

There Is No Executive Order! For Amnesty — It Is Far Worse

By RICK OLTMAN

As we enter the last two years of the Obama Administration, the outlook on immigration issues is as bleak as it is complex and potentially overwhelming.

No, there is no Executive Order for amnesty for illegal aliens. The media coverage of President Obama's "executive order on amnesty" has been *loud, repetitious, and wrong*. Many news organizations have used the terms "Executive Order" and "Executive Action" and "Executive Memorandum" interchangeably, and incorrectly.

As of January 23, the White House website for Executive Orders¹ shows no amnesty for illegal aliens.

What *is* being done is far worse for our country and our culture.

On the day of the President's supposed Executive Order, November 20, 2014, Department of Homeland Security (DHS) Secretary Jeh Johnson issued ten memorandums.²

The timeline of what happened: The news reported President Obama's impending announcement on "executive order amnesty" for over a week.

At 8:00pm ET on November 20, 2014, President Obama did give a speech³ that was filled with lies and misinformation. He lied about border security and the number of illegal aliens entering our country. He

repeated the idiocy about how our immigration system is "broken." He made the same claim in his January 20 State of the Union address to Congress. (Just how the system is broken, nobody has ever honestly or accurately described.)

Obama surrendered on enforcement:

...tracking down, rounding up, and deporting millions of people isn't realistic.

He also called it, "impossible." But, nobody could know what is possible or "impossible" because real enforcement hasn't been tried in decades.

No "Executive Order Amnesty" was announced on November 20, only the usual shibboleths about immigration.

However, earlier in the day Secretary of DHS Jeh Johnson issued ten memorandums dealing with legal and illegal immigration, immigration enforcement, prosecutorial discretion, DACA, etc.⁴

On Friday, November 21, President Obama traveled to Las Vegas, gave a speech, and signed two Presidential Memorandums, not Executive Orders as the media, once again, erroneously reported.⁵

In the first memorandum, "Modernizing and Streamlining the U.S. Immigrant Visa System for the twenty-first century,"⁶ Obama twice invokes the "broken" lie and says;

We have worked to simplify an overly complex visa system, one that is confusing to travelers and immigrants, burdensome to businesses, and results in long wait times that negatively impact millions of families and workers. But we can and must do more to improve this system.

Translation: "Even though the United States lets in more legal immigrants per year than almost all the rest of the countries in the world added up...we are going to accelerate the process." In the second memorandum, "Creating Welcoming Communities and Fully Integrating Immigrants and Refugees,"⁷ Obama provides an overview of the plan to accelerate legal immigration and to naturalize over 13 million Legal Permanent Residents before the 2016 Presidential election.

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From the presidential memorandum signed in Las Vegas:

Section 1. White House Task Force on New Americans

(a) There is established a White House Task Force on New Americans (Task Force) to develop a coordinated Federal strategy to better integrate new Americans into communities and support State and local efforts to do the same. It shall be co-chaired by the *Director of the Domestic Policy Council* and Secretary of Homeland Security, or their designees.

The Director of the Domestic Policy Council is Cecilia Munoz, the former Executive Vice President of La Raza,⁸ the well-known pro-illegal alien organization.⁹ Working with the Co-Chairs will be a Task Force of sixteen separate federal bureaucracies.

There is no amnesty of illegal aliens. What the Obama Administration is doing is *worse* than an “Executive Order on Amnesty.”

The Memorandums by DHS Secretary Jeh Johnson are available on the DHS website.¹⁰ Here are the ten topics that the Memorandums cover [highlighted non-sequentially in the analysis that follows]:

- Strengthen Border Security¹¹
- Revise Removal Priorities¹²
- End Secure Communities and Replace it with New Priority Enforcement Program¹³
- Personnel Reform for ICE Officers¹⁴
- Expand Deferred Action for Childhood Arrivals (DACA) Program and also Expand Provisional Waivers to Spouses and Children of Lawful Permanent Residents¹⁵
- Revise Parole Rules – Entrepreneurs¹⁶
- Revise Parole Rules – Parole in Place and Deferred Action¹⁷
- Revise Parole Rules – Advance Parole¹⁸
- Promote the Naturalization Process¹⁹
- Support High-skilled Business and Workers (same as No. 7)²⁰

Memorandum No. 1: Strengthen border security, southern border, and approaches campaign

The DHS fact sheet²¹ says, “DHS will implement a Southern Border and Approaches Campaign Strategy to fundamentally alter the way in which we marshal resources to the border.”

