News

President Biden, smiling, stands at lectern, Vice President Harris and Speaker Johnson stand b

U.S. President Joe Biden smiles as he delivers the State of the Union address at the U.S. Capitol in Washington March 7, 2024. In the background are Vice President Kamala Harris and House Speaker Mike Johnson, R-La. (OSV News/Shawn Thew, Reuters)

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The Biden administration June 18 announced an executive action that allows certain noncitizen spouses and children of U.S. citizens to apply for lawful permanent residency without first having to leave the country, as they were previously required to do.

The White House said the action, aimed at keeping families together, will protect from deportation approximately half a million non-citizen spouses of U.S. citizens, and approximately 50,000 noncitizen children under age 21 whose parent is married to a U.S. citizen. In order to be eligible, the announcement said, noncitizens must have resided in the United States for 10 or more years and be legally married to a U.S. citizen, while also meeting all other relevant legal requirements.

J. Kevin Appleby, senior fellow for policy at the Center for Migration Studies of New York and the former director of migration policy for the U.S. Conference of Catholic Bishops, told OSV News that "it's an important action that maintains and strengthens American families, as opposed to deporting them and ripping them apart."

"It is perfectly aligned with Catholic teaching, as well, as it promotes marriage and family unity," he said. "The only downside is that he did not extend the benefit to all immigrant families in this situation."

Prior to the order, marrying an American citizen could provide a pathway to U.S. residency or citizenship, but people who crossed the southern border illegally rather than arriving with a visa were required to return to their home countries to complete the application process for a green card. Critics of that process argued it separated families and created a deterrent to pursuing legal avenues as it could result in lengthy separations.

The announcement came during the anniversary of the Deferred Action for Childhood Arrivals program, known as DACA. It was created in 2012 under the Obama administration to offer protection from deportation to certain immigrants brought to the country as children.

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Bishop Mark J. Seitz of El Paso, Texas, chairman of the U.S. bishop's Committee on Migration, said in a statement, "We welcome today's announcement and the hope it brings to thousands of American families who have grappled with the fear of separation for a decade or more."

"As we commemorate the twelfth anniversary of DACA, we've seen the positive impacts such programs can have, not only for beneficiaries themselves but for the families, employers, and communities that rely on them. This new program is sure to yield similar benefits," Seitz said.

"However, as the fate of DACA hangs in the balance, we also know how insufficient these programs are," he continued. "Legislators have a moral and patriotic duty to improve our legal immigration system, including the opportunities available for family reunification and preservation. A society is only as strong as its families, and

family unity is a fundamental right. For the good of the country, Congress must find a way to overcome partisan divisions and enact immigration reform that includes an earned legalization program for longtime undocumented residents."

The election-year move by Biden could shield hundreds of thousands of people from deportation and may appeal to voters in key constituencies in battleground states such as Arizona and Nevada, where large populations of so-called "mixed status" households exist. The move also is an olive branch to the president's progressive critics, who objected to his June 4 executive order aimed at reducing unauthorized border crossings by asylum-seekers.

Karoline Leavitt, national press secretary for the Trump campaign, argued Biden's order will give "mass amnesty and citizenship to hundreds of thousands of illegals who he knows will ultimately vote for him and the Open Border Democrat Party."

But Anna Gallagher, executive director of Catholic Legal Immigration Network Inc., or CLINIC, said in a statement, "These policies are a breath of fresh air and a dose of hope for many of our immigrant brothers and sisters."

"We welcome these measures, knowing the enormous impacts they will have for our network's clients," Gallagher said. "Catholic social teaching supports policies that promote family unity, recognizing family as society's primary building block. The Church has consistently advocated for DACA recipients, who are vital to our community. These actions align with the values of our faith and will provide welcome relief to immigrant families."

Gallagher reiterated her group's opposition to Biden's previous order limiting asylum.

"While we celebrate these wins for immigrant families, we remain mindful of recent executive orders restricting asylum access," Gallagher said. "We advocate and pray for measures that recognize the dignity of all people, regardless of status. Robust asylum protections are essential for safeguarding human dignity and promoting family unity. We urge the administration to boldly champion the rights of all immigrants."

The government has previously used so-called "parole in place" efforts for other populations, including for families of military members, granting noncitizens the ability to temporarily live and work in the U.S. without risk of deportation.