President Obama was on record recently saying he has no plan to suspend deportations for illegal aliens. However, the evidence suggests otherwise. (According to The New York Times, authorities suspended 34,448 deportations in 2010 alone!) For this reason, Judicial Watch is going to court — again — to try to force the truth out of the Department of Homeland Security (DHS). JW recently filed two Freedom of Information Act (FOIA) lawsuits against the DHS to obtain records detailing the Obama administration’s alleged plan to grant legal status to illegal aliens without going through Congress, a strategy commonly known as “stealth amnesty.”

On July 2, 2010, Judicial Watch sent a FOIA request to the DHS to obtain records detailing the Department of Homeland Security’s alleged plan to grant legal status to illegal aliens without going through Congress, a strategy commonly known as “stealth amnesty.”

JW is also after internal DHS communications regarding “deferred action or parole.” Then on August 30, 2010, Judicial Watch followed up with yet another FOIA request to DHS looking for the following information:

- Any and all records of, and/or records concerning, Department of Homeland Security briefings regarding a systematic review of pending immigration cases against suspected illegal immigrants in Houston, Texas.
- Any and all records of general guidelines issued to Department of Homeland Security attorneys, allowing dismissal of pending immigration cases.
- Any and all records detailing the determination and implementation of a systematic review of pending immigration cases against suspected illegal immigrants in Houston, Texas.
- Any and all correspondence with non-governmental organizations…concerning the process for US Immigration and Customs Enforcement to give consideration of possible dismissal of pending immigration cases.

The DHS acknowledged receipt of JW’s FOIA requests. However, to date, the agency has failed to provide a single document. The agency has also failed to indicate when a response will be forthcoming. In both cases the statutory allotted timeframe for response has long since passed, which is why JW sued. This is unsurprising. The Associated Press recently reported that the DHS’s political appointees have improperly delayed FOIA requests on politically sensitive topics. Rep. Darrell Issa’s (R-CA) House Committee on Oversight and Government Reform has also released a devastating report detailing this lawlessness. (See http://oversight.house.gov/images/stories/Reports/DHS_REPORT_FINAL_FINAL_4_01_11.pdf.)

And what is this illegal alien deportation scandal all about? As Verdict readers well know, the Obama administration has been heavily criticized for its alleged plan to
bypass Congress and enact “stealth amnesty” by executive fiat. In fact, in June 2010, the press uncovered a U.S. Citizenship and Immigration Service “draft” memo that outlined a variety of ways to grant legalization to illegal aliens without going through Congress. A couple of months later Judicial Watch learned this “stealth amnesty” plan was not a theoretical exercise. It was already in full operation.

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…Culling the immigration court system dockets of non-criminals 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 the cases.”

It appears the Obama administration has initiated a policy to selectively deport illegal alien lawbreakers, while allowing others off the hook entirely!

The president was asked to comment on these suspended deportations. And despite evidence to the contrary, Obama claimed that he has no such plan. “There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply, through executive order, ignore those congressional mandates would not conform with my appropriate role as president,” he said.

That is certainly true. But since when has the Obama administration demonstrated concern about immigration laws on the books? The Obama Justice Department, while attacking Arizona’s get-tough illegal immigration law, has already announced it will not enforce federal immigration laws “on the books” to prosecute sanctuary cities. So why should deportations of illegal aliens be any different?

“Obama may deny he has a plan to suspend deportations, but this runs counter to the experience of immigration attorneys in Houston and the administration’s own admission that it suspended the deportations of more than 34,000 illegal aliens last year. And that’s why it’s critical that Homeland Security follows the open records FOIA law and turns over these records,” said Judicial Watch President Tom Fitton. “The American people need to know if the Obama administration has decided to flout our immigration laws again – by enacting stealth amnesty for illegal aliens who are unlawfully here in the United States. And, as always, stonewalling by the ‘transparent’ Obama administration suggests it has something to hide.” JW