

Janet Napolitano on Immigration Reform, Enforcement and 'Killer Pumpkins'

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Janet Napolitano's small office has all the grandeur of a mid-level insurance agent's workplace in a faded strip mall. A few paintings, a nearly empty bookcase, a small conference table that might be found in a *Dilbert* cartoon – none of these bland accoutrements suggest that Napolitano, as Secretary of Homeland Security, is probably the most important member of the Cabinet, aside from Hillary Clinton (State), Robert Gates (Defense) and Tim Geithner (Treasury).

Not only does the 51-year-old Napolitano have responsibility for post-9/11 domestic security but the former two-term Arizona governor is also at the center of the simmering immigration debate, since Immigration and Customs Enforcement (ICE) is a major component of her department. Napolitano will be at the White House next Thursday when Barack Obama finally holds a twice-postponed meeting with a bipartisan group of congressional leaders to discuss the arduous task of winning passage of immigration reform.

Dressed in a turquoise-colored jacket and matching blouse and wearing a blue-green turquoise necklace, Napolitano sipped iced tea at her nondescript conference table during a 30-minute interview. The topics covered were a deliberate mixture of the serious (mostly immigration reform and enforcement) and the frivolous (her personal reading list and a certain painting behind

her desk). Napolitano's tone was conversational and light through most of the interview, although there was an audible edge to her voice when she thought she was being accused of slackening on immigration enforcement.

Q: You were on the short list for the Supreme Court. How does the president of the United States tell someone they are not going to be a Supreme Court justice?

A: (Laughter). You know, let's just say that I love being the Secretary of Homeland Security.

Q: But Obama did call you to let you know that he was going in a different artistic direction with the Supreme Court choice?

A: Sure, yes.

Q: The United Food and Commercial Workers (UFCW) union has just put out a [report](#) about how its members were affected by the Army-style immigration raids in the prior administration. It contains stories about American citizens being detained for up to eight hours by immigration agents. Knowing that you suspended these workplace raids back in March...

A: I did not suspend them.

Q: Correct me. Where are we with Army-style immigration raids?

A: I don't know what you mean by Army-style raids.

Q: Hundreds of federal agents descending on a workplace and locking it down.

(Note to readers: A prime example – highlighted in the UFCW report – were a series of headline-making immigration raids in late 2006 on meat processing facilities owned by Swift & Company.)

A: We continue to do worksite enforcement; it's important. Unless you enforce the immigration law on the demand side, which is primarily the employment side, you can't say that you have a handle on the entire immigration problem. So you have to do worksite enforcement.

The question is: How do you do it? One of the changes we have made is a reemphasis on actually going after and developing cases against the actual employers who profit from going

intentionally into the illegal labor market. So, we have sent out refined guidance or amended guidance to our field for that. In the whole universe of illegal immigration, we want to focus on criminal fugitives, those who are already incarcerated in state prisons and county jails around the country. (We want) to make sure that those individuals, who when they are released from their sentences, are not released back into the public, but are immediately put into deportation. So, in my view, you have to have strong enforcement of the nation's immigration laws. And the issue is: What are you focusing on to get the strongest possible enforcement?

Q: My question was about a certain style of enforcement. For the most part, are you going to continue with these high-profile major workplace raids that characterized the last years of your predecessor, Michael Chertoff?

A: Our focus is whatever is the most effective worksite enforcement mechanism. Many times that is not the raid. The raid gives you numbers, but it doesn't give you much else. We're looking for anything that shuts off that particular demand. And that's why you have to have an emphasis on the employer. But there is no moratorium, per se. So there have been enforcement actions since I've been secretary.

Q: Let me switch to legislation. How involved are you in this planned White House meeting for next Thursday with members of Congress to discuss strategies for passing immigration reform?

A: I will be there. The Department will be there. And I look forward to it. Immigration is an important issue. I know health care is the top priority right now. But some of these other issues benefit from discussion and being worked on even while on Capitol Hill right now (the legislative emphasis is) on the health-care side.

Q: Senator Chuck Schumer, who is taking the lead on immigration reform in the Senate from Ted Kennedy, was [quoted](#) in the *Los Angeles Times* calling for a national worker identity card. It would get around the question of who is a citizen and who is here legally and who isn't. Do you think we need a national identity card?

