

Immigration policy to see a big change

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WASHINGTON — The Obama administration unveiled immigration changes Friday that would allow undocumented spouses and children of U.S. citizens to stay in the country while their cases are decided, avoiding prolonged family separations.

Alejandro Mayorkas, director of [U.S. Citizenship and Immigration Services](#) [1], depicted the change as an effort to end “bureaucratic delays” that have caused separations, even though immediate family members of U.S. citizens qualify for permanent legal residence.

But the shortcuts immediately provoked GOP accusations that Obama was trying to provide “backdoor amnesty” to illegal immigrants as the Democrat heads into his re-election campaign.

Obama won about two-thirds of the Latino vote in 2008 and helped to win key swing states that carried him into office.

“We are always working on implementing efficiencies in our administration of the immigration system,” Mayorkas, an Obama appointee and former U.S. attorney in California, told reporters in a conference call. “And we are prepared to detail and implement this efficiency now.”

The complexities of existing immigration regulations have inflicted long separations on thousands of families with members who entered the United States illegally.

To win a change in their unlawful immigration status, people have had to leave the U.S. and return to their countries of birth to begin the legal process.

They ordinarily have to remain in their native countries for between three and 10 years, depending on how long they lived illegally in the United States.

To return more quickly requires an extreme hardship waiver, which can take six months to obtain.

For Gabriel and Sucell Paulino of Kingsland in the Texas Hill Country, the change would be a great relief.

Gabriel Paulino, 20, is a citizen, but his wife came here illegally.

They decided to pursue legal status for her when [Gabriel Paulino](#) [2] and their young daughter were separated by immigration agents who thought he was smuggling her into the U.S. after visiting family in Mexico.

But they learned that even if Sucell Paulino, 23, was approved for a visa to enter the U.S., she'd have to go to the [U.S. Consulate](#) [3] in Ciudad Juárez to receive it, invoking the 10-year ban on re-entering the country. Then she'd have to apply for a waiver and prove that being kept out of the U.S. would harm her family here.

The whole process could take up to six months and involve meetings in a city that had almost 2,000 homicides last year.

The waits are even longer in Central American countries, said their San Antonio lawyer, [Joe DeMott](#) [4].

Meanwhile, Gabriel Paulino, who works construction, would have to care for their daughter, who

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turns 4 later this month, by himself. And they'd incur the expenses of traveling to Juárez, or Acuña where Sucell Paulino is from, on the weekends.

They're hoping the proposed change goes into effect soon and she can spend less time in Mexico before coming back to live with her husband and child.

In 2011, federal authorities granted about 17,000 of the 23,000 requests for hardship waivers by immediate family members of U.S. citizens.

Mayorkas said the change would permit undocumented immigrants who are immediate family members of U.S. citizens to remain in the United States for the six months needed to process their waiver request.

With waiver approval in hand, they would travel to their native country to be processed for permanent legal status and return to the United States.

"Our goal is to reduce that time — it will not be months, it will be days or weeks," Mayorkas said. "That is our goal."

Benjamin Johnson of the [American Immigration Council](#) [5] said the change would address "one of the most notorious implementation problems in our current immigration system."

The [National Association of Latino Elected](#) [6] and Appointed Officials (NALEO) welcomed "the end of an antiquated administrative practice that has penalized the families of individuals eligible to apply for legal permanent resident status."

But Rep. [Lamar Smith](#) [7], R-San Antonio, chairman of the [House Judiciary Committee](#) [8], accused Obama and his administration of "bending long established rules" that bar unlawful immigrants from applying for legal status in the United States without returning to their native countries.

"This proposal from the Obama administration comes with no surprise considering their abuse of administrative powers," Smith said. "President Obama has already granted backdoor amnesty to potentially millions of illegal immigrants without a vote of Congress."

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