The term, “fundamentally alter” should be the tipoff on this one. It calls for the creation of three,

...DHS Task forces of various law enforcement agencies.

It doesn’t specify the agencies. The summary then claims success during last summer’s anarchy on the border by stating:

In addition, DHS will continue the surge of resources that effectively reduced the number of unaccompanied children crossing the border illegally this summer. This included additional Border Patrol agents, ICE personnel, criminal investigators, additional monitors, and working with DOJ to reorder dockets in immigration courts, along with reforms in these courts.

Memorandum No. 1 appears to be about misinformation and bigger budgets, not border/interior enforcement. More deceptions from Memorandum No. 1: (emphasis added)

This Nation’s long term investment in border security has produced *significant, positive results* over the years. Illegal migration into the United States peaked in the year 2000, reflected by over 1.6 million apprehensions that year. *Illegal migration into this country has dropped considerably since then.* In fact, apprehensions — a reflection of total attempts to cross the border — are at the lowest rate since the 1970s. Meanwhile, *the estimated population of undocumented immigrants in this country has stopped growing for the first time since the 1980s*, and over half of these individuals have been in this country for nearly 13 years.

And this prevarication;

...the President and I are committed to building an even more secure border...

From the memorandum: three new bureaucracies

A. Joint Task Forces

I am commissioning three Joint Task Forces. Two of these task forces will be geographically based and one will be functionally focused. All three Joint Task Forces will incorporate elements of the U.S. Coast Guard (USCG), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services, and integrate capabilities of the remaining components as needed.

The “Task Forces” will add billions to the national debt while claiming to be effective at border security.

From the memorandum — realigning the bureaucracy

Within 90 days of my commissioning of these Joint Task Forces, you are directed to realign personnel and stand up headquarters capabilities within each Joint Task Force.

Whenever you turn a bureaucracy upside down, you don't get more efficiency. The chaos of any reorganization always produces less efficiency, not more, which is the likely goal of this "realignment."

Memorandum No. 2: Revise removal priorities; policies for the apprehension, detention, and removal of undocumented immigrants

Memorandum No. 2 supersedes *The Morton Memo* on prosecutorial discretion that was issued on July 17, 2011.²² This new directive is *The Morton Memo on steroids*.²³

The Morton Memo used "prosecutorial discretion," to reduce removals and deportations, a process by which a law enforcement agent can decide to use his discretion to not enforce the law in a specific circumstance. Prosecutorial discretion has been traditionally allowed on a case-by-case basis and assumes that the law enforcement agent has the judgment to use it properly.

The way the Obama Administration uses "prosecutorial discretion" is like carpet-bombing and totally outside the realm of "case by case."

The Morton Memo has nineteen bullet points to describe who can be shown "discretion."

From the Morton Memo

Exercising Prosecutorial Discretion Consistent with the Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens

Factors to Consider When Exercising Prosecutorial Discretion

When weighing whether an exercise of prosecutorial discretion may be warranted for a given alien, ICE officers, agents, and attorneys should consider all relevant factors, including, but not limited to

- the agency's civil immigration enforcement priorities;
- the person's length of presence in the United States, with particular consideration given to presence while in lawful status;
- the circumstances of the person's arrival in the United States and the manner of his or

her entry, particularly if the alien came to the United States as a young child;

- the person's pursuit of education in the United States, with particular consideration given to those who have graduated from a U.S. high school or have successfully pursued or are pursuing a college or advanced degrees at a legitimate institution of higher education in the United States;
- whether the person, or the person's immediate relative, has served in the U.S. military, reserves, or national guard, with particular consideration given to those who served in combat;
- the person's criminal history, including arrests, prior convictions, or outstanding arrest warrants;
- the person's immigration history, including any prior removal, outstanding order of removal, prior denial of status, or evidence of fraud;
- whether the person poses a national security or public safety concern;
- the person's ties and contributions to the community, including family relationships;
- the person's ties to the home country and condition in the country;
- the person's age, with particular consideration given to minors and the elderly;
- whether the person has a U.S. citizen or permanent resident spouse, child, or parent;
- whether the person is the primary caretaker of a person with a mental or physical disability, minor, or seriously ill relative;
- whether the person or the person's spouse is pregnant or nursing;
- whether the person or the person's spouse suffers from severe mental or physical illness;
- whether the person's nationality renders removal unlikely;
- whether the person is likely to be granted temporary or permanent status or other relief from removal, including as a relative of a U.S. citizen or permanent resident;
- whether the person is likely to be granted temporary or permanent status or other relief from removal, including as an asylum seeker, or a victim of domestic violence, human trafficking, or other crime; and

- whether the person is currently cooperating or has cooperated with federal, state, or local law enforcement authorities, such as ICE, the U.S. Attorneys or Department of Justice, the Department of Labor, or National Labor Relations Board, among others.