A: I think on the employment side, as I said before, we want to go after employers. The flip side of that is that we want to make it easier for employers to comply with the law. (And they need to know) that if somebody possesses a photo ID, they have somebody who is lawfully in the United States...We look forward to working with Senator Schumer and others who want to engage on immigration at the right time.

Q: Do you have an open mind on a national ID card or do you have a position on it right now?

A: Let me not comment on it right now because you say national ID card and it comes down to a heated national reaction...So let me express no opinion on this because we have to get beyond shorthand labels to see what we're actually talking about.

Q: Is there a hope of getting comprehensive immigration reform through Congress this year?

A: I think there's a hope. I think that certainly serious discussions can begin this year. I think the president wants to begin this year...

Q: Is this an issue where you know in your mind – based on prior legislation – 90 percent of what should be in the legislation and the real issue is putting together a political coalition to make it happen? Or is it more amorphous?

A: I would say that we can identify big elements that need to be looked at in terms of the legislation. What coalitions there are, how that forms, that's a bit amorphous right now -- obviously because there's no bill.

Q: Let's go back to enforcement for a moment. I believe that Border Patrol told the Schumer subcommittee last month that apprehensions on the Mexican border are down by 27 percent. This was interpreted by many as indicating that -- partly because of the economy – attempted border crossings are down by a similar number. Do you buy that correlation?

A: Yes, I do. That's my own experience from being a U.S. attorney, AG (attorney general) and governor out in Arizona, a border state. It is legitimate to derive from apprehensions that crossings are down. It makes sense since the number of jobs up

here has gone down as well as all the additional enforcement measures are really beginning to have an impact.

Q: How do you measure what is successful enforcement given the fact that no one – aside from maybe Lou Dobbs – believes that we can deport 11 million people and no one believes that illegal border crossings can ever be reduced to zero? So how do you measure what is success in enforcement versus what is a lot of noise in enforcement that may not change anything?

A: I think a couple of ways. One is do you have operational control of the border...Operational control does not mean building a wall. It means having a system that combines manpower and technology with interior enforcement. So you don't have a system where if you run the gauntlet at the border, you're home free.

Q: Or if you come in on a visa at Kennedy Airport . . .

A: And overstay. And the overstay issue is one of the more difficult to deal with because that's a significant portion of those in the country illegally. Now they came in legally. But we have no way of tracking where they are. And that's something we'd like to be able to change as we're moving forward.

(What we need) is a strong sense and confidence among the American people that the rule of law is being applied, that immigration laws are being enforced – and that they're fair laws and that they recognize the need for immigration. Our country has had a healthy history of immigration and it bolsters our economy if done in the right way. It brings in talents that we need and labor that we need. So if done the right way, it really strengthens the country.

(So success) is the sense that the rule of law is being applied; that the right amount of immigration is occurring; and that we have operational control of the borders.

Q: How much assurance do the voters need that immigration is being handled effectively before we can pass immigration reform? Is a good six months all that's required?

A: I want to send a very clear message. We are enforcing this nation's immigration laws. Period. Illegal immigration is illegal

immigration. And the emphasis is on what parts of enforcement I think will have the most impact, just as you do in any crime area. You have to prioritize within an area and so forth. That enforcement philosophy underlies what we're doing. At the same time, however, I think the American people understand that the status quo on the immigration law – without reform of the underlying law – is in itself a way of amnesty. So you've got to have an underlying law that is a better match for today's circumstances.

Q: Earlier this month, you announced a [decision](#) to suspend for two years deportation proceedings against that very small category of widows whose husbands died before they could obtain permanent residency. How hard a decision was this to make? And was this all dictated by humanitarian concerns?

A: It was really an issue that had been brought to my attention because it was, in a way, such an anomaly. That people who were entitled to apply for immigration lost that status because of a grave misfortune. And that's the way the law reads, so I can't by myself change the law. But we can defer action, which enables people who find themselves in this situation to have the hope that there will be a change in the underlying law or that they will be able to get their own green card.

Q: Back in April, the group Human Rights First issued a [report](#) about what they called the abuse of detainees seeking political asylum in this country. This is obviously a small category of people in immigration detention facilities. But these asylum seekers are people who have violated no laws at all – they are just waiting for their claims to be heard. At the same time, they are incarcerated, often manacled, forced to wear prison uniforms, often put in detention facilities far from any legal representation. Are you changing any of this?

