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By Joe Markman
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Napolitano sees hope for immigration reform

The Homeland Security chief sees a shift in support of such an effort. She calls for a 'tough pathway' to legal status for undocumented workers.

Reporting from Washington - The government has beefed up border security and workplace immigration enforcement, and now should begin the work of overhauling immigration laws, Homeland Security Secretary Janet Napolitano said Friday.

"The hope is that when we get into the first part of 2010, that we will see legislation begin to move," Napolitano said. The legislation should not only give law enforcement officials more tools to fight illegal immigration but create a "tough pathway" for undocumented workers to gain legal status, she said.

Napolitano said the government's progress in shoring up the border with Mexico and enforcing laws at the workplace meant that more Americans and more lawmakers would support an overhaul of laws than during the last effort, in 2007.

"I've been dealing hands-on with immigration issues since 1993, so trust me, I know a major shift when I see one. And what I have seen makes reform far more attainable," Napolitano told the Center for American Progress, a liberal think tank in Washington.

She said the "tough pathway" to legal status would require illegal immigrants to register, pay a fine, pass a criminal background check, pay all taxes and learn English.

Critics responded that immigration reform was code for a blanket amnesty, and that the strides Napolitano cited in enforcement were overstated.

They also said that economic turbulence, with 10.2% unemployment, meant the timing was bad for an effort to legalize undocumented workers.

"The substance of her case is divorced from the reality of America's economy today," said Dan Stein, president of the Federation for American Immigration Reform, which opposes creating a path to citizenship for illegal immigrants. "The arguments against amnesty are far stronger today than they were in 2007. You have a much tighter job market."

An estimated 12 million illegal immigrants live in the United States.

Napolitano pointed to improved border security as the strongest argument for immigration reform's better chances. Since 2007, more than 600 miles of border fence have been built in the Southwest, and there are now more than 20,000 patrol officers guarding the nation's southern boundary, she said.

But she said a path to legal status was important too. "We will never have fully effective law enforcement or national security as long as so many millions remain in the shadows," she said.

Despite Napolitano's optimism about passing reform next year, the 2010 congressional elections remain an obstacle.

"Congress does not want to debate amnesty during an election year," said Jon Feere, a legal policy analyst at the Center for Immigration Studies, which favors "low-immigration" policies. "The year after that, Obama is looking at reelection himself, and he's not going to want to make immigration an issue."

John Vinson, president of the American Immigration Control Foundation, which advocates tough immigration laws, said, "The American people are not sympathetic to people who break laws."

But others said that immigration had proven to be ineffective as a wedge issue in elections.

Ben Johnson, executive director of the American Immigration Council, said, "Candidates who stand up for rational, comprehensive solutions to this complex problem don't lose races."