This list is not exhaustive and no one factor is determinative. ICE officers, agents, and attorneys should always consider prosecutorial discretion on a case-by-case basis. The decisions should be based on the totality of the circumstances, with the goal of conforming to ICE's enforcement priorities.

Yes, even "nursing" is a cause for "prosecutorial discretion." In short *anyone* can be viewed as a candidate for "prosecutorial discretion."

The Morton Memo only applied to Immigration and Customs Enforcement.

The new Jeh Johnson memorandum now also includes U.S. Customs and Border Protection, CBP, and U.S. Citizenship and Immigration Services, USCIS. And, just for the record, USCIS is *not* a law enforcement organization. Its job is naturalization and providing T and U Visas for those claiming refugee status, and advertising and running naturalization events.²⁴

This new memo gets even more specific; (emphasis added):

...prosecutorial discretion should apply not only to the decision to issue, serve, file, or cancel a Notice to Appear, but also to a broad range of other discretionary enforcement decisions, including deciding: whom to stop, question, and arrest; whom to detain or release;

Because:

...it is generally preferable to exercise such discretion as early in the case or proceeding as possible

So, an agent can ignore an obvious illegal alien, even one two feet across the border, and use his "discretion" to avoid apprehension.

DHS personnel are admonished to consider:

"...compelling humanitarian factors such as poor health, age, pregnancy, a young child, or a seriously ill relative."

And just in case the agent can't find a listed reason to let the illegal alien go, there is this:

These factors are not intended to be dispositive *nor is this list intended to be exhaustive*. Decisions should be based on the totality of the circumstances.

Basically you can make up a reason to release them. Also, there is additional clarification in the memo-

randum, such as:

Priority 2 (misdemeanants and new immigration violators)

Resources should be dedicated accordingly to the removal of the following:

aliens convicted of three or more misdemeanor offenses, other than minor traffic offenses or state or local offenses for which an essential element was the alien's immigration status, provided the offenses arise out of three separate incidents.

So, if an illegal alien is driving drunk, without a license, without insurance, and rear ends you, then flees but is captured by local police, he is not eligible for removal because all four offenses arose out of only one incident?

Also, what is the definition of "essential element"? Is driving without a license the result of the alien's "immigration status"?

'In the Judgment of...'

"...in the judgment of..." appears numerous times in these memoranda.

The removal of these aliens must be prioritized unless they qualify for asylum or another form of relief under our laws, or unless, in the judgment of an ICE Field Office Director, CBP Sector Chief, or CBP Director of Field Operations, there are compelling and exceptional factors that clearly indicate the alien is not a threat to national security, border security, or public safety and should not therefore be an enforcement priority.

Another example of 'In the Judgment of'

D. Exercising Prosecutorial Discretion

"...aliens in Priority 2 should be removed unless they qualify for asylum or other forms of relief under our laws, or unless, in the judgment of an ICE Field Office Director, CBP Sector Chief, CBP Director of Field Operations, USCIS District Director, or USCIS Service Center Director, there are factors indicating the alien is not a threat to national security, border security, or public safety and should not therefore be an enforcement priority."

Even the USCIS Service Center Director is given authority to use his "judgment" to thwart prosecution in this memorandum. The USCIS Service Center is a bureaucracy that doesn't even take walk-ins. It deals with email and snail mail applications.²⁵

Regardless of the situation, if "in the judgment of..." a supervisor the illegal alien should be released,

he or she will be. Of course the release stats will probably be added to the false “deportation” numbers we consistently hear from the Obama Administration.

Memorandum No. 3: End Secure Communities and Replace it with new Priority Enforcement Program

Secure Communities is dead. Killing it has been the goal of the illegal alien support groups since its inception. Now, it is gone. From the ICE website:

Secure Communities is a simple and common sense way to carry out ICE’s priorities. It uses an already-existing federal information-sharing partnership between ICE and the Federal Bureau of Investigation (FBI) that helps to identify criminal aliens without imposing new or additional requirements on state and local law enforcement.²⁶

The point of the new plan:

However, ICE should *only* seek the transfer of an alien in the custody of state or local law enforcement through the new program *when the alien has been convicted* of an offense listed in Priority 1 (a), (c), (d), and (e) and Priority 2 (a) and (b) of the November 20, 2014 Policies for the Apprehension, Detention and Removal of Undocumented Immigrants Memorandum, *or when, in the judgment of an ICE Field Office Director, the alien otherwise poses a danger to national security.* In other words, unless the alien poses a demonstrable risk to national security, enforcement actions through the new program will only be taken against aliens who are convicted of specifically enumerated crimes.

