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White House Plan on Immigration Includes Legal Status

By [JULIA PRESTON](#)

The Obama administration will insist on measures to give legal status to an estimated 12 million illegal immigrants as it pushes early next year for legislation to overhaul the [immigration](#) system, Homeland Security Secretary [Janet Napolitano](#) said on Friday.

In her first major speech on the overhaul, Ms. Napolitano dispelled any suggestion that the administration — with health care, energy and other major issues crowding its agenda — would postpone the most contentious piece of immigration legislation until after midterm elections next November.

Laying out the administration's bottom line, Ms. Napolitano said officials would argue for a "three-legged stool" that includes tougher enforcement laws against illegal immigrants and employers who hire them and a streamlined system for legal immigration, as well as a "tough and fair pathway to earned legal status."

With unemployment surging over 10 percent and Congress still wrangling over health care, advocates on all sides of the immigration debate had begun to doubt that [President Obama](#) would keep his pledge to tackle the divisive illegal immigration issue in the first months of 2010.

Speaking at the Center for American Progress, a liberal policy group in Washington, Ms. Napolitano unveiled a double-barrel argument for a legalization program, saying it would enhance national security and, as the economy climbs out of [recession](#), protect American workers from unfair competition from lower-paid, easily exploited illegal immigrants.

"Let me emphasize this: we will never have fully effective law enforcement or national security as long as so many millions remain in the shadows," she said, adding that the recovering economy would be strengthened "as these immigrants become full-paying taxpayers."

Under the administration's plan, illegal immigrants who hope to gain legal status would have to register, pay fines and all taxes they owe, pass a criminal background check and learn English.

Drawing a contrast with 2007, when a bill with legalization provisions offered by President [George W. Bush](#) failed in Congress, Ms. Napolitano said the Obama administration had achieved a "fundamental change" in border security and enforcement against employers hiring illegal immigrants. She said a sharp reduction in the flow of illegal immigrants into the country created an opportunity to move ahead with a legalization program.

Some Republicans were quick to challenge Ms. Napolitano's claims that border security had significantly improved or that American workers would be helped by bringing illegal immigrants into the system.

"How can they claim that enforcement is done when there are more than 400 open miles of border with Mexico?" asked Representative [Lamar Smith](#) of Texas, the senior Republican on the House Judiciary Committee. He said the administration should "deport illegal immigrant workers so they don't remain here to compete with citizen and legal immigrant job seekers."

But Senator [John Cornyn](#) of Texas, the top Republican on the Judiciary subcommittee on immigration, agreed that it was time to open the immigration debate. "My commitment to immigration reform has not changed," he said in a statement Friday. "I am interested in seeing a proposal sooner rather than later from President Obama."

Senator [Charles E. Schumer](#), Democrat of New York and the chairman of that subcommittee, has been writing an overhaul bill and consulting with Republicans, particularly Senator [Lindsey Graham](#) of South Carolina. Mr. Schumer said that the administration's agenda was "ambitious," but that he was "confident we can have a bipartisan immigration bill ready to go under whatever timeline the president thinks is best."

Ms. Napolitano has been leading the administration's efforts to gather ideas and support for the immigration overhaul, meeting in recent weeks with business leaders, religious groups, law enforcement officials and others to gauge their willingness to go forward with a debate in Congress.

Framing the administration's proposals in stark law and order terms, she said immigration legislation should

include tougher laws against migrant smugglers and more severe sanctions for employers who hire unauthorized workers.

Ms. Napolitano said that the [Border Patrol](#) had grown by 20,000 officers and that more than 600 miles of border fence had been finished, meeting security benchmarks set by Congress in 2007. She was echoing an argument adopted by Mr. Bush after the bill collapsed in 2007, and by Senator [John McCain](#), Republican of Arizona, in his race against Mr. Obama. They said Americans wanted to see effective enforcement before they would agree to legal status for millions of illegal immigrants.

Some immigrant advocates were dismayed by Ms. Napolitano's approach. Benjamin E. Johnson, executive director of the American Immigration Council, praised her package of proposals, but said some enforcement policies she outlined "have proven to do more harm than good."

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