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White House threat sparks call for wider immigration debate

By Carl Prine
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With the White House drafting a plan to let as many as 9 million illegal immigrants stay in the United States, some lawmakers and criminologists are calling for wider debate on enforcing federal residency laws.

President Obama has threatened to spare about 80 percent of the nation's undocumented adult workers from deportation proceedings as soon as this week. This occurs amid an ongoing crisis along the border with Mexico, where authorities estimate that more than 60,000 children — mostly from the crime-ravaged nations of El Salvador, Guatemala and Honduras — have surrendered to Border Patrol officers since October.

In 2012, Obama granted repatriation reprieves to nearly 1.8 million minors, an executive order some lawmakers contend sparked the Central American exodus. Reports by the State Department, federal law enforcement agencies and the United Nations, however, indicate that the influx of Central American juveniles began before that amnesty order, triggered by skyrocketing rates of violent crime as narcotics cartels battle Central American governments.

“We don't have clean hands in this,” said Jonathan Simon, a leading criminologist and associate dean of the Jurisprudence and Social Policy Program at the Boalt Hall School of Law at the University of California, Berkeley.

In the 1990s, get-tough-on-crime laws passed in Congress and by states along the border with Mexico allowed federal agencies to send an estimated 20,000 illegal immigrants who committed crimes back to Mexico, Guatemala, Honduras and El Salvador.

The Central American region, emerging from decades of civil war and plagued with weak government institutions, was confronted with a legion of violent young men hardened by American gangs and prison, often under the tutelage of groups such as the Sureños.

The Sureños arose as a prison gang within the California penal system in the late 1960s. The criminal network now extends from Los Angeles nationwide, and has links to Mexican mafias.

Mara Salvatrucha, an organized crime syndicate roiling El Salvador, arose in Los Angeles in the 1980s to protect refugees escaping the nation's civil wars from established American gangs.

Nicknamed “MS-13” and linked by law enforcement to Mexico's Sinaloa drug cartel, some Salvadoran children the Tribune-Review interviewed described the group as the primary reason they fled here.

“Our consumption of drugs is what's funding organized crime in their countries, and the resulting violence caused by those gangs is why they're fleeing,” Simon said.

‘Information vacuum’

“I don't disagree with much of what (Simon) says, but that's why we need to have a wider debate now, to avoid unforeseen consequences in the future based on a hasty and uninformed reaction to the emergency along the border,” said state Rep. Tim Krieger, a Delmont Republican.

Last month, Krieger urged the government to provide details about the estimated 500 minors from Central America who have arrived in Pennsylvania since October. He and other GOP lawmakers fear that continuing “chaos” along America's southwest border might let “predators” from Central America into the United States. He said research shows that “a significant percentage of the minors are older than 14 years of age and they're male,” raising concerns that some might be tied to drug gangs.

But no one really knows, Krieger said, because of an “information vacuum” spawned by the White House.

“The problem is that the administration isn't telling us the entire story about this population,” he said. “Our questions aren't motivated by a lack of compassion, because we must respond to many of these children with compassion. But we also can't have policies that are attracting the kids to come here if that journey exposes them to abuse and criminal activity along the way.”

The White House released a statement to the Trib that said GOP leaders have been well informed about ongoing immigration issues, but Obama is “leaning toward considering ... the array of options that are available to him under the law for trying to fix some of the problems created by a broken immigration system that House Republicans have stymied.” The administration argues that the president's looming executive order is based on “common sense” and bipartisan reforms that have been approved by the Senate but stalled in the GOP-controlled House.

Obama wants a list of potential options from the Justice and Homeland Security departments; no final plans have been produced, according to the statement.

The House Republican Conference and staffers at Speaker John Boehner's office did not return calls requesting comment.

A party divided

U.S. Rep. Bill Shuster, R-Blair County, said amnesty “is not the answer to our immigration problems” because it will “entice a new wave to enter our nation illegally to wait until the next amnesty is announced.”

He called on Congress to erect “strict border security,” including stationing National Guard troops across from Mexico and building fences and “virtual” fences composed of sensors and drones to detect unlawful immigrants.

Other GOP lawmakers in Congress have pushed for comprehensive immigration reform, including 14 Republican senators who voted for the 2013 amnesty bill that the House rejected.

The reality is that plenty of House Republicans support loosening immigration policies, but they're at loggerheads with others in their party, said Alex Nowrasteh, the immigration policy analyst at the libertarian-leaning Cato Institute's Center for Global Liberty and Prosperity.

He pointed to the “nativists” — Americans who are concerned that looser immigration enforcement will harm the nation's economy and job market — and those pushing to liberalize residency and work requirements, as Ronald Reagan did during his presidency.

Although Obama has the right to use executive orders to “narrowly clarify the law and how it's enforced,” there likely will be political fallout from the president's proposed actions, Nowrasteh said.

“In the short run, I think that the populists who favor more immigration restrictions are going to hold sway amongst Republicans in the House, but over the long run, liberalization will prevail,” he said.

Fear factors

Krieger said Republicans often are unfairly characterized as insensitive or racist when they demand answers about crime and the cost to taxpayers related to the influx of immigrants.

Those who study immigrant populations, however, say the regular invocation of criminality when discussing immigration often cloaks a deeper fear that the nation is “browning” — becoming increasingly black, Latino and Asian — while the country's white population ages.

Nowrasteh said conservative concerns about immigration often stem from larger fears that foreigners will hurt the job market and economy. He joined with Simon and Madeline Zavodny, an economist at Georgia's Agnes Scott College and Washington's conservative-leaning American Enterprise Institute, in telling the Trib that immigration

policy probably should be tweaked to allow more workers and their families from Mexico and Central America to legally come here.

“Many Americans think that Ellis Island is still here, but it's not. It's nearly impossible to get a green card to America without having family already here,” Nowrasteh said.