And, there is that term again, “...*in the judgment of...*”

The number of ICE holds doesn’t matter. Unless the illegal alien is convicted of a specific crime (and he can still receive “prosecutorial discretion” “*if in the judgment of...*”) ICE won’t bother to pick him up at the county jail, and he will be released back into your community.

The chilling effect on local law enforcement

In case a local law enforcement organization doesn’t want to release known criminals back into their communities, the federal government has included in this memo a way to coerce them into compliance: The *DHS Office of Civil Rights and Civil Liberties* will be called to investigate a local law enforcement organization because they also,

...work with Department component agencies, and other federal agencies — such as the Department of Justice’s Civil Rights Division²⁷ — to troubleshoot issues at the intersection of immigration enforcement and the protection of civil rights...

They will simply refer the offending police or sheriff to the Department of Justice who will sue and harass any organization that, “didn’t get the memo.”

Memorandum No. 4: Personnel Reform for ICE Officers

It appears that certain investigators with ICE will be getting a pay raise:

Today we announced new enforcement priorities for the Department of Homeland Security (DHS) that will further ICE ERO’s focus on DHS’s national security and public safety missions. I have concluded that these policy changes should be accompanied by a recalibration of ICE ERO’s workforce and personnel pay structure.

In addition to quieting any complainers about the new non-enforcement polices through the new Premium Ability Pay Coverage:

It is anticipated that any changes in job classification structure for ICE ERO employees will permit management to make more flexible and efficient staffing and workload decisions *and allow for outstanding performers to rise through the ranks.*

And:

Their work involves close coordination and negotiations with *domestic and foreign law enforcement agencies.*

One can imagine that one of the ways to become an “outstanding performer” would not include being aggressive about removals but would include alerting the *DHS Office of Civil Rights and Civil Liberties* about a police or sheriff department that is a little too aggressive in its enforcement of the law regarding illegal aliens.

Memorandum No. 5: Exercising prosecutorial discretion with respect to individuals who came to the U.S. as children [DACA] and with respect to certain individuals who are the parents of U.S. citizens or permanent residents

Expanding DACA, Creating “DAPA”

The Obama Administration’s Deferred Action for

Childhood Arrivals (DACA) began in June of 2012. The policy allowed those who were illegally brought into America as children, and who entered the country before their 16th birthday, prior to June 2007, to receive a renewable two-year work permit and not be subject to deportation. Also, you had to be under 31 years old on June 15, 2012, qualify.

In the two-year period between June 2012 and June 2014, approximately 580,000 were given a quasi, albeit temporary, legal status. Or, at least, an exemption from enforcement.

Memorandum No. 5 expands the DACA exemptions to, well, most everybody.

Removes the 31 year age cap

Remove the age cap. DACA will apply to all otherwise eligible immigrants who entered the United States by the requisite adjusted entry date before the age of sixteen (16), regardless of how old they were in June 2012 or are today. The current age restriction excludes those who were older than 31 on the date of announcement (i.e., those who were born before June 15, 1981). That restriction will no longer apply.

So, you could be 56 years old today and claim you were brought here as a child over 40 years ago. Nobody is likely to check that claim. Also, some might wonder why a person of that age who claims they arrived back then didn't take advantage of the 1986 IRCA Amnesty. Under the 2012 rules a 31-year-old would have been born 5 years prior to 1986, and ICE didn't ask that question of the 26-31-year-olds who applied.

DACA has also been extended for an additional 3 years

Extend DACA renewal and work authorization to three years. The period for which DACA and the accompanying employment authorization is granted will be extended to three-year increments, rather than the current two-year increments. This change shall apply to all first-time applications as well as all applications for renewal effective November 24, 2014.

The date by which the "child" had to be in the country was also moved up from June 15, 2007, to January 1, 2010.

And, it has been expanded to what immigration lawyers are calling *DAPA*: Deferred Action for Parents.

