



The Judicial Watch Verdict®

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JW Uncovers DHS Docs Detailing Obama Plan to Impose Amnesty by Suspending Illegal Alien Deportations

DHS Official: “And we wonder why ppl [people] FOIA us.”

The Obama administration recently announced that it would effectively halt any enforcement actions (on an alleged “case-by-case” basis) against any illegal alien who has not committed any other serious crime.

As reported by *Newsmax.com*:

“The Obama re-election campaign jumped into full operational mode with an announcement by Janet Napolitano, U.S. Department of Homeland Security (DHS) secretary, that illegal aliens in deportation proceedings — whether border-crossers or visa overstays — who have yet to commit an additional crime, will be allowed to remain in the United States and obtain work permits...”

“Low-priority cases, which she believes waste enforcement resources, will be dismissed in defiance of existing U.S. immigration laws passed by Congress and signed into law by previous presidents.”



Homeland Security Secretary Janet Napolitano

After more than a year of denying that “stealth amnesty” was the official illegal immigration policy of the Obama administration, the Obama gang has finally come clean. Most illegal aliens will not be deported or pursued. (In fact, as many as 300,000 deportations have already been put on hold.) Amnesty is here.

No one should believe the Obama administration’s lies when it comes to deporting illegal aliens with criminal records. Judicial Watch uncovered documents in July proving that Obama administration officials are

actively considering the dismissal of charges against illegal alien criminals, even those convicted of violent crimes!

And as if that were not enough to get the American people’s blood boiling, JW now has even more evidence of the Obama administration’s contempt for the law and the U.S. Constitution.

Judicial Watch investigators obtained 2,600 pages of documents from the Obama Department of Justice (DOJ) in August 2011 as a result of two Freedom of Information Act (FOIA) lawsuits. These records detail an orchestrated campaign by the Obama administration to suspend deportation proceedings against “one of the DREAM [Act] kids” and other illegal aliens, even though Congress had not passed the legislation!

The DREAM Act would have permitted certain immigrant students who have grown up in the U.S. to apply for temporary legal status, eventually obtain permanent legal status, and become eligible for U.S. citizenship if they go to college or serve in the U.S. military. It could initially provide amnesty for over one million illegal immigrants and would have cost over \$6 billion a year. Despite repeated attempts by liberal members of Congress and the Obama administration to push this legislation through, the DREAM Act has failed to garner enough votes.

But that did not stop the Obama

administration from bulldozing forward anyway, creating and implementing the law, all on the administration's own unconstitutional initiative. The following are some of Judicial Watch's shocking finds:

- In an April 20, 2010, email from Melissa Crow, former DHS Acting Deputy Assistant Secretary for Policy in the Office of Immigration and Border Security, to Roxana Bacon, Chief Counsel for the U.S. Citizenship and Immigration Services (USCIS), Crow states: "Since we met, I've done my best to encourage ICE to grant deferred action in the DREAM Act cases ... brought to my attention."
- An email chain about "one of the DREAM [Act] kids" who was being detained by authorities suggests confusion at DHS regarding how to handle requests for "deferred action" from illegal alien students. In the email chain, ICE (U.S. Immigration and Customs Enforcement) chief of staff Suzanne Barr writes to DHS deputy press secretary Matthew Chandler, "we r f'ed up," to which Chandler responds, "Yep. And we wonder why pp'l FOIA us." The student was granted a *stay of removal* for six months.
- In response to a *USA Today* inquiry into whether aliens are required to carry identification, DHS general counsel John R. Sandweg writes, "Ugh. Yes. Fed law does require aliens to carry their paperwork. I don't know if it is a criminal offense, but this provision has gone relatively unnoticed by media and [redacted] ... I think some groups of aliens are exempted from this requirement as they don't really have paperwork (folks who were issued deferred action). Either way, it is

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**– Judicial Watch
President Tom Fitton**

not routinely enforced."

- In a memo from Mariela Melero, chief of the Office of Public Engagement of U.S. Citizenship and Immigration Services (USCIS) to USCIS director Alejandro Mayorkas, entitled "Stakeholder Input of Administrative Reforms," Melero sets forth suggested reforms "outside of Comprehensive Immigration Reform," which includes the opinion that the director – unless otherwise required by law – has the authority to judge if the evidence presented for deferred action is "probably true." Another reform would allow a 501(c)(3) organization [such as Project Vote/ACORN perhaps!] in "good standing ... to design and implement voter registration programs at USCIS offices across the country."

The Obama administration's decision to suspend the deportations of most illegal aliens has been subject to intense scrutiny since 2010, when the press uncovered a United States Customs and Immigration Service (USCIS) memo that contemplated various "administrative alternatives" to bypass Congress and implement stealth amnesty for illegal aliens.

A subsequent *Houston Chronicle* story exposed an effort by the administration to suspend the deportations of illegal aliens who suppos-



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edly have not been convicted of any “serious” crimes. But documents subsequently uncovered by Judicial Watch show that DHS officials misled Congress and the public about the scope of the immigration enforcement policy change, which gave wide latitude to local immigration officials to dismiss illegal alien deportation cases against illegal aliens convicted of a multitude of serious crimes, including sexual assault, solicitation of murder, aggravated assault, assaulting a police officer, and kidnapping, as well as numerous drug charges.

And then came the Obama administration’s public announcement that, indeed, illegal aliens of “low priority” will no longer be deported. The administration denied that this was a blanket or categorical amnesty, but these new documents show otherwise.

“These documents show that the Obama administration is obviously lying about its stealth amnesty activities and indicate an alarming contempt for Congress and the rule of law. Frankly, these documents show that Obama immigration officials don’t even know what the law is!” said Judicial Watch President Tom Fitton.

“The Obama administration cannot simply pick and choose which federal immigration laws it will enforce. In its



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Illegal aliens hopping a border fence. The Obama administration continues to suspend the deportations of dangerous illegal alien criminals could induce even greater numbers of illegal aliens to cross the border.

zeal to curry favor with the illegal alien lobby and secure Hispanic votes for a second term, the Obama administration is exercising raw executive power to change the law by granting illegal aliens amnesty in a way that strikes at the heart of our constitutional system and the rule of law. This is a festering constitutional crisis and JW will keep its members updated.” **JW**