

“My Fellow Citizens”¹: Barack Obama and Immigration Policy

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This essay explores the Obama administration’s framing, prioritization, and execution of comprehensive immigration reform — or in its absence, limited, mostly administrative reforms — during Barack Obama’s first years in the White House. It considers the importance of immigration to Obama’s life narrative as well as his campaign rhetoric and assesses Obama’s engagement with immigration in the context of other presidents. For the Obama administration in 2009 and 2010 comprehensive immigration reform has been neither comprehensive nor reformative. Instead, as it has been discussed over the last ten years, comprehensive immigration reform is usually articulated as a screen to protect politicians from policy decisions that are politically risky — a faraway course of action that many support, but few advance pragmatically. If President Obama is to break from the pliable and fuzzy rhetoric of the “nation of immigrants,” he must decide and articulate unambiguously to the American people who constitute “my fellow citizens”, and demonstrate the conviction of his bilingual presidential chestnut, “*Todos somos Americanos*, We are all Americans.”

HISTORIC ELECTION

Barack Obama’s election to the presidency of the United States has been hailed as historic, and rightfully so. He is the first African American to hold the executive office in a nation with a painful racist history of black subjugation. He is of mixed racial background, his white mother hailing from the country’s heartland of Kansas and black father from far away Kenya. Obama is only the seventh president who is the child of at least one immigrant and the first since Herbert Hoover. In his first year in office President Obama received both historic praise — the Nobel Peace Prize — and historic condemnation e.g., Congressman Joseph Wilson’s shout of “You lie!” during Obama’s nationally broadcast healthcare speech to Congress in 2009. The list of notable factoids and more seismic cultural shifts of the Obama presidency goes on and on. Congressman Wilson’s uncouth public outburst, in particular, is critical, but not solely because it led to a congressional reprimand of Wilson and a nationwide debate over the racial motivations behind Republican lawmakers’ derision and other bizarre popular criticisms of President Obama. To be sure, the discussions about racism and the nation’s first black presidency should continue,² but so should serious consideration of the issue-within-the-issue that prompted Wilson’s shriek: immigration policy. When immigration was broached, merely in passing, it snugly fit between Obama’s momentary remarks on euthanasia and abortion. But Wilson’s outburst reflected the fact that immigration is a vexing national question that has polarized voters since the 1970s.

The Wilson debacle, which quickly entered the news cycle, muted the larger issue of undocumented immigrants’ access to healthcare and also reflects the ubiquitous nature of immigration and immigrants in the economic, social, and political fabric of the country. Immigrants come to the U.S. from all over the world and reflect a complex combination of national origin, race, political ideologies, and human capital. Despite this complexity, large scale contemporary immigration also includes a preponderance of authorized and unauthorized Latin American immigrants, especially from neighboring Mexico. Popular understanding of immigration and immigrants is usually focused on this latter trend rather than the overall heterogeneity of immigrants in the United States. As for the issues, whether it’s healthcare reform, the economic stimulus package, or even “Cash for Clunkers,” the question of how immigrants fit into these federal programs is imperative. According to Jennifer Ng’andu of the National Council of La

Raza, “In every policy debate, as long as immigration remains unresolved, there is going to be a question of what happens to immigrants in this country” (Thompson, 2009). The issue of healthcare access, for example, extends beyond undocumented immigrants receiving services, and should include how to verify those that are eligible. It includes the issues of immigrants receiving employer-based care, or mixed status families made up of immigrants and natural-born or naturalized members and their eligibility and privacy, as well as continued emergency room use for all persons.

President Obama mentioned only one facet of immigration in his healthcare speech, and fleetingly. One year later, in his first State of the Union address, President Obama similarly devoted only three lines to immigration.³ In response, Kevin Johnson, Dean of the Law School at the University of California, Davis and immigration scholar, suggested that the brief comment on immigration “did little to make it seem like a priority of the administration” (Johnson, 2010). Editor Sandip Roy of *New American Media* went further in his *Huffington Post* article, “Did Obama Kill Immigration Reform in the State of the Union?” Referring to the president’s three line “casual platitude,” Roy suggested that “If he did, he killed it gently, with a pat on the head. ... 12 million undocumented immigrants deserved more than those 38 words” (Roy, 2010). And Angelo Falcón of the National Institute for Latino Policy read more deeply into the impact of Obama’s address, writing, “It’s official. Latinos no longer exist” (Falcón, 2010). The discontent by immigrant advocates with the relative silence on immigration at this stage of Obama’s presidency is especially fundamental because immigrants represent a population in the tens of millions. They are one of every eight residents nationally, with either long-term density in some states and cities, or new and rapid growth in traditionally nonimmigrant communities. Therefore, how President Obama wields his formal and informal sources of power to address immigration reform in this country, or what happens if he strategically postpones it, then, can potentially affect every aspect of U.S. society in this so-called “nation of immigrants.”

In his bid for the presidency, candidate Obama declared that he would position immigration as “a top priority in my first year as president” (Nicholas and Wilkinson, 2009, A14). Obama was emphatic: “I am going to be fighting for comprehensive immigration reform, and we shouldn’t pose the question that somehow we can’t achieve that. I believe that the American people desperately want it. That’s what I’m going to be fighting for as president” (*CNN*, 2007). However, as president, after his initial focus on the economy, and then when the protracted healthcare reform debate crowded out the rest of his agenda in 2009, the president tabled his administration’s efforts at a national immigration overhaul until at the earliest 2010, without any clear timeframe. “When we come back next year ... we should be in a position to start acting,” he said at a summit of Mexican and Canadian leadership in August 2009 (Nicholas and Wilkinson, 2009, A14). Later, he reiterated this point to *Univision*’s Jorge Ramos, “I’d really like to solve our immigration problem, but I can’t solve every problem at once” (*Univision*, 2009).

Is the speedy devolution of comprehensive immigration reform a surprise in today’s economic and political context? Is it a matter of political strategy and prioritization, or were candidate and President Obama’s promises of immigration reform always somewhat fuzzy and without firm, explicit commitment? And finally, while the nation waits, what smaller administrative policies are advanced in the absence of broad congressional reform? Who gets to frame the terms of the immigration debate? Whose lives hang in the balance: the twelve million undocumented, living and working “in the shadows”; the tens of thousands of noncitizens mandatorily detained while seeking asylum or fighting deportation; or students unable to apply their college degrees because they immigrated without documents as infants?

This essay explores the Obama administration’s framing, prioritization, and execution of comprehensive immigration reform — or in its absence, limited, mostly administrative re-

forms — during Barack Obama’s first years in the White House. It considers the importance of immigration to Obama’s life narrative as well as his campaign rhetoric and promises, an assessment of Obama’s engagement with immigration in the context of other presidents, and an examination of the concrete shifts in immigration in policy thus far. To date, his response to the topic has been generally vague and muted — compassionate and committed, but without deadlines or details. Perhaps this is part of Obama’s political strategy, especially to avoid the return of immigration as a hoary “wedge issue” (*CNN*, 2007). For example, Obama lamented to the Congressional Hispanic Caucus Institute that immigration allows the “debate on health care ... [to] get sidetracked by those looking to exploit divisions and kill reform at any cost” (Obama, 2009c). Or, perhaps the president’s historic espousal of change in his campaign contained critical blind spots, especially when it comes to immigration policy. As Joseph Nevins points out, “his Senate voting record and the policies and practices carried out by his administration show that Obama falls within the broad center of a political spectrum that is remarkably narrow on matters of immigration and boundary enforcement” (Nevins, 2010). After only a year of his presidency, critics and supporters are beginning to raise concerns and express disappointment about his commitment to immigration reform — whether it be piecemeal administrative changes, such as providing drivers licenses to documented immigrants or reforming detention practices, or about pursuing a comprehensive legislative package. This essay examines these concerns, assessing President Obama’s promises against his definitive reforms, or at times, his maintenance of the status quo in immigration policy.