B. Expanding Deferred Action

I hereby direct USCIS to establish a process, similar to DACA, for exercising prosecuto-

rial discretion through the use of deferred action, on a case-by-case basis, to those individuals who:

- have, on the date of this memorandum, a son or daughter who is a U.S. citizen or lawful permanent resident; (Author's note: It appears that the term "anchor baby" was right all the time.)
- have continuously resided in the United States since before January 1, 2010;
- are physically present in the United States on the date of this memorandum, and at the time of making a request for consideration of deferred action with USCIS;
- have no lawful status on the date of this memorandum;
- are not an enforcement priority as reflected in the November 20, 2014 *Policies for the Apprehension, Detention and Removal of Undocumented Immigrants Memorandum*; (Memorandum No. 2: The Morton Memo on steroids) and
- present no other factors that, in the exercise of discretion, makes the grant of deferred action inappropriate.

The memorandum also includes the following paragraph at the end:

This memorandum confers no substantive right, immigration status or pathway to citizenship. Only an Act of Congress can confer these rights. It remains within the authority of the Executive Branch, however, to set forth policy for the exercise of prosecutorial discretion and deferred action within the framework of existing law. This memorandum is an exercise of that authority.

So, you see? *No amnesty. Also, no enforcement!*

Memorandum No. 6: Expansion of the Provisional Waiver Program

Under the law some illegal aliens who are the child or spouse of a U.S. citizen or Legal Permanent Residents are eligible for immigrant visas and must leave the country to be interviewed at U.S. consulates to obtain their immigrant visa. If they have been in the country illegally for more than six months and then leave the country, they can be barred from re-entry for up to 10 years.

Some would get a waiver that allows re-entry if they could demonstrate an "extreme hardship" to their citizen, or Legally Permanent Resident, spouse, or parent. But, they had to apply from outside the U.S.

Memorandum No. 6 directs DHS:

...to expand access to the provisional waiver program to all statutorily eligible classes of relatives for whom an immigrant visa is immediately available.

And, DHS intends to expand the definition of “extreme hardship.”

Factors that should be considered for further explanation include, but are not limited to: family ties to the United States and the country of removal, *conditions in the country of removal*, the age of the U.S. citizen or permanent resident spouse or parent, the length of residence in the United States, relevant medical and mental health conditions, financial hardships, and educational hardships.

Just about anyone would qualify under the new definition of “extreme hardship.”

Memorandum No. 7: Policies Supporting U.S. High Skilled Businesses and Workers *Talented Workers Should be Paroled into the U.S.*

This memorandum makes it easier for foreign workers to work in America and for longer periods than currently allowed.

There is no shortage of “high skilled workers” in America. If you check the law, there is no shortage. That is: the law of supply and demand. If there was a shortage of “high skilled workers,” or any kind of worker, wages would be going up in those fields of employment where the shortage existed. Wages are not going up. According to the April 2014 Data Brief²⁸ from the National Employment Law Project:

- **Lower-wage** industries accounted for only 22 percent of job losses during the downturn, but 44 percent of jobs gained over the past four years.
- **Mid-wage** industries accounted for 37 percent of job losses, but only 26 percent of job gains.
- **Higher-wage** industries accounted for 41 percent of job losses, but only 30 percent of job gains.

“Higher-wage industries” employ the “high skilled workers” referred to in Memorandum No. 7. The net loss of jobs in that category since 2008 would indicate a surplus of “high skilled workers,” *not* a shortage.

Regardless, Memorandum No. 7 directs USCIS to remove “unnecessary restrictions” which “...creates unnecessary hardships for many foreign workers...”

No more need for instructional videos on YouTube to teach employers how to defraud the current system by

explaining the steps to go through to disqualify Americans in order to get H-1b visas for foreign workers.²⁹

One of the many immigration myths is that foreign students who graduate from American universities of higher learning are forced to leave the country after graduation. They are not. Anyone wanting to remain and seek employment in the United States is allowed to with the F-1 visa for “optional practical training, (OPT)” Memorandum No. 7 states:

By regulations adopted in 2007, students in science, technology, engineering, and mathematics (STEM) fields are eligible for an additional 17 months of OPT, for a total of 29 months. This extension has the added benefit of helping America keep many of its most talented STEM graduates from departing the country and taking their skills overseas.

Nobody is being forced to leave.

What Memorandum No. 7 doesn’t explain is how foreign students in the U.S. who are competing against American workers actually results in higher wages and ensures, as the memo states:

“...a more level playing field for U.S. Workers.”

Under the law of supply and demand, it can’t.

Memorandum No. 7 (above) and subsection under “Revise Parole Rules” titled “Entrepreneurs” (see list on page four) is the same memo.

Memorandum No. 8: Families of