Director of Research and Investigations Chris Farrell) earned widespread press coverage:

“A group of conservative activists slammed the Obama administration Monday for allegedly planning to use its administrative authority to undercut immigration restrictions in the wake of congressional inaction on a comprehensive reform bill,” *CNN’s* Paul Courson wrote. “In a letter sent to the White House,

leaders of 17 conservative grass-roots organizations cited reports that the administration is considering using its executive power ‘to effectively legalize significant numbers of illegal aliens.’”

But nonetheless, President Obama has failed to alter his administration’s reprehensible and unlawful behavior one single bit. And it is causing a revolt in the Immigration and Customs Enforcement bureaucracy.

Even the liberals at *The Washington Post* have noticed that ICE’s front-line immigration enforcement personnel are opposing the non-enforcement program being implemented by Obama political appointees. In a rare action, a major ICE union announced a unanimous vote of “no confidence” in the Obama leadership team at ICE. The detail of the union’s complaint is devastating and documents a crisis of law enforcement at ICE. The union notes, for instance, that:

“Criminal aliens incarcerated in local jails seek out ICE officers and volunteer for deportation to avoid prosecution, conviction and serving prison sentences. Criminal aliens openly brag to ICE officers that they are taking advantage of the broken immigration system and will be back in the United States within days to commit crimes, while United States citizens arrested for the same offenses serve prison sentences.”

State and local law enforcement, prosecutors and jails are overwhelmed by the criminal alien problem and lack the resources to prosecute and house these prisoners, resulting in the release of criminal aliens back into local communities before making contact with ICE.

Thousands of other criminal aliens are released to ICE without



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being tried for their criminal charges. ICE senior leadership is aware that the system is broken, yet refuses to alert Congress to the severity of the situation and request additional resources to provide better enforcement and support of local agencies.

“What an ugly mess caused by the Obama administration’s radical hostility to the rule of law. And U.S. citizens and *legal* alien residents suffer as a result. Judicial Watch’s investigations team is on top of this burgeoning scandal, trying to uncover the details behind Obama’s *de facto* amnesty,” stated Judicial Watch President Tom Fitton. **JW**