A: I have not seen that particular report. But if we are detaining people by force under the rule of law, we have an obligation to do so in a humane way. One of the things that I did do was to bring in a person who is an expert on detention and incarceration facilities to really increase that issue within the department and to raise its level. And to go facility by facility, contract by

contract. And when particular problems are raised to our attention to act as a troubleshooter to see what's going on.

Q: You mentioned this last month when you met with a group of reporters at a breakfast sponsored by the *Christian Science Monitor*. In the month since then, do you have any changes to report?

A: She's been on the job for a couple of months. She may have some things to report. I don't have any right now.

Q: Shifting topics to something really important, what are the two books you're reading right now?

A: (Laughter).

Q: And is it always one piece of non-fiction and one novel?

A: It is. Indeed. I am reading a book called "*The Wise Men* ." (Note to readers: The 1986 book by Walter Isaacson and Evan Thomas is a group portrait of six men who shaped American foreign policy in the early days of the Cold War).

I was at a dinner that (Isaacson) was at a couple of weeks ago. I had read his biography of Ben Franklin. I had "The Wise Men" but I hadn't actually read it. I had dinner with him and I just pulled it off (the shelf) and that's an excellent book.

And then I'm reading novel called "*A Person of Interest* ," which is set against the backdrop of 9/11. It's by Susan Choi. And I'm just about 40 pages in so I'll let you know how it is. (Note to readers: According to reviews, the central character of this 2008 novel is reminiscent of both the Unabomber, Ted Kaczynski, and Los Alamos scientist Wen Ho Lee, who was wrongly suspected of espionage.).

Q: In terms of reading in general, had you known, say, two years ago that you were going to get this job, are there things that you wished that you had immersed yourself in?

A: Absolutely. I think the one thing that is apparent to me is that we can call it Homeland Security, but it is inextricably linked with international security and, to an extent, with international relations. So the real focus on the international aspects of this job has come as a surprise. And I wish I had done some more

reading in that regard.

Q: Another hard-hitting reportorial question: Is there a story that goes with the large pumpkin painting behind your desk? I guess it is pumpkins, squashes and other gourds.

A: I call it "The Attack of the Killer Pumpkins."

When I came here, you know NAC is so fancy. (Note to readers: NAC is an acronym that refers to the Nebraska Avenue Complex of ancient brick former Navy buildings that is the headquarters for Homeland Security). I said, "Isn't there some art?" They said, "You're a Cabinet member. You get five pieces of art from this inventory in the basement of the National Gallery." I brought over a notebook and I picked up five pieces. But I didn't really pay attention to them. And then I came back from a trip and there they were. The others are scattered around.

(Napolitano then pointed to a decorative saddle in the corner). The saddle was a gift to me from the governor of Sonora, Mexico, commemorating a ride that I've done a couple of times with him called the "Cabalgata," which is about a seven-hour horseback ride across Sonora usually with about 4,000 riders. It's a big deal. And I was the first governor from the U.S. to actually do one. The saddle is padded however.

Q: Do you ride at all in Washington?

A: I rode one afternoon at Rock Creek Park stable. But I don't ride regularly. I haven't done much regularly, actually.

Q: Growing up, when you were handed your Crayola crayons, did anyone tell you that orange is a more alarming color than yellow? (Note to Readers: This was a reference to the DHS threat advisory system in which orange is "high" while yellow is merely "elevated").

A: [Laughter] I think it was called [Burnt Sienna](#). Often times, when people think of this department, they think of the color-coding. It's much more than that. But there is an important point to make. We are doing some thinking in the department about how do we get every individual American to understand their own role in our nation's security? And to do so in a way that if somebody spies an unattended package on a bus platform, they

will know to get in touch with somebody in the authorities. It's a greater sense of awareness and watching out for each other. We don't have a big PR plan to announce. But it's something we have been doing some thinking about.

Q: But the colors are a part of our lives for a long time to come?

A: No comment on the colors.

Q: No comment? I wasn't asking about changing the ranking of the colors.

A: For the time being, the colors are with us, no doubt.

Thank you .