



White House immigration priorities call for strict regulation, wall funding

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The Congressional Hispanic Caucus called the White House's list of demands on immigration over the weekend the most extreme policy proposals on the issue they had seen to date.

"These are the worst stated immigration proposals, certainly," Chair of the Congressional Hispanic Caucus Rep. Michelle Lujan Grisham, D-N.M., told reporters on a call Monday afternoon. "Even before I got to Congress, [the worst] I have ever seen by any White House, ever."

"This proposal is a Breitbart Christmas list of anti-immigrant policies," Vice Chair of the caucus Rep. Joaquin Castro, D-Texas, added, referring to the far right media organization run by President Donald Trump's former White House adviser Steve Bannon.

Democrats cautiously took the president at his word when he said last month he was open to working across the aisle to extend protections to the nearly 700,000 young immigrants who currently enjoy legal status under the Deferred Action for Childhood Arrivals (DACA) program. Trump announced his administration was canceling the program in September but urged Congress to pass a bill to support the program recipients.

However, on Sunday night, the White House seemed to backtrack on a preliminary bipartisan deal, when it released a number of hardline agenda items it said it wanted included in any legislation on the issue.

"I want to know: who is in charge? Is it President Stephen Miller or the American people and their values?" Rep. Luis Gutierrez, D-Ill., said on the call with the caucus and reporters. Miller, the president's senior adviser for policy and one of the most extreme voices on immigration in the White House, and Attorney General Jeff Sessions were largely understood to have drafted and spearheaded the latest round ultimatums.

Castro described Miller as a "30-something-year-old zealot" and urged the president to get more involved personally in the fine print of the policy prescriptions. A majority of Americans support the idea of extending legal protections to the so-called Dreamers (86 percent, according to a recent ABC News/Washington Post poll, including three-quarters of Republicans), and a number of leading Republicans have co-sponsored bipartisan legislation to do so.

"No one in America thinks the current immigration system works well. It hasn't been updated in 30-plus years and the lack of action has led to a system that has incentivized illegal immigration.

I appreciate the White House's input on reforming our immigration system. Congress must stop kicking the can down the road, and finally address our border security and immigration problems,” Sen. James Lankford, R-Okla., wrote in response to the announcement from the White House Sunday evening.

Democrats on the call with reporters Monday would not rule out withholding their support of crucial spending and appropriation bills coming up later this year until legislation on DACA was brought to the floor for a vote, but they also said they may reserve that tactic until later and hoped Republicans would still work with them before it got to that point.

Here is a closer look at a few of the many policy priorities the White House announced it wanted included in a deal:

Close “legal loopholes” that allow unaccompanied minors who cross the border from Central American to stay until refugee or political asylum cases have been processed. White House officials said Sunday that any new legislation “must include reforms” that would ensure these children are returned to their country of origin quickly and safely.

Conservatives have long argued that allowed unaccompanied minors to stay in the U.S. encourages more dangerous border crossing. The far right-leaning think tank the Center of Immigration Studies posited a series of questions on the issue in 2014: “How much will it cost taxpayers to teach these children English and bring them up to grade level so they can eventually graduate from high school? How do public schools take thousands of poorly educated teens who don't speak English and prepare them to graduate from high school?”

On the other side of the debate, Senior Staff Attorney at the National Immigration Law Center Shiu-Ming Cheer argued that the issue was not a “legal loophole” but a constitutional requirement.

“They are legally entitled to remain the U.S.,” Cheer told ABC News. “These unaccompanied minors are fleeing really extreme circumstances and often do qualify for asylum.

“People who are afraid to return to their home countries should be able to get a hearing to determine whether or not they can stay, especially when we are talking about kids who could be returning to extremely unsafe conditions and who really do need the resources and support in the U.S. to make their case before a judge.”

Pass legislation that would deny “sanctuary cities” federal grants. These are cities that have local laws on the books to provide funding for immigrants in court or keep local enforcement from automatically detaining immigrants on behalf of the federal Immigration and Customs Enforcement agency. Sessions has long advocated for punitive measures, such as a denial of federal grants, against cities that take up these sorts of policies. But he has faced steep push-back and legal battles from states.

“Cities and localities have the right to decide what kind of policies they want to put in place to protect their own residents as long as they do not conflict with federal laws,” Cheer said.

Cities cannot, for example, prohibit communicating with the federal government over immigration status law and Cheer said all of the “sanctuary city” policies her team has reviewed fall within federal law.

Republicans often celebrate and champion state rights over federal mandates.

Make the “E-Verify” system mandatory for U.S. businesses to prevent illegal immigrants from getting jobs. The system is a national database of visa records and Social Security numbers, which businesses can use to check if a person has current permissions to work in the country. A handful of states have mandates that businesses use the system, but even the right-leaning Cato Institute has written about holes in the records and issues those local governments have had getting business to comply.

“If Arizona, Alabama, Mississippi, and South Carolina cannot assure better than 73.6 percent compliance with E-Verify -- all states with large political constituencies that demand immigration enforcement -- how well will a nationwide mandate fare in states that don’t have such constituencies? Not well,” Cato immigration policy analyst Alex Nowrasteh wrote this month. He concluded the system was too burdensome and risky for employers.

Immigrants who have been accused of gang activity, drunk driving, identity theft or certain firearm offenses should be inadmissible. In most instances, a criminal record does already disqualify visa or work permit application. Cheer argued, however, that this item on the White House list would go further and deny anyone suspected of or allegedly involved in criminal activity from being considered.

“We have done quite a bit of work around gang databases and they are rife with errors,” she said. “In California, a state auditor report found that the state gang database had 24 1-year-olds entered into it ... they are relying on inaccurate systems that rely on racial profiling.”

Funding for a wall on the U.S.-Mexico border needs to be included in any immigration legislation. Democrats have said that is a non-starter for them and even several Republicans have argued it would be too expensive and that other border security technologies might be more effective.