“FELLOW CITIZENS” AND NONCITIZENS

The title of the essay, “My fellow citizens...,” (Obama, 2009a) reiterates Obama’s initial inaugural words as president to his constituents and the world watching and listening on his first day in office. On January 20, 2009 in his inauguration speech, President Obama reached out to the citizens of the nation, suggesting an “era of responsibility” and calling for a reinvigoration of civic engagement. Obama spoke of “the price and the promise of citizenship” to which “every American” is responsible. But what of non-Americans? What about noncitizens? What are their responsibilities and rights in the United States? Similarly, when Obama collectively states “We the people,” is he speaking of all the people, in particular immigrants who are not eligible to cast ballots? Does the “common good” rooted in America and articulated by the new president exclude those transitioning to citizenship, whom legal scholar Hiroshi Motomura calls “Americans in waiting” (Motomura, 2006)? Must noncitizens wait a generation to overcome their outsider status when their descendants’ birthright bestows social legitimacy and civic responsibility? And what about those who lie in the bureaucratic and social netherworld between immigration and citizenship? Countering the towering rhetoric of President Obama, Motomura reminds us, “Citizens and noncitizens are not always equal... . In short, ‘all men are created equal’ only if those ‘men’ are not noncitizens” (Motomura, 2006, 5).

For as gifted a politician as President Obama, possessing deft rhetorical expertise, these distinctions are not unimportant. The legal, social, and political boundaries between citizens and immigrants, although porous at times, are manifest, such that conflation of these two groups is not easily accomplished. In his first day as president, Obama was not explicit in inviting immigrants to the table to reaffirm the “ideals of our forebears” and the nation’s “founding documents.” On inauguration day, when Obama suggested that “all deserve a chance to pursue their full measure of happiness” and when he spoke of “men and women obscure in their labor,” one might think this included immigrants. But if so, did the president mean all immigrants, including the vast majority of Asian and Latin American immigrants in the last fifty years? Or was he speaking in the mythological terms related to the founding of the United

States? In that same address, the president spoke in lofty rhetoric that identifies the U.S. as a “nation of immigrants,” invoking “our patchwork heritage” and persons who “traveled across oceans,” “toiled in sweatshops,” and “endured the lash of the whip.” But he did not include the characteristics of present day immigration, especially the vast majority of today’s migrants moving south to north through the Americas. In short, among all the policy issues mentioned — civic responsibility, the economy, the state of bipartisanship, military power, the nation’s role internationally, and others — he did not speak of immigration. President Obama spoke eloquently of racial and religious diversity, but not national origin or citizenship status.

DREAMS AND AUDACITY

In Obama’s biographical writings, in particular his two monographs, *Dreams from My Father: A Story of Race and Inheritance* and *The Audacity of Hope: Thoughts on Reclaiming the American Dream*, the future president recounts his life narrative and political beliefs. In both books, Obama reflects lightly on immigration in relation to his own life. In *The Audacity of Hope*, for example, then-Senator Obama contains a small section on immigration policy, but it is located within a larger chapter entitled “Race.” This is of no insignificance because much of Obama’s views about immigration are viewed through the prism of race, or antiquated idealism about the ‘nation of immigrants,’ or, when somewhat more explicit, through very broad sloganish policy terms. In *Dreams from My Father*, Obama struggles primarily with racial identity, moving through his mixed-race origins, his childhood years as an immigrant — although he does not use that term — in Indonesia, his high school and college years in Hawaii, California, and New York, his years of community organizing in Chicago’s Southside, and during a prolonged family visit to Kenya. Whereas in *The Audacity of Hope* Obama speaks of racial groups in undifferentiated and vague terms of U.S. citizenship, in *Dreams from My Father*, Obama privileges racial background as the central struggle in his life, self-consciously and candidly relating blackness to individual and family identity, his place among black communities, and finally among his Kenyan family.

Racial identity predominates, and Obama’s understanding of immigration status, which gets mentioned only subtly in these texts, is folded into race as another structure of inequality. Obama’s central tie to noncitizenship status — although he is acutely aware of the second class citizenship accompanying blackness in the U.S. — is through his father, Barack H. Obama. He refers to his “alien” father in his first book as a “prop in someone else’s narrative. An attractive prop — the alien figure with the heart of gold, the mysterious stranger who saves the town and wins the girl — but a prop nonetheless” (Obama, 1995, 26). Obama states in *The Audacity of Hope*, “Furthermore, I am a prisoner of my own biography: I can’t help but view the American experience through the lens of a black man of mixed heritage” (Obama, 2006, 10). Obama provides candid views of black constituents’ concerns about competition with immigrants (Obama, 2006, 262–263) as well as revealing self-disclosures that he is “not entirely immune to such nativist sentiments.” Obama’s personal disclosures — of “resentment” and “frustration” — reflect commonplace sentiments often heard by citizens in diverse communities.⁴

Indeed, his first book’s subtitle is explicit: “A Story of Race and Inheritance.” But it is worth noting that Barack Obama’s sense of being out of place throughout the text was understood then — and since then — through the prism of race and rarely through the lens of immigration. In popular discourse, for example, Latinas and Latinos can be considered euphemisms for immigrants, and vice versa. In Obama’s narratives, Latinas/os are bit characters, racial figures peppered alongside other racial figures. *Dreams from My Father* presents a smattering of them throughout the U.S., utilizing a range of shifting nomenclature, unclear as to immigration status: Puerto Rican neighbors in New York City; Mexican shoppers in

Texas; college-age Chicanos in California; Mexican maids; an Hispanic waitress; and a Mexican American woman in Chicago.⁵ Whereas all of these persons are mentioned momentarily, as parts of stories with meaning beyond them, interestingly, the Mexican consumers in Texas were referred to as “coloreds,” conflated socially with African Americans in Obama’s retelling of a story by his grandfather (Obama, 1995, 18). Similarly reading national origins by means of race when describing his years in Indonesia, Obama suggests that his mother’s second husband, Lolo, from Indonesia, “could have as easily been Mexican or Samoan as Indonesian” (Obama, 1995, 31–32).

Foretelling themes to be shared in his inaugural address in 2009, then-senator Obama in *The Audacity of Hope* discusses the “obligations of citizenship” and duty to “our nation” (Obama 2006, 55). Similarly, he utilizes shifting constructions of “us,” “we,” “Americans,” and our “fellow citizens”, without plainly including immigrants in these categories (Obama, 2006, 37, and 41). In the chapter, “Our Constitution,” Obama writes, “The Constitution’s exquisite machinery would secure the rights of citizens, those deemed members of America’s political community. But it provided no protection to those outside the constitutional circle — the Native American ... or the black man Dred Scott” (Obama, 2006, 95). There is no mention, however, of the centuries-long struggle of nonwhite immigrants against nativism and for the right to naturalize — lasting from 1790 to 1952 — which permanently excluded many nonwhites from citizenship and shaped immigration policy through the end of the twentieth century. Obama’s slices of historiography attempt to map connections between today’s and yesterday’s migrants, arguing that they come for the “same reason” as 150 years ago (Obama, 2006, 268). Purportedly motivated by a desire for a better life — a hallmark of nationalist political rhetoric — Obama’s otherwise astute and professorial explications of U.S. history are recuperative of mythical nationalist ideals and serve as apprehensive warnings of some historical missteps — that is, with the exception of contemporary U.S. immigration history.

The major exception in *The Audacity of Hope*, where Obama engages “the political firestorm surrounding immigration” (Obama, 2006, 249) is found, again, in the chapter entitled, “Race.” Here, Obama is clearly aware that “racism and nativist sentiment have repeatedly undermined “equal citizenship under the law” and economic opportunity for “all comers, regardless of status or title or rank” (Obama, 2006, 231–232). In the chapter Obama argues that two issues — inner-city poverty and the “problem of undocumented workers” — “require special attention” (Obama, 2006, 249). In the ten to fifteen pages dedicated to analyzing the “problem” of immigration (of more than 800 pages in two books), immigrants and immigration are understood in racial and historical terms in discourse about bygone periods of intense racism and xenophobia. Whereas Obama correctly recognizes the dismantling of many overt structures of racism — creating “a nation more tolerant and more worldly than one immigrants faced generations ago” (Obama, 2006, 260) — he is mistaken that immigration policy is on balance better. While racial prerequisites to naturalization and racist quotas for immigration have been lifted, over the last twenty-five years especially, enforcement, detention, and removal policies have become harsher and more deadly, and the costs of inequality in citizenship status have been pushed upward. Obama recognizes that “the history of immigration in this country has a dark underbelly” (Obama, 2006, 261), but his analysis does not explore, to the chagrin of immigrant advocates, how that darkness occurs today.

OBAMA AND IMMIGRATION REFORM

According to Matthew Crenson and Benjamin Ginsberg, “Sometime in the second half of the twentieth century, the president moved into the driver’s seat of our political system” (Crenson and Ginsberg, 2007, 11). The authors further suggest that this political ascension is

the result of an overall decline in popular participation and engagement with politics, which “has tended to diminish Congress while enhancing the presidency” (Crenson and Ginsberg, 2007, 28). In the area of immigration, presidents have the formal authority to veto or sign immigration legislation into law as well as to take leadership in advancing or opposing legislation in the congressional process.⁶ According to Barbara Sinclair, they do the latter by “going public” — “going over the head of Congress directly to the American people in order to stimulate public pressure” (Sinclair, 2004, 94). In addition, in the area of immigration policy presidents have a great deal of formal power administratively through cabinet level agencies in immigrant integration, enforcement of borders, detention and deportation, and control of the immigration courts.⁷

Immigration, in particular, is both a policy concern and a rhetorical issue rife with nationalist symbolism and iconography. Thus presidents both guard and are guided by nationalist beliefs about the U.S.’s immigrant origins. The use of the bully pulpit, a more informal source of presidential power — or as Richard Neustadt emphasizes, “the power to persuade”⁸ — can be a multi-edged blade, especially in the area of immigration policy. According to Beasley, “U.S. presidents have a certain type of inherent rhetorical inhibition against making statements or advocating policies that seem overtly nativistic” (Beasley, 2006b, 6). But they are also responsible to voting constituents variously at odds with immigrants. As a result, there has been a range of presidential action toward immigration, stoking fear of immigrants at times in the national populace, or in other contexts counseling compassion — in both cases, often in contradiction to other formal executive prerogatives. George W. Bush, for example, cautioned against anti-Muslim violence in the wake of 9/11 while he simultaneously promoted racially targeted enforcement and immigration policies against Arabs and Muslims, not to mention his administration’s sanction of torture for terror suspects.

In heightened periods of xenophobia, presidents have responded divergently to fears of immigrants, utilizing both their formal constitutional authority and informal presidential rhetoric. The John Adams administration, for example, oversaw the Alien and Sedition Acts in 1798 during heightened fears of French foreign revolutionary influence. During the mid-nineteenth century, marked by a long period of anti-Catholic fervor directed at European migrants, Charles Stewart writes that, “Presidents Polk, Fillmore, Pierce and Buchanan served or ran for office in the center of the nativist firestorm and upheld American principles when it might have been expedient politically to remain silent or couch their statements in safe, innocuous ambiguities and euphemisms” (Stewart, 2006, 81). Stewart adds, “Rhetorically, they reiterated the protection and rights guaranteed to all American citizens native-born and foreign-born” (Stewart, 2006, 81). This differs widely from the late nineteenth century period of more or less open European immigration and Chinese exclusion, when “presidents ... failed to use their moral and ethical prerogative to address and perhaps lessen the openly espoused and practiced prejudices against Catholics, other non-Protestant Christians, Mormons, and Jews in the United States” (Stewart, 2006, 82). As Barack Obama has already learned in his careful navigation through immigration’s political straits, “This is not an issue that polls well. But I think [comprehensive immigration reform] is the right thing to do” (*CNN*, 2008a).

It would be facile and misleading merely to examine Obama’s presidential rhetoric or legislative accomplishments, or simply to compare Obama’s record against his most recent predecessors. The presidential politics of immigration reform are far more contradictory. Although George W. Bush sought comprehensive immigration reform during his administration,⁹ exposing the widespread polarization on the issue in Congress and among the national populace, his administration also ratcheted up an enforcement-only approach that has only mildly abated under Obama and in some cases has increased in intensity. Bill Clinton, for his part, signed into law immigration reforms in 1996 widely considered among the most punitive in a genera-

tion. These laws are the Antiterrorism and Effective Death Penalty Act of 1996 (Pub. L. 104-132; AEDPA), the Personal Responsibility and Work Opportunity Reconciliation Act, (Pub. L. 104-193; “welfare reform”), and the Illegal Immigration Reform and Immigrant Responsibility Act (Pub. L. 104-208; IIRIRA). Addressing anti-terrorism, undocumented immigration, and welfare reform, these legislative changes effectively reduced the rights of immigrants, especially in deportation proceedings, and led to a three-fold increase in the holding capacity of the immigrant detention system (Hernández, 2008). As Peter Schuck suggests, “The 1996 laws together constitute the most radical reform of immigration law in decades — or perhaps ever” (Schuck, 1999, 78). The Clinton-era policies amassed the juridical, administrative, and infrastructural foundation for a large scale coordinated expansion of detention capacity that previously was not possible and has further expanded under Presidents Bush and Obama. Contrapuntally, in Obama’s young administration, although frustrating for immigrant advocates seeking concrete reforms, the president has maintained a predominantly pro-immigrant message in a time of war and economic downturn, when sentiment against immigrants is usually hostile. According to immigrant advocate Frank Sharry, “Although many in the news media have focused on disappointment with the timeframe he laid out... they miss a crucial point. The President continues to highlight how comprehensive immigration reform is in the best interests of our country” (Sharry, 2009).

It is important, then, to examine the contradictions at the intersection of presidential rhetoric, campaign promises, and concrete policy reforms, as well as how much President Obama maintains the status quo in contemporary immigration policy. Theodore Roosevelt, for example, railed against anti-immigrant discrimination in a 1905 address to Congress, qualified, however, by the undesirability of “the entire Chinese coolie class” (Daniels, 2006, 98). U.S. presidents, Obama included, often play both sides in the immigration debate, advancing or consenting to pro- or anti-immigrant policies, incongruent to their public speaking.¹⁰ As Robert Ferrell indicates, “American leaders, despite their voicing of ideals, one president after the other, Theodore Roosevelt, Wilson, Harding, Coolidge, made little or no effort to stand against congressional enactments of prejudicial rules, save Wilson’s veto on the literacy restriction in 1917” (Ferrell, 2006, 146-147). Presidential acquiescence to Congress’s plenary power over immigration policy in this period resulted in fifty years of racist national origin immigration quotas, fears of immigrants during wartime, and widespread criminalization of immigrants throughout the twentieth century. During this period of restriction, however, when Congress passed the McCarran-Walter Act in 1952, an immigration overhaul that maintained the national origins system, Truman and Eisenhower demonstrated pro-active leadership on the issue, respectively vetoing the bill and condemning the law in their roles as president (Tichenor, 2002, 195–202). Although Congress overrode the veto, Truman appointed a presidential commission that registered a pro-immigrant voice and effected a “reframing of immigration as a foreign policy issue generally and as an ideological weapon of the cold war in particular” (Aune, 2006, 150). According to James Aune, “Truman and Eisenhower,” even after passage of immigration legislation that they opposed, “were able to lay the groundwork for the eventual elimination of the racist national origin restrictions of the 1924 and 1952 acts” (Aune, 2006, 165). In the effort to show the evils of the Soviet bloc and the virtues of the West via immigration policy, these presidents in a contradictory manner sought to lessen the racist aspects of U.S. immigration policy while simultaneously maintaining an ideological bias that would guide refugee and asylum policy through the end of the century.¹¹

For Barack Obama’s administration, engagement with immigration policy thus far has been limited to the president’s statements about comprehensive immigration reform, administrative initiatives — especially, but not only, enforcement policy — and outreach to Latinas/os. He has also articulated in his writings and speeches a general need to change the policymaking

culture of Washington, D.C.: “What I am suggesting is that we’re going to need somebody who can break out of the political patterns that we’ve been in over the last 20 years” (*ABC News*, 2007). Thus far, however, the Obama administration has maintained both political and rhetorical links to the Bush administration on the issue of immigration. After reviewing Bush’s policies and making some changes, Obama has retained and even expanded many of the previous administration’s ‘law and order’ strategies. In his oft-repeated statement regarding immigration policy, Obama pronounces, “we can once again be a nation of laws and a nation of immigrants” (*CNN*, 2007). This echoes George W. Bush, who made a similar declaration during his 2006 push for comprehensive immigration reform: “America is a nation of immigrants, and we’re also a nation of laws” (Bush, 2006).

In June 2009, Barack Obama met with representatives of both political parties and critical cabinet level leadership to explicitly discuss immigration reform. He reportedly opened the meeting stating that he would “use whatever political capital he has left’ to enact comprehensive immigration reform this year,” echoing campaign promises (Raghunathan, 2009). The president firmly stated, “My administration is fully behind an effort to achieve comprehensive immigration reform” (Obama, 2009b). Nonetheless, for Obama, the strategy for achieving immigration reform requires maintaining the course on immigration enforcement as a necessary prerequisite to deliver an immigration overhaul. For example, Obama stated in a news conference in May 2009, “If the American people don’t feel like you can secure the borders, then it’s hard to strike a deal that would get people out of the shadows and on a pathway to citizenship” (Gorman, 2009a, A1). This is similar to the presidential debates, when Obama referred to border security as “step number one” to the “extraordinary problem” of undocumented immigration (*CNN*, 2007). Within only two months of the first White House meetings on the subject, comprehensive immigration reform would be scuttled for 2009, and, as reported above, postponed to 2010 at the earliest (Nicholas and Wilkinson, 2009, A14). Pushed aside with other agenda items by the protracted healthcare debate, Obama told Jorge Ramos during his September 2009 media blitz on healthcare, “I am not backing off one minute from getting this done, but let’s face it, I’ve had a few things to do” (*Univision*, 2009).

As a result of the Obama enforcement-first expediency strategy to pass comprehensive immigration in the inexact future, the primary changes and reforms to immigration policy in 2009 have been increased border and interior enforcement efforts. “Enforcement has to be part of the equation. If the goal here is to get an immigration system that functions, enforcement is central to that,” said an administration official in May 2009 (Gorman, 2009a, A1). The Secretary of the Department of Homeland Security, Janet Napolitano, later stated during summer 2009, “We are expanding enforcement, but I think in the right way” (Preston, 2009, A1-A14). Principally working through the president’s administrative powers, the Obama administration has instituted limited immigration reform. It has reviewed Bush era initiatives, tweaked or maintained the previous administration’s interior and border enforcement policies, as well as begun reforming detention policies. It has also made smaller modifications to immigration processing and asylum policy as well as tabled some of the policy issues posited as priorities during the campaign. One reason for such non-comprehensive reforms is that administrative changes do not require congressional approval. As Representative Zoe Lofgren states, “You don’t need 218 votes in the House and 60 votes in the Senate, or floor time or debate time.” The AFL-CIO’s Ana Avendano also suggests, “It doesn’t have to go through Congress. It doesn’t have to go through the toxic political process” (Gorman, 2009b, A13). The lack of advancement of comprehensive immigration reform legislation has upset many immigrant advocates, in particular, the prioritization of enforcement in its absence. Clarissa Martinez de Castro of the National Council of La Raza stated, “We understand the need for sensible enforcement, but that does not mean expanding programs that often led to civil rights

violations” (Preston, 2009b, A1-A14).

It is not that the concern for national security, especially in the form of border enforcement, is not a legitimate anxiety for residents or leadership; it is. But when national security becomes the primary frame to understand immigration policy, then the process becomes skewed and paranoid, hurting the security and livelihoods of particularly large populations in the U.S. — border residents, immigrants, and those perceived to be immigrants. In the wake of 9/11, rapidly deployed anti-terrorism policies and bureaucracies such as the USA Patriot Act and the formation of the Department of Homeland Security “firmly established ‘homeland security’ as a legitimate U.S. law and policy objective and contained a comprehensive plan of legislative and operational action” (Mitsilegas, 2009, 149). This national security framework contained migration, borders, and terrorism under one umbrella and provided further links to criminal enforcement. This rapid re-framing of immigration policy under the guise of “homeland security” — a process begun in the mid-1990s after the first World Trade Center and Oklahoma City bombings — also led to immediate abuses of immigrants, refugees, and asylum seekers and the derailment of legislative overhauls of immigration in what Freeman, Givens, and Leal call a “a mix of sensible reaction and unfortunate overreaction” (Freeman et al., 2009, 9) to national security anxieties.¹² Whereas the authors are correct to distinguish between “sensible” national security practices and “overreactions,” it is also important to recognize the overlap and linkages between national security enforcement and widespread anti-immigrant sentiment, and the abuses stemming from this overlap. Fear of immigrants, expressed in official policy and popular sentiment, has long been part of the profile of the nation, long before national security became a primary lens through which to view immigration. The intensification of national security policies, especially border and immigration enforcement, under Presidents Bush and Obama has led to a variety of “collateral damage” to immigrant communities, even as Obama has sought to reform some of the practices of the Bush administration.

One of the Obama administration’s first tasks in 2009 was a reformulation of worksite enforcement that previously took the form of high-profile raids by Immigration and Customs Enforcement (ICE). Such raids were the hallmark of the Bush administration, and although based on ICE investigations, these large-scale dragnets resulted in the indiscriminate arrests of noncriminal immigrants who weren’t targets of the investigations. According to Doris Meissner, former head of the Immigration and Naturalization Service, “The contrast is quantity versus quality. The Bush administration was really interested in the numbers of people that they could remove from the country... . But it was random and ultimately was not going to the source of the problem” (Gorman, 2009b, A13). In a similar move, Obama’s assistant secretary of the Department of Homeland Security, John Morton, announced a re-tooling of the fugitive operations program that targets absconders, or persons who have ignored their deportation orders. Three-fourths of those arrested under this program during the Bush administration did not have criminal records. Morton stated, “The fugitive operations program needs to focus first and foremost on people who have knowingly flouted an immigration removal order and within that category, obviously, we will focus first on criminals” (Gorman, 2009d, A3).¹³

Raids at the workplaces, homes, and apartment buildings had divided families and sent a chill through immigrant communities, and as a result, these were among the most highly criticized policies of the Bush administration. Obama’s focus on employers of immigrants rather than immigrant employees, while steering clear of the widely felt disruptions of workplace raids, nonetheless resulted in similar outcomes — firing and displacement of workers, hurting immigrant families, and heightened numbers of immigration prosecutions. Los Angeles Mayor Antonio Villaraigosa, for example, called the firing of 1,800 Los Angeles garment workers with irregularities in their employment documents “devastating.” The clothing maker American Apparel that employed the workers, representing one fourth of its workforce, was known for

its decent pay and health benefits. Counter to the goal of such enforcement initiatives, one worker lamented, “I guess I’m going to have to go to one of those sweatshop companies where I’m going to get paid under the table” (Preston, 2009c, A1-A23).

Local enforcement of federal immigration laws is another area of immigration enforcement heralded by the Bush administration and sustained by the Obama White House. After initially reviewing the controversial local policing initiative, otherwise named 287(g) after its section in the Illegal Immigration Reform and Immigrant Responsibility Act (1996), the Obama administration “reshaped” and expanded the program despite widespread complaints of racial profiling, ineffectiveness, and federally investigated cases of abuse by some local agencies (Archibold, 2009, A12). The new focus of the program is to be on immigrants who have committed major drug offenses, violent crimes, and the already incarcerated (Hsu, 2009c). One of the noteworthy changes has been the restructuring of Maricopa County, Arizona’s 287(g) memorandum of understanding setting the parameters of the local program. Maricopa County’s notorious and colorful sheriff, Joe Arpaio, runs the nation’s largest 287(g) program and has been highly criticized for racist abuses of authority not limited to racial profiling of Latina/o residents and the public humiliation of those in custody. The new agreement has restricted Maricopa County to immigration checks in its jails, prohibiting arrests of immigrants in the field, which Arpaio regularly conducted. Even with a narrower 287(g) program nationwide, critics worry that racial profiling will not abate, as local agencies will arrest and book more immigrants to conduct the in-jail citizen status determinations. One report noted that in Irving, Texas, computerized checks of persons already in custody led to a 150% spike in Hispanic arrests, indicating increased Latina/o profiling without a parallel increase in Latina/o crime (Hsu, 2009c).

Local policing has been criticized on numerous levels, most critically because it undermines public safety by relegating a federal immigration mandate to local authorities and diminishing trust between local residents — undocumented persons in particular — and law enforcement. In Los Angeles County, the Obama administration’s new 287(g) program expands the Sheriff Department’s responsibilities, requiring that sheriffs begin the screening process before conviction, contrary to the original direction to the Sheriff’s Department (Gorman, 2009g, A16). The outgoing chief of Los Angeles’s sibling law enforcement agency, the Los Angeles Police Department, criticized this policy change, arguing that “our effectiveness is diminished because immigrants living and working in our communities are afraid to have any contact with the police Criminals are the biggest benefactors when immigrants fear the police” (Bratton, 2009, A19).

Whereas Obama’s reshaping and expansion of 287(g) throughout the country has received a great deal of attention and notoriety, two other local enforcement programs — the Criminal Alien Program (CAP) and Secure Communities — have received less criticism despite their redundancy with 287(g). CAP, which places ICE officials in local jails to identify undocumented immigrants for deportation, grossly fell short of its goal, according to one study, to “prioritize the removal of dangerous criminal aliens.” Boalt Law School’s Warren Institute determined that only 2% identified for deportation had felony charges and 98% were charged with misdemeanors (Gardner and Kohli, 2009). The Obama administration intends to expand CAP, which in 2009, existed in nearly fourteen percent of prison facilities, to 100% capability. Similarly, the Obama administration is also expanding Secure Communities, which electronically checks the immigration status of persons booked in local jails, to 100% capacity by 2012 (Hsu, 2009a). According to Tom Barry of the Center for International Policy, “Many, many legal immigrants are going to be pulled into this net even for minor violations that they’re booked for — traffic violations, drunk driving, whatever — and after they’ve lived here 10 or 20 years, they’re going to be deported” (Hsu, 2009a). In both enforcement initiatives, arrest

for minor violations — counter to their stated priorities — can result in deportation, regardless if the originating crime is ever prosecuted. These policies, in effect, create a “no contact zone” between immigrant communities and law enforcement.

Enforcement policies that result in deportation also affect the stealth issue of immigrant detention, which is also an area of policy reform targeted by the Obama administration. In August 2009, the Department of Homeland Security announced that it was conducting a thorough review of its immigrant detention system with the intention of creating a “truly civil detention system” (Bernstein, 2009a, A1-A4). The newly formed Office of Detention Policy and Planning, headed by Dora Schriro, is in charge of the review and oversight of the more than 350 facilities utilized to detain immigrants in deportation proceedings. Although Ms. Schriro has since resigned her post as special assistant to Secretary Napolitano, the Department of Homeland Security plans further administrative reforms based on the report produced by Schriro. These include the institution of a grievance process for detainees, an online system for families and lawyers to locate relatives and clients swept into detention, and greater usage of alternatives to detention (Bernstein, 2009c, A16). “We’re trying to move away from [a] ‘one size fits all’ model for detaining immigrants in removal proceedings for vastly different reasons, suggested the head of ICE, John Morton (Bernstein, 2009a, A1-A4). Assessing the viability of detention for individual immigrants and providing a range of facilities will permit the incarceration of detainees in facilities “commensurate with the risks that they represent,” according to Napolitano (Gorman, 2009e, A18).

The proposed detention reforms, nevertheless, have been vaguely articulated, without certain deadlines. As well, the suggested changes are based less on government review and willingness to reform policies and more because of years of protests, human rights reports, lawsuits, and investigative journalism. For example, the most concrete example of such administrative reform in 2009, after years of protest and lawsuits, was the removal of families from the T. Don Hutto Residential Center in Texas and its conversion to a women’s detention facility. Although many advocates applaud the reform, the Obama administration is “not ruling out the possibility of detaining families” in the future (Bernstein, 2009a, A1-A4). Further, less jail-like “residential” facilities are still operated by prison companies and personnel. Importantly, the Obama administration’s proposed reforms require an expansion in the infrastructure of immigrant detention, requiring new facilities and continued contractual agreements with private prison operators and local, non-federal facilities. “We accept that we are going to continue and increase, potentially, the number of detainees,” Napolitano said (Chardy, 2009). Although the administration has suggested a more centralized system of detention, the unabated growth in the detention capacity maintains the critical problems of federal oversight, detention standards, and poor health conditions, which have not been meaningfully addressed in Obama’s proposed reforms. According to Karen Tumlin of the National Immigration Law Center, “These problems have been exacerbated by the growth in detention. What we have is a monster immigration system that is woefully unregulated” (Gorman, 2009c, A14). Central to these problems is the Obama administration’s refusal to issue legally enforceable detention standards governing the conditions of incarceration. ACLU attorney Vanita Gupta argues that “without independently enforceable standards, a reduction in beds, or basic due process before people are locked up, it is hard to see how the government’s proposed overhaul of the immigration detention system is anything other than a reorganization or renaming of what was in place before” (Bernstein, 2009a, A1-A4). Current detention policies, without teeth, have no penalties for violations by prison operators and the Obama administration concluded that this kind of “rule-making would be laborious, time-consuming and less flexible” (Bernstein, 2009b, A17).

In 2009, the Obama administration promulgated a number of other lesser reforms, ei-

ther maintaining Bush era policies or making limited changes. One material example is the border fence at the U.S.-Mexico border. As a U.S. senator, Obama voted affirmatively for the 2005 Secure Fence Act, upsetting pro-immigrant supporters and many Latinas/os. During his campaign, he suggested that his administration would review the need for fences and their effects on the environment and local communities. In his first months in office, however, the fence was not publicly discussed while construction continued, despite opposition from congressional members in border districts (Reese, 2009). Other changes include his administration's reversal of an eleventh-hour Bush administration regulation that provided persons in immigration proceedings a legal defense if they were represented by ineffective counsel (Schwartz, 2009, A13). In addition, Obama has made efforts to streamline background checks and naturalization applications and pledged to revamp the USCIS (United States Customs and Immigration Service) website. The Obama administration also widened the path for asylum for abused spouses by filing supportive legal documentation and raising no new opposition in a potentially precedent-setting ruling by an immigration judge allowing asylum for abused spouses from foreign countries (Preston, 2009d, A12-A20). Most recently, Obama lifted the 22-year ban on entry into the U.S. to persons with H.I.V. (Preston, 2009e, A9). These latter two policy reforms, it should be noted, were begun during the Bush administration.

Other issues, such as the provision of driver's licenses for immigrants or providing a pathway to citizenship for undocumented immigrants who migrated as minors, were touted as reform issues by Obama during the campaign, but have since fallen by the wayside — and are likely to be included in a future version of comprehensive immigration reform. In regard to driver's licenses for undocumented immigrants, which Senator Obama called “the right idea” (*MSNBC*, 2007), he stated emphatically during the debates, “let's focus on actually solving the problem that ... the Bush administration has done nothing about” (*CNN*, 2007). Similarly, the Development, Relief, and Education for Alien Minors (DREAM) Act, which provides a pathway to legalization for undocumented minors who are completing higher education or military service (Guarneros et al, 2009), has also been tabled even though candidate Obama argued during the election campaign that it is “something that we can do immediately” (*CNN*, 2008b) and again declared as president that “I support the DREAM Act 100 percent” (Ben-nion, 2009).

The aforementioned policy reforms in 2009 indicate that, in the absence of comprehensive immigration reform legislation, the strategy of the Obama administration has been to advance discrete, administrative changes, less likely to spark large scale anti-immigrant sentiment and protest. That Obama has expressed concern about immigration being used as a “wedge issue” — “We should not use immigration as a tactic to divide” (*CNN*, 2008a). — may explain some of his administration's apparent trepidation toward advancing large scale immigration reform at this time. Thus, he has sought to isolate immigration from other policy issues in order to prevent the derailment of his broader agenda. For example, in a speech before the gay civil rights group, the Human Rights Campaign, Obama said, “There is not a single issue that my administration deals with on a daily basis that does not touch on the lives of the LGBT community”(Obama, 2009d). He went on to cite the economy and jobs, schools, healthcare, war, and the rights of soldiers. Yet the president did not include immigration in this list of interlocking issues affecting “fellow citizens.” Although he mentioned his then-plans toward rescinding the statutory ban on entry to the U.S. by persons with HIV, this ban was lifted during the Bush administration and the regulatory process at Health and Human Services had been stalled in both administrations.

One of the dominant issues among many on the national gay rights agenda is same-sex marriage, which has direct immigration implications. For same-sex marriage, which the president opposes, he has argued for legal parity in civil unions. Although rarely addressed, immi-

gration is a crucial component in spousal rights.¹⁴ For example, in the 2007 debate amongst Democratic candidates before the Human Rights Campaign, Obama argued that he would “support a civil union that provides all the benefits that are available for a legally sanctioned marriage” (Human Rights Campaign, 2007). “All the benefits,” however falls short of including the right to sponsor permanent residency for immigrant spouses — as can be done in Canada, France, and Germany. In his 2009 address to the Human Rights Campaign, President Obama included in his agenda the repeal of the Clinton era Defense of Marriage Act (1996) and passing the Domestic Partners Benefits and Obligation Act. This new law is limited, however, and covers only the rights of federal civilian employees and not the rights of gay and lesbians to sponsor spouses or partners for permanent residency, as is the right of heterosexual couples. It will be difficult to maintain this disaggregation of gay rights from immigrants’ rights in future efforts toward comprehensive immigration reform. Senator Patrick Leahy, chairman of the Judiciary Committee, has already drafted legislation, the Uniting American Families Act, which would permit U.S. citizens to sponsor residency for same-sex partners (Preston, 2009a).

“TODOS SOMOS AMERICANOS...”

Immigration policy, while affecting noncitizens from all backgrounds as well as their families and communities, predominantly affects Latin American immigrants to the U.S. Over the last forty years, immigrants from Latin America, and secondarily from Asia, have generated a range of policy discourse and popular understandings of immigrants in the U.S. — including documented and undocumented migrants, refugees and asylum-seekers, economic and entrepreneurial migrants, skilled and unskilled laborers, persons reuniting with family members, and others. Concerns about immigrant “illegality,” in particular, have been the focal point of enforcement policies and it has become commonplace and self-evident to view immigration as a Latina/o issue. As a result, how much or how little candidate and President Obama engages with the Latina/o community of voters and nonvoters is a critical euphemism and measure of the president’s engagement with immigration policy. According to Angela Kelley of the Center for American Progress, “The more robust the enforcement, the more eyebrows are going to go up in the Latino community” (Gorman, 2009b, A13).

The Obama administration has made direct and indirect efforts at outreach to Latinas/os, who voted overwhelmingly for him in the national election. According to the Office of the Press Secretary, “The President’s agenda in his first 100 days does not include measures specifically for Hispanics, but initiatives that benefit them.” The administration’s support of extended unemployment benefits, for example, largely aids Latinas/os, whose jobless rates are consistently higher than the national average. In addition, while Obama’s prioritization of healthcare reform over other reform initiatives such as immigration stirs anxieties because of healthcare’s potential accessibility to undocumented immigrants — the majority of whom are Latinas/os — healthcare nonetheless is critical to Latina/o communities because they represent the largest group of uninsured (The White House, 2009). In the area of staffing, including Hilda Solis and Ken Salazar at the cabinet level, of Obama’s first 200 appointments, nearly ten percent were Latinas/os, double that of the two previous administrations. Indeed, the presidential appointment of Puerto Rican Sonia Sotomayor to the Supreme Court in May 2009 was historic, and lauded by other Latina/o leaders.

Other outreach to Latinas/os that incorporated immigrants includes a first-ever bilingual press conference at the White House, appearances by the president on popular Spanish language radio shows, and clearer lines of communication to Spanish-language media. In September 2009, on Mexican Independence Day, President Obama kicked off “Hispanic Heritage Month” by addressing the Congressional Hispanic Caucus Institute’s annual awards

gala (Obama, 2009c). His seventeen-minute speech, frequently interrupted by applause, included immigration reform as part of the gloss of policy issues affecting Latinas/os and also a preacher-like, four part incantation of the Spanish phrase “*Todos somos Americanos*” — We are all Americans. Of note, Obama made two points about immigration, in which he “want[ed] to be clear”: (1) he reiterated that “if someone is here illegally, they won’t be covered under this [healthcare] plan”; and (2) “I also don’t simply believe we can simply ignore the fact that our immigration system is broken” (Obama, 2009c). The latter point received applause at the gala, whereas the former point, which elicited Wilson’s outburst before Congress weeks prior, did not.

To be sure, U.S.-born and naturalized Latinas and Latinos and Latin American immigrants are a complex demographic and traditionally have harbored what historian David Gutiérrez calls a “tradition of misunderstanding” (Gutiérrez, 1995, 57) surrounding the issue of immigration. Since the conquest of Mexico in 1848, Latinas/os who are citizens, recent immigrants, or long term foreign born residents have received and integrated newly arrived documented and undocumented immigrants with expressions of affinity, ambivalence, as well as hostility. As with the national populace, national origin, class background, race, and rural versus urban culture clashes, among other issues, inform the reception of immigrants and political views toward immigration policy. A poll in January 2010 by the Pew Research Center for the People and the Press indicated that immigration ranks near the bottom of critical issues for the U.S. public (Hsu, 2010, A03). For Latinos, it ranks third after healthcare and the economy (Young, 2009). The topic of immigration, therefore, has to be handled as delicately amongst Latinas/os as with the national population.¹⁵ Not surprisingly, Obama has thus been the recipient of both criticism and praise in his engagement with Latinas/os, especially around the topic of immigration.

Representative Luis Gutiérrez of Illinois’ fourth district, a strong proponent of comprehensive immigration reform, urged the president to prioritize the immigration overhaul. “We’ve made a promise. I think we should keep it,” he told National Public Radio (National Public Radio, 2009). Gutiérrez, recalling both Bush administrations, also critiqued the president’s enforcement policies, stating, “I don’t think people are buying a kinder, gentler enforcement The fact is that many of the same enforcement procedures have been enhanced under the Barack Obama administration” (National Public Radio, 2009). Similarly, one columnist stated, “Most everyone understands that the president is not a magician, nor is he a dictator, but he has been more than disappointing in his failure to provide decisive leadership on this issue” (Rodríguez, 2009). When the Congressional Hispanic Caucus, for example, urged the president to terminate its local policing initiative 287(g) (Hsu, 2009c), instead, it was expanded. Moderate political pundit Ruben Navarette, Jr. thus critiqued Obama for placing the “immigration reform community at the back of the bus” (Navarette, 2009). And California Senator Gil Cedillo introduced legislation in Sacramento in 2009 that condemned “specified policies and practices of federal agencies” and called for an “immediate moratorium” on these policies until the enactment of comprehensive immigration reform (Cedillo, 2009). In response to the Obama administration’s piecemeal policy reforms discussed above, Clarissa Martinez de Castro of the National Council of La Raza, the nation’s largest Latina/o civil rights organization, stated that “Our feelings are mixed at best” (Preston, 2009b, A1-A14). One positive example is artist Lalo Alcaraz’s widely distributed image of President Obama’s face superimposed on the iconic image of Emiliano Zapata in armed revolutionary pose and words “Viva Obama.” The image recalled the “Viva Kennedy” and “Viva Johnson” campaigns on the 1960s in which Latinas/os broadly supported democratic presidential candidates. According to Alcaraz, “The artistic goal was to create an image that could communicate instantly to Latino voters that candidate Obama was a revolutionary figure and also ‘one of us’” (Alcaraz, 2009, 205).

CONCLUSION: HOPE FOR CHANGE

It is very early in Barack Obama's presidency. Consequently, many of the questions and concerns raised in this essay about his administration's engagement with immigration policy remain unanswered and unresolved. As former chief of the Immigration and Naturalization Service, Doris Meissner, has observed of the administration, "They're laying down all the right markers, but ultimately we need evidence. We don't have the evidence yet to document whether there's in fact going to be any difference" (Hsu, 2009b). After Obama's historic and exhilarating election campaign re-wrote the book on campaigning in the digital age, raked in millions of new voters, and spent record dollars, the expectations of his constituents were undoubtedly elevated by its soaring populist messages about "hope" and "change." According to James Pfiffner, "Americans have high expectations of their presidents and tend to attribute more credit and blame than a realistic assessment of actual presidential power would justify. This is in part because presidential candidates make sweeping promises when they are running for office" (Pfiffner, 2005, 271). In his first one hundred days, for example, President Obama was both praised and criticized for his ambitious agenda. At the outset, it was too much too soon. Now, after his first year in office, he is being critiqued, especially from his supporters, for not doing enough. Whether on healthcare, gay rights, job creation and the economy, and central to this essay, immigration reform, Obama supporters are anxious for the change pledged to them, yet aware of the hysterical and at times racist popular opposition of Republican party members and the obstructionist posture of Republican policymakers. If addressing schoolchildren to encourage academic success can spark a media frenzy from the right, or the president's very birthright — the president's citizenship status — continues to promote popular conspiracy theories, how does his administration advance the complex and multi-faceted issue of comprehensive immigration reform in an era of partisan hostility? As Obama stated during his campaign, "Immigration is a difficult issue. But part of leadership is not just looking backwards and seeing what's popular, or trying to gauge popular sentiment. It's about setting a direction for the country, and that's what I intend to do as president" (*MSNBC*, 2007).

For the Obama administration in 2009 and 2010 comprehensive immigration reform has been neither comprehensive nor reformative. Instead, as it has been discussed over the last ten years, comprehensive immigration reform is usually articulated as a screen to protect politicians from policy decisions that are politically risky — a faraway course of action that many support, but few advance pragmatically. Because immigration is also viewed as a wedge issue, even if tangential to other related concerns, it has the ability to politically derail various policy reforms, and therefore has been handled delicately, without the full force of presidential influence. As a result, the few major immigration reforms that Obama supported before being elected have disappeared from the current legislative agenda as we wait for what Jorge Castañeda has called "the whole *enchilada*" of comprehensive immigration reform.

This hesitant approach toward immigration comes with risks. According to Senator Robert Menendez, "I think it is one of those issues that if you don't pass this year, it slips several years away" (Thompson and Herzenhorn, 2009). Meanwhile, the Obama administration's limited reforms have been dominated by increased and revamped enforcement procedures and strategies that have produced record numbers of immigrant prosecutions and deportations. At the end of the previous Bush administration, for example, federal prosecutions of immigration crimes doubled, aided by hundreds of new investigators and an increase in Border Patrol agents from 9,500 in 2004 to 15,000 in 2008 (Moore, 2009). Although Obama called for a halt to immigration raids as a primary practice, federal criminal prosecutions of immigration crimes continued to increase in 2009 (Preston, 2009b, A1-A14) and deportation figures are also higher than the Bush administration and double that of two years ago (McKinley, 2009,

A11). Because of these figures, one immigration attorney, Marty Rosenbluth, expressed skepticism, “I appreciate that they are saying they are prioritizing dangerous criminal aliens. That is not what we are seeing” (Gorman, 2009f, A1-A9). Whereas syndicated columnist Navarette, Jr. derided Obama’s immigration snub, stating that “this White House spent the first year in office running for the hills on immigration reform” (Navarette, 2010), when it comes to ramping up immigration enforcement, the Obama administration has devoted resources and maintained the status quo. “If legislation doesn’t happen by 2012, and the only thing he has to show is enforcement,” warns Angela Kelley, “there would be a lot of explaining to do before folks enter the ballot box” (Obama, 2009b, A13). If Obama’s 2010 budget proposal is any indication — calling for increased militarization of borders, adding 100 Border Patrol and Customs and Border Protection agents, boosting the budgets of the Transportation Security Administration, the Coast Guard, and adding a billion dollars to airport security (Obama, 2009a, A1) — the enforcement of laws and policies of an admittedly “broken” system will remain the norm of U.S. immigration policy.

In Obama’s personal narratives, there is no clear place for immigrants and immigration. *Dreams from My Father* and *the Audacity of Hope* are organized around conceptions of race and a sense of citizenship that are equated with “Americanness,” but not immigration status. The rights of immigrants for Obama — presented accurately and predominantly as nonwhite racialized persons, but undifferentiated by citizenship status — instead are attached to his goal of “completing the unfinished business of the civil rights movement” (Obama, 2006, 243). It is the immigrants’ rights movement, however, that is never mentioned. In a nation prone to anti-immigrant hysteria not only popularly but also amongst policy makers at the local, state and federal levels, immigration is a volatile issue that requires discursive maintenance and rhetorical thoughtfulness — what Pfiffner and Neustadt, respectively, call “presidential personality” and “personal capacity to influence” — in order to advance policy reform (Pfiffner, 2004, 176; Neustadt, 1976,70). As Motomura advises, “Making national citizenship into an inclusive vehicle is not easy. It requires a welcome of immigrants ... that has faded from law and policy in the United States” (Motomura, 2006, 14). In his second year in office, Barack Obama runs the risk of ceding the authority to frame the debate to conservative and restrictionist mouthpieces like Lou Dobbs, formerly of CNN, or other well-funded anti-immigrant think tanks. While not divisive or categorically punitive in his approach to immigration, Obama has not been explicitly inclusive of today’s immigrants either. If President Obama is to break from the pliable and fuzzy rhetoric of the “nation of immigrants,” he must decide and articulate unambiguously to the American people who constitute “my fellow citizens”, and demonstrate the conviction of his bilingual presidential chestnut, “*Todos somos Americanos*, We are all Americans.”

NOTES

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- ¹ The title derives from President Barack Obama's opening salutation to his inaugural address (Obama, 2009a).
- ² Wilson, for example, is an ardent supporter of anti-black symbolism such as the confederate flag that he defended as a state senator during the controversy over its presence atop the South Carolina statehouse (Kromm, 2009).
- ³ President Obama stated, "And we should continue the work of fixing our broken immigration system — to secure our borders and enforce our laws, and ensure that everyone who plays by the rules can contribute to our economy and enrich our nation" (Obama, 2010).
- ⁴ Among Obama's candid thoughts about immigration today: "And if I'm honest with myself, I must admit that I'm not entirely immune to such nativist sentiments. When I see Mexican flags waved at proimmigration demonstrations, I sometimes feel a flush of patriotic resentment. When I'm forced to use a translator to communicate with the guy fixing my car, I feel a certain frustration" (Obama, 2006, 266).
- ⁵ From *Dreams from My Father*: Puerto Rican neighbors in New York City, 3; Mexican shoppers in Texas, 18; college-age Chicanos in California, 100; Mexican maids, 109; an Hispanic waitress, 128; a Mexican American woman in Chicago, 185.
- ⁶ "The most powerful formal legislative power granted to the president is the right to veto a law that has been passed by both houses of Congress" (Pfiffner, 2005, 149).
- ⁷ Crenson and Ginsberg suggest that presidential power is derived from expanding the administrative state, its oversight, and having an influence in budgeting (Crenson and Ginsberg, 2007, 354-355).
- ⁸ "Presidential *power* is the power to persuade" (Neustadt, 1976, 78).
- ⁹ Senator Obama was one of the core bipartisan collaborators in the 2006 effort toward comprehensive immigration reform (Rosenblum, 2009, 23). Also, see Rosenblum, Note 18 (33).
- ¹⁰ Vanessa Beasley suggests in her edited volume, *Who belongs in America?: Presidents, rhetoric, and immigration*, that presidents navigate between "two competing motifs" of immigrants as a "symbol of hope" and as a "source of fear" (Beasley, 2006b, 14).
- ¹¹ Tichenor points out that Eisenhower's administration also oversaw the racially charged "Operation Wetback" deportation campaign targeted at Mexicans in 1954 (Tichenor, 2002, 200-202). See also Kelly Lytle Hernández (2006).
- ¹² Michele Waslin suggests that after 9/11, "Immigration restrictionists took advantage of the opportunity to push forward their agenda — the same anti-immigrant agenda they had advocated for decades — under the guise of preventing terrorism" (Waslin, 2009, 40).
- ¹³ This 'criminals-first' strategy by the Obama administration was denounced as hypocrisy in March 2010 when a top ICE official revealed that the agency advanced quotas for enforcement and deportation, despite Assistant Secretary Morton's statements to the contrary (Tan and Watanabe, 2010).
- ¹⁴ In October 2009, the Senate approved a measure annulling what has come to be known as the "widow penalty." The rule penalized foreign widows and widowers when their U.S. citizen spouse died while still processing their permanent residency applications. Such foreign spouses had their residency applications cancelled and could placed in removal proceedings. Obama is expected to sign the bill into law (Semple, 2009).
- ¹⁵ A 2009 Gallup poll indicated that Americans are "less favorable toward immigration than they were a year ago" and prefer a "tougher immigration stance" (Morales, 2009).

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