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Trump's unexpected delay on Dreamers baffles foes and supporters

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WASHINGTON — Of all the decrees and pronouncements issued by President Trump during his tumultuous first week in office, the one many people most expected is missing: ending protection for the so-called Dreamers.

The fate of 752,000 young immigrants brought into the country by their parents without authorization now rests with an unverified executive order that was leaked to the media and appears authentic, but which Trump has not signed, despite promising during the campaign to do so “immediately” upon taking office.

The order would revoke the temporary legal status called Deferred Action for Childhood Arrivals, or DACA, granted in 2012 by President Barack Obama. The program allows these young people, ages 15 to 31, to work, travel outside the country, apply for driver's licenses and otherwise live normal lives in the country where they grew up.

Almost a third of these immigrants live in California.

The White House did not respond to requests for comment or verification of the leaked order. Parties on both sides of the issue are baffled as to what to expect next, some speculating that the delay reflects conflict within the White House over what to do about a group of immigrants to whom even hard-liners, including Trump, are sympathetic.

In a televised ABC interview Wednesday night, Trump said the Dreamers “shouldn't be very worried. I do have a big heart. We're going to take care of everybody.”

Sen. Kamala Harris, D-Calif., took little consolation from Trump's words.

“I'm not assuming there's a delay,” Harris said Thursday in a phone interview from a Senate Democratic retreat in West Virginia. “What I am seeing is that he has failed to make the commitment that he's going to honor the United States government's promise to DACA kids that we will not share their information with ICE,” referring to the Immigration and Customs Enforcement agency. Harris said she asked Homeland Security Secretary John Kelly repeatedly to guarantee “that America will keep her word, and they have failed to produce that guarantee.”

“In the campaign, Trump repeatedly said he would terminate the president’s executive order on immigration,” Harris said, “so until he gives us a guarantee that he’s rescinding that, then we have no guarantee and no certainty about what he will or will not do as it relates to tens of thousands of young people who are in college, in the military, working in Fortune 100 companies, and living a productive life in the only home they’ve ever known.”

Anti-immigration groups close to the White House are as bewildered as anyone about what Trump’s intentions are. Roy Beck, president of NumbersUSA, has started a Twitter campaign to hold Trump to his campaign promise.

“I’ve had a number of people tell me to calm down,” Beck said. Trump’s comments to ABC were “quite a mish mash,” he said. “Trying to diagram any of those sentences let alone trying to figure out what policies are coming out of it is very difficult.”

Trump said in the Wednesday ABC interview that the delay on the Dreamers could last a month as his administration looks at “the whole immigration situation.” That pronouncement came the same day that he signed two orders to start construction on a wall on the Mexico border and begin a broad interior crackdown to deport any immigrant charged with a crime.

On Friday, Trump ordered a temporary halt to all refugee admissions and an indefinite halt to refugee admissions from Syria. The order also blocks refugee applications from Iraq, Iran, Libya, Somalia, Sudan and Yemen, until a new “extreme vetting” procedure is established.

Trump’s promise to revoke what he called an amnesty for the Dreamers was the fifth of 10 specific promises he made in a major immigration speech last summer in Phoenix, several of which he has now carried out by executive order.

The administration is “going to have to suspend (DACA) at some point, because a lot of their supporters are going to get increasingly ticked off, because this was one of his marquee promises,” said Mark Krikorian, executive director of the Center for Immigration Studies, a group pressing for reduced immigration.

The fact that the executive order appears to have been drafted but not signed, he said, “suggests that they’re up to something, and it’s not clear what.”

David Bier, an immigration analyst at the libertarian Cato Institute, said the leaked order makes it “pretty clear that a certain faction within the Trump administration wants (DACA) rescinded immediately.”

In the meantime, the U.S. Center for Immigration Services, the agency administering the Dreamer program, is still accepting applications.

The vast majority of immigrants who could apply for relief have, and in so doing have also revealed their identities to federal immigration authorities. Nearly 80 percent of these Dreamers are from Mexico, nearly 90 percent are employed, half are in school and most of those in college, and more than 90 percent got a driver’s license for the first time in their lives, said Doris Meissner, head of the Migration Policy Institute, a nonpartisan think tank.

White House spokesman Sean Spicer suggested last week that the administration was looking to Congress to fix the problem.

Analysts said the most obvious legislative vehicle would be the bipartisan Bridge Act recently introduced in the Senate by Harris and her California colleague, Sen. Dianne Feinstein, also a Democrat, along with Republicans Jeff Flake of Arizona and Lisa Murkowski of Alaska, and in the House by Republican Rep. Jeff Denham of Turlock (Stanislaus County) and Rep. Zoe Lofgren, D-San Jose.

That bill would codify the current Dreamer program in law, providing a “provisional protected presence” for Dreamers and employment authorization.

But the GOP’s profound divisions on immigration have doomed previous efforts either to address specific immigrant categories or write a comprehensive overhaul. The party’s business wing wants to expand work categories, while hard-liners want to shrink legal admissions, now about 1 million people a year.

“I think we have to try,” Lofgren said. “But I’ve been working on immigration with Republicans for a long time, and I am skeptical that the Republican leadership in the House would actually move on this, but we’ll see.”

Krikorian said he would like to use the Dreamers as a bargaining chip for lower numbers of legal immigrants or mandatory electronic verification of immigration status for employers. But any negotiations would open the door to factions wanting changes to the H-1B program for skilled workers, farm labor categories or others.

In the meantime, both sides said Trump’s order for an enforcement crackdown could sweep up any Dreamers who get arrested.

University of California President Janet Napolitano, speaking Friday by video link at a conference held by the Migration Policy Institute, urged colleges and universities to join with businesses to tell Trump that ending protection for the Dreamers “is not a popular thing to do.”