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## **Report Suggests that U.S. Immigration Agency Overestimated Deportation Numbers to Sway Funding Decision**

*by Carlos Navarro*

*Category/Department: Immigration*

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A recent report from the Center for Investigative Reporting (CIR) suggests that President Barack Obama's administration might have used a loophole to inflate the number of deportations in the 2010 fiscal year, which concluded in September. The US Department of Immigration and Customs Enforcement (ICE) reported a record 392,862 deportations so far this year, but the CIR report points out that the numbers included more than 19,000 immigrants who had left the country the previous fiscal year.

The CIR report, which was published in The Washington Post, said juggling the numbers might have been related to funding for ICE. "When ICE officials realized in the final weeks of the fiscal year, which ended Sept. 30, that the agency still was in jeopardy of falling short of last year's mark, it scrambled to reach the goal," said the report. "Officials quietly directed immigration officers to bypass backlogged immigration courts and time-consuming deportation hearings whenever possible, internal e-mails and interviews show."

ICE officials reportedly told field officers to encourage eligible foreign nationals to accept a quick pass to their countries, and in exchange they would not receive a negative mark by their name. What this means is that the undocumented immigrants who accepted the deal more likely would not be on a "watch list" in case they tried to sneak back into the country.

But some officials pointed out that the Obama government's maneuvers were not out of line with practices employed by preceding administrations. "It's not unusual for any administration to get the numbers they need by reaching into their bag of tricks to boost figures," said former ICE official Neil Clark, who recently directed the agency's field office in Seattle. Clark insisted that the administrations of ex-Presidents Bill Clinton, a Democrat, and George W. Bush, a Republican, employed the same tactics to boost deportation numbers.

There are different accounts from the Obama government on whether anything unusual took place. ICE director John Morton told reporters at a news conference in October that the agency did not deviate from previous practices and that Department of Homeland Security (DHS) Secretary Janet Napolitano was being truthful in reporting the numbers. "When the secretary tells you that the numbers are at an all-time high, that's straight, on the merits, no cooking of the books," Morton said. "It's what happened."

But other immigration experts and US officials suggest that the favorable deportation numbers give the administration some support to back a possible push for comprehensive immigration reform. Immigration legislation has been stalled since 2007, when a bill was introduced in the US Senate ([SourceMex, May 23, 2007](#)) and ([Jan. 2, 2008](#)).

## *Immigration reform unlikely in 2011 or 2012*

There was hope that the Obama government would push comprehensive immigration reform when it took office in 2009 (SourceMex, Jan. 21, 2009 ID 050941). But the administration and its allies in Congress have been reluctant to act because of an anti-immigrant mood that has taken over the US and which includes the punitive measure Senate Bill 1070, approved by the Arizona legislature and signed into law ([SourceMex, April 28, 2010](#)).

The climate worsened for the Obama government following the midterm elections, in which Republicans gained control of the US House of Representatives, with many legislators winning their races on an anti-immigrant stance ([SourceMex, Nov. 11, 2010](#)).

Still, US officials believe that a strong performance by ICE is needed if there is going to be any chance that Congress will address immigration-reform legislation. DHS general counsel David Martin told participants at a forum sponsored by the Woodrow Wilson School of Public and International Affairs that any new law would have to build on existing statutes, which have to be perceived as effective. "We don't want to find ourselves in a similar situation, with millions of undocumented residents just years after a reform is approved," said Martin.

But experts are not confident that legislation will even be addressed in the next Congress, which will span the last two years of Obama's first term in office. And, at this point, it is uncertain whether the president would be re-elected. "I believe that, given the current political climate, it is improbable that we would have a comprehensive immigration-reform initiative next year or the following year," said Aarti Kohli, director of immigration policy at the University of California, Berkeley, School of Law's Warren Institute.

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