



Posted on August 2, 2010 by [Robert A. Kraft](#)

## [Immigration Policy Aims to Help Military Families](#)

The Obama administration has tried to make it easier for illegal immigrant spouses and family members of military personnel to get legal immigration status. The policy changes were reported in the [New York Times](#). Here are excerpts:

The new policy was described in an internal memorandum from Citizenship and Immigration Services that was released last week by Senator Charles E. Grassley, Republican of Iowa, and caused a furor in Washington on Friday.

The memo outlined measures that the agency could take under existing laws to “reduce the threat of removal for certain individuals present in the United States without authorization,” instead of waiting for Congress to pass an immigration overhaul to give legal status to millions of illegal immigrants.

With the title “Administrative Alternatives to Comprehensive Immigration Reform,” the memo prompted protests from Mr. Grassley and other Republicans that the Obama administration was trying an end run around Congress, rather than confronting a divisive debate on immigration legislation during an election season. The memo was first reported on the Web site of The National Review, a conservative magazine.

Officials of the immigration agency denied on Friday that they were pursuing any plan to legalize millions of illegal immigrants by fiat.

According to the memo, one of those changes has been quietly put into practice since May. The new policy allows illegal immigrants who are spouses, parents and children of American citizens serving in the military to complete the process of becoming legal residents without having to leave the United States — a procedure that is known in immigration law terms as granting parole. The memo says agency officials approved the new parole approach “to preserve family unity and address Department of Defense concerns regarding soldier safety and readiness for duty.”

Department of Homeland Security officials estimate that many thousands of military service members have close relatives who are illegal immigrants. Under a legal Catch-22 in immigration law, those families could face as much as 10 years of separation if the immigrant relative leaves the United States to pursue a legal visa.

Administration officials sought to play down the memo. They said the proposals were largely “notional” and most had not been approved as policy by Alejandro Mayorkas, the director of Citizenship and Immigration Services. However, the memo is signed by some of the highest officials in the agency, including Roxana Bacon, the general counsel, and Denise Vanison, the chief of the office of policy and strategy.

The memo finds that it is “theoretically possible to grant deferred action to an unrestricted number of unlawfully present individuals,” but rejects that option as politically “controversial” and too expensive. The memo suggests the agency could instead “tailor the use of this discretionary option for particular groups.”

Christopher Bentley, the spokesman for the immigration agency, said, “To be clear, D.H.S. will not grant deferred action or humanitarian parole to the nation’s entire illegal immigrant population.”