

By JOSEPH G. LARIOS

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CHICAGO (*jGLi*) – More than a month ago (last May 9) in Chicago, Illinois, Jose Antonio Vargas did not sound very upbeat that an immigration reform will ever be introduced under the Obama administration.

In fact, the Filipino Pulitzer-Prize winner, who outed himself as an undocumented immigrant, even suggested Mr. Obama would be harshly judged by

history “for deporting millions of undocumented immigrants in three years. He is wrong to do this. He will not be justified (for what Mr. Obama did).”□

But in a startling turn of events, Mr. Vargas told his supporters in a mass email received by this reporter Friday, June 15, “This is huge. Today our country embraces upwards of one-million young new Americans: DREAMers.

“They grew up here, they were educated here, and they have so much to give back to the country they call home. With a stroke of President Obama's pen, our country lives up to its ideals and finds a fair and pragmatic solution -- ending the nightmare of a generation of young people who are Americans in all but documents.

“Please join me in supporting the President’s courageous act.”

Although, Vargas tempered his message that President Obama’s order to stop deportation and begin granting work permits for hundreds of thousands of Dream Act-eligible students may not cover him “in fact, at 30, I don’t qualify for relief myself, today’s announcement marks tremendous progress that couldn’t have happened without the passion and dedication of hundreds of thousands of people like you, raising your voices together.”

The policy change, which takes effect, June 15, 2012, came four months late for Mr. Vargas, who turned 31 last Feb. 3, 2012.

VARGAS URGES TO SIGN PETITION

Vargas is urging his supporters to sign up in a petition <http://chn.ge/1MillionDreams> as a show of appreciation that he and a team from Define American will deliver to the White House on Monday.

He also thanked everybody “for continuing to stand with me for a new conversation about immigration in America and for sharing this message with your friends and family. I am honored and deeply moved by your support.”

Only yesterday, Vargas and 35 other undocumented young people were featured in the cover of Time Magazine. It appeared to have buoyed the White House into approving “deferred action” for hundreds of thousands of Dream Act-eligible students. But actually, the policy change appeared to have been long in planning.

But it would not have happened if Mr. Obama were not courting the big block of Latino voters, who helped elect him in 2008 on a promise to introduce immigration reforms.

With the disgruntled Latino voters losing interest in Obama’s reelection in a presidential election that has not produced a candidate, pitching a credible support for immigration reform, Mr. Obama had to make the

dramatic policy change with an eye on regaining their trusts.

Meanwhile, National Chair Ed Navarra of the National Federation of Filipino American Associations welcomed “President Obama’s announcement, deferring the deportation of young immigrants, whose parents came to the this country without legal status. We are grateful for the courage of activists like Jose Antonio Vargas, a Filipino journalist, who has taken great risks in calling attention to the plight of these young people. We urge Congress to pass the DREAM Act.”

Department of Homeland Security Secretary Janet Napolitano told reporters that the policy change is part of a general shift by the Obama administration to focus on deporting high-priority undocumented immigrants.

"This grant of deferred action is not immunity," she said. "It is not amnesty. It is an exercise of discretion so that these young people are not in the removal system. It will help us continue to streamline immigration enforcement and ensure that resources are not spent pursuing the removal of low-priority cases involving productive young people."

Still, there will be no pathway to citizenship for undocumented immigrants eligible for the policy change, because "Only the Congress, acting through its legislative authority, can confer these rights," according to the DHS announcement.

UNDER PRESSURE FROM IMMIGRANT RIGHTS GROUPS

The administration has been under intense pressure from immigrant rights groups, some led by undocumented youth themselves, to issue an executive order protecting DREAMers from deportation. Critics believe the administration did not have the power to make an executive order blocking deportations for undocumented young people.

But this is consistent with “prosecutorial discretion” applied in previous immigration cases. Among them were two continuing resolutions signed by President Bill Clinton on Sept. 30, 1997, extending the expiration

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date of Section 245(i) of Immigration and Nationality Act Amnesty No. 2 in 1994, conferring a temporary rolling amnesty for 578,000 illegal aliens. The first continuing resolution extended the deadline until Oct. 23, 1997

and the second continuing resolution extended Section 245(i) until Nov. 7, 1997

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Rep. Lamar Smith (R-Texas), chair of the Judiciary Committee, said, "President Obama's decision to grant amnesty to potentially millions of illegal immigrants is a breach of faith with the American people. It also blatantly ignores the rule of law that is the foundation of our democracy. This huge policy shift has horrible consequences for unemployed Americans looking for jobs and violates President Obama's oath to uphold the laws of this land."

Democratic supporters of the Dream Act applauded the decision. Rep. Luis Gutierrez (D-Ill.), one of the most vocal critics of the administration on immigration, called the announcement a "tremendous first step." While Sen. Robert Menendez (D-N.J.) said he was "profoundly grateful" and that the policy change "will change [DREAMers'] lives forever." Sen. Dick Durbin (D-Ill.), who introduced the Dream Act in 2001, called it a "historic humanitarian moment. This action will give these young immigrants their chance to come out of the shadows and be part of the only country they've ever called home."

POLICY CHANGE TAKES EFFECT JUNE 15, 2012

In a press conference Friday morning, Secretary Napolitano said that effective immediately, certain young people who were brought to the United States as young children, do not present a risk to national

security or public safety, and meet several key criteria will be considered for relief from removal from the country or from entering into removal proceedings. Those who demonstrate that they meet the criteria will be eligible to receive deferred action for a period of two years, subject to renewal, and will be eligible to apply for work authorization.

It added DHS continues to focus its enforcement resources on the removal of individuals who pose a national security or public safety risk, including immigrants convicted of crimes, violent criminals, felons, and repeat immigration law offenders. Today's action further enhances the Department's ability to focus on these priority removals.

Under this directive, individuals who demonstrate that they meet the following criteria will be eligible for an exercise of discretion, specifically deferred action, on a

case-by-case basis:

- 1.) Came to the United States under the age of sixteen;

- 2.) Have continuously resided in the United States for a least five years preceding the date of this memorandum and are present in the United States on the date of this memorandum;

- 3.) Are currently in school, have graduated from high school, have obtained a general education development certificate, or are honorably discharged

veterans of the Coast Guard or Armed Forces of the United States

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- 4.) Have not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise pose a threat to national security or public safety; # # #

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