

The First 100 Days in Review:

Obama's Record on Immigration Enforcement Should Make Americans Wary About Future Promises of Security or Enforcement

Introduction

In 2006 and in 2007, Congress considered “comprehensive immigration reform” which would have given amnesty to more than 12 million illegal aliens living in the United States.¹ In an attempt to garner public support for the unpopular amnesty provisions, Congress included enforcement provisions in the bills, claiming that they would reduce illegal immigration. Supporters of amnesty said the bills would:

- Strengthen border security and enforcement;
- Increase worksite enforcement operations;
- Implement a permanent, mandatory Employee Eligibility Verification System; and
- Affirm state and local law enforcement agencies’ authority to enforce immigration laws.²

While the American people overwhelmingly supported securing the border and ending illegal immigration, Americans did not feel the same way about legalizing illegal aliens.³ In June 2007, Rasmussen Reports released poll results that demonstrated that voters did not believe that the Senate’s “comprehensive” approach would accomplish the goal of improving border enforcement or reducing illegal immigration. In fact, in 2007, Rasmussen found that the comprehensive “legislation continues to face broad public opposition” and that just “22% of American voters [favored] the legislation.” Only 32% believed the bill was better than doing nothing at all.

Rasmussen also found that only “16% [of American voters believed] the Senate bill would reduce illegal immigration” while 71% of American voters believed that “another bill would be required to focus on securing the border and reducing illegal immigration.”⁴ Despite a significant push by special interests, the amnesty bill failed to pass the Senate in 2007 — primarily because the American public was so staunchly opposed to the bill.

The Obama Record on Enforcement

President Obama has been an outspoken supporter of amnesty legislation in the past, and his administration has recently indicated that he intends to push a bill this year. We can expect that Obama, in an attempt to sway public opinion on amnesty, will make many of the same empty

promises about border security, interior enforcement and worksite enforcement that were made in 2007.

But if past is prologue, the Obama Administration's record on enforcement thus far tells the American people everything they need to know about what the implementation of any enforcement measures from a comprehensive bill would look like. His administration's track record demonstrates that he has no intention of actually implementing any enforcement measures at all.

During the first 100 days of his administration, President Obama has undermined border security, interior enforcement, worksite enforcement and state and local enforcement. For example:

Border Security

- President Obama has denied requests to continue using the National Guard at the Southern border, even though two border state governors have requested these troops.⁵

Interior Enforcement

- Instead of investigating illegal aliens working in violation of the law, Secretary Napolitano has issued new directives that signal a reinstatement of catch and release when it comes to interior and worksite enforcement.⁶
- Napolitano ordered an investigation into Immigration and Customs Enforcement (ICE) personnel when they executed the first worksite enforcement operation to occur under the Obama Administration. This operation resulted in the arrest of 28 illegal aliens, many of whom had obtained employment using false Social Security numbers and other counterfeit documents.⁷ Following this investigation, most of the illegal aliens were released from custody and given legal permission to work in the United States.⁸

Worksite Enforcement

- The Administration has twice delayed a rule that would require most federal contractors to use E-Verify.⁹ These delays have come in spite of E-Verify's widespread usage and proven record as an accurate and effective tool utilized by employers to ensure that they hire a legal workforce.¹⁰

- Congress twice rejected a long-term extension of E-Verify in 2009¹¹ and also dropped language from the stimulus conference report that would have required that employers that receive stimulus money use E-Verify.¹²

State & Local Enforcement

- The Department of Justice has undermined state and local law enforcement agencies' authority to enforce immigration law by launching an investigation into the Maricopa County, Arizona Sheriff Department's participation in the 287(g) program.¹³
- The House Judiciary Committee held a hearing on the 287(g) program at which Members of Congress suggested the program could only be a success if it only led to deportation of violent criminal aliens and the witnesses provided biased testimony against this very important and successful joint program.¹⁴

Conclusion

The Obama Administration has indicated that the president will begin his push for amnesty with a public speech on the immigration issue in May. This speech will likely include talk of “comprehensive reform,” with promises of enhanced border security, increased worksite enforcement, mandatory employee verification, and support for state and local law enforcement agencies in the enforcement of immigration law.

With what the American people have seen from the Obama Administration thus far in the way of enforcement, the American people are right to remain skeptical about the intent of President Obama and Congress on the issue of enforcing America's immigration laws — particularly if their promises are tied to a plan to grant amnesty to millions of illegal aliens.

Endnotes

¹ In 2007, the Senate considered two separate bills: S. 1348 and S. 1639. A cloture motion on S. 1348 was defeated on June 7, 2007, Roll Call [Vote 206](#), and a cloture motion on S. 1639 was defeated on June 28, 2007, Roll Call [Vote 235](#).

² For a breakdown of the enforcement provisions in the 2007 amnesty proposals, See FAIR's "[Side by Side Comparison of Immigration Reform Proposals](#)." April 5, 2007.

³ A [May 2007 Rasmussen Reports poll](#) found that 72% of U.S. voters said it was very important for “the government to improve its enforcement of the borders and reduce illegal immigration,” while only 29% of U.S. voters said it was very important for “the government to legalize the status of illegal aliens in the United States.”

⁴ [Rasmussen Reports](#), “Just 22% Favor Stalled Immigration Bill,” June 25, 2007.

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- ⁵ “Pentagon: No Specific Request to Deploy Troops.” [CNN](#). March 13, 2009.; “Gov. Brewer Asks for More Border Troops.” [Yuma Sun](#). March 11, 2009.; “Obama Says No U.S. Troops Needed Yet at Mexican Border.” [The Dallas Morning News](#). March 12, 2009.
- ⁶ “DHS Signals Policy Changes Ahead for Immigration Raids.” [The Washington Post](#). March 29, 2009.
- ⁷ “Napolitano Orders Review of Washington Immigration Raid.” [The Associated Press](#). February 25, 2009.
- ⁸ “Illegal Immigrants Go Free; Some Offered Work Permits.” [The Seattle Times](#). April 1, 2009.
- ⁹ “System to Verify Worker Legality is Delayed Again.” [The Washington Post](#). January 30, 2009.; “Applicability Date for E-Verify Federal Contractor Rule Extended.” [USCIS Update](#). April 16, 2009.
- ¹⁰ For more on E-Verify, see FAIR’s [“E-Verify Talking Points.”](#)
- ¹¹ “Rep. Calvert: Billions of American Tax Dollars to Create Jobs for Illegal Immigrants?” [Representative Ken Calvert Press Release](#). February 11, 2009.; Roll Call Vote 93. [U.S. Senate 111th Congress – 1st Session](#). March 10, 2009.
- ¹² “Negotiators Drop E-Verify Mandate from Stimulus Package.” [CongressDaily](#). February 13, 2009.
- ¹³ “Arpaio to be Investigated over Alleged Violations.” [The Arizona Republic](#). March 11, 2009.
- ¹⁴ “Examining 287(g): The Role of State and Local Law Enforcement in Immigration Law.” [House Committee on Homeland Security Hearing](#). March 4, 2009.