



Written by [R. Cort Kirkwood](#) on August 6, 2012

Obama Extends Amnesty to Homosexuals

The Homeland Security Department [will](#)  [extend](#) the president's order to halt deportation of illegals to homosexuals if they have "family ties," the agency announced last week. The move to protect what are now called "[LGBT](#)" (lesbian, gay, bisexual, and transgender) immigrants came after seven dozen Democrats [went to bat](#) for these illegals.

The move is yet another step toward total dissolution of American borders, and a continuation of the Obama administration's legal and political war against those who wish to stop illegals from crossing the border. Just weeks ago, President [Obama unilaterally offered](#) an amnesty to "young" illegals who are, he claims, for all intents and purposes, "Americans."

The Announcement

[The Associated Press report](#) on the matter went public in the late afternoon in what appears to be a "[Friday news dump](#)." Politicians often use late Friday news dumps to minimize the negative fallout from whatever controversial policy they wish to slip by an unsuspecting public. In this case, the policy is extending an amnesty to "LGBT" illegals because they have "family ties."

[According to](#) the Associated Press,

Homeland Security officials said Friday that a foreigner's longstanding same-sex relationship with a U.S. citizen could help stave off the threat of deportation.

Binational gay couples are eligible for consideration under a federal program designed to focus resources away from low-priority deportation cases and let officials spend more time tracking down convicted criminals, said Marsha Catron, a spokeswoman for the Department of Homeland Security.

Friday's statement, which builds on comments Homeland Security officials made last summer, came three days after 84 lawmakers demanded the agency put its position in writing to help protect same-sex couples from deportation.

Democrats, whose electoral fortunes [depend heavily on balkanizing voters into special interest](#) groups, have a soft spot for the "[LGBT community](#)" and its "issues." Leading the LGBT charge was leftist abortion advocate [Nancy Pelosi](#) (D-Calif.), formerly speaker of the house. The co-leader was leftist Rep. [Jerry Nadler](#), (D-N.Y.). They began their campaign, a [letter to](#) Homeland Security Secretary Janet Napolitano said, on Sept. 27 last year. Their letter noted that a "critical group of immigrants ... need your verbal ... prosecutorial discretion to be put into writing in order to prevent deportation and separation from their lesbian, gay, bisexual, and transgender (LGBT) U.S. citizen partners and spouses."

Last year's plea noted that "without specific, written guidance, there remains the very real risk agency officers, agents, and attorneys making decisions about individual cases would overlook LGBT family ties, particularly the ties of immigrants to their U.S. citizen same-sex partners or spouses, and thereby, decline to exercise prosecutorial discretion," the [84 Democrats wrote](#).



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The representatives were worried that the administration's answer to last year's entreaty was a blow to "LGBT" concerns. The letter cited the explosive memorandum from John Morton, the director of Immigration and Customs Enforcement (ICE), [which gave underlings](#) "prosecutorial discretion" on deportations.

"In DHS's response to the letter on October 25, we were extremely disappointed to read the following: 'Director [John] Morton's June 17, 2011 memorandum makes clear that one factor relevant to determining whether a case is a low priority is the individual's ties and contributions to the community,'" Pelosi and Nadler wrote, adding,

In assessing these factors, LGBT individuals' ties and contributions to the community are taken into account. These same principles apply to the interagency working group's efforts to design a method for reviewing cases to ensure that the Administration immigration enforcement resources are best focused on our highest priorities.

As previously expressed, this statement appears to be a major retreat from your announced policy that the family ties of immigrants to their U.S. citizen same-sex spouses and partners would be a factor for prosecutorial discretion.

One issue behind the letter is the [Defense of Marriage Act](#), which defines marriage as a union between one man and one woman and forbids a homosexual from sponsoring his or her "spouse" for a green card. As the [New York Times reported](#) in April, five "legally married" homosexual couples have filed lawsuits to have the law declared unconstitutional. The Obama administration decided last year not to defend the act in court because it has decided the law is unconstitutional.

The 84 congressmen wrote,

Until the policy regarding LGBT persons is put into writing, ICE enforcement officials and attorneys who are responsible for actually implementing DHS policy, plus other key stakeholders, may remain unaware of its existence.

This may lead to continued and tragic separations of foreign nationals from their U.S. citizen same-sex spouses and partners.... By issuing written guidance, DHS can keep LGBT families from being separated and thus prevent the irreparable, permanent harm to families that is caused by the so-called Defense of Marriage Act — discrimination the Department of Justice has determined to be unconstitutional. It would be beyond senseless to see LGBT persons with family ties here in the United States deported simply because the affected persons, their attorneys, and/or ICE officials were unaware of DHS's verbal policy.

An administration spokesman tried to put the Democrats and the "LGBT" auxiliary at ease: "When exercising prosecutorial discretion in enforcement matters," [he told](#) Buzzfeed on Friday, "DHS looks at the totality of the circumstances presented in individual cases, including whether an individual has close family ties to the United States as demonstrated by his or her same-sex marriage or other longstanding relationship to a United States citizen."

Unsurprising News

The latest immigration development follows the path the Obama administration adopted nearly two years ago when it began chipping away at U.S. immigration law, hoping to solidify the Democratic Party's already strong hold on the "Latino" vote. The first move in the administration's plan to gut U.S. immigration law came in July 2010. That's when the administration, backed by its [legal arm](#), [sued](#)



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[Arizona to stop the enforcement](#) of [SB 1070](#), which sought to stanch the flow of illegals into the state from Mexico.

The following April, Napolitano [flatly stated](#) that her agency, which includes ICE, would not seek to deport illegals who met the criteria of the failed [DREAM Act](#), an amnesty for illegals who met a list of arbitrary and capricious criteria. After that, her immigration deputy, ICE chieftain Morton, [published the memo](#) that gave his deputies “prosecutorial discretion.” It expanded the DREAM list to create a veritable smorgasbord of reasons an illegal could escape deportation.

In August, as [Napolitano reiterated](#) her statement that the DREAM Act was law as far as her agency was concerned, [Obama stopped](#) 300,000 deportations. In June this year, [Obama halted deportations](#) of young illegals, which, again, further solidified DREAM Act’s criteria as de facto law. After the U.S. Supreme Court upheld the most important provision of Arizona’s immigration law, the administration said it will not help the state identify or deport illegals detained pursuant to the law.

Related stories:

[Under Mandated DREAM Act, Obama Eyes Amnesty, Halting Most Deportations](#)

[Napolitano: Dream Act is Now De Facto Law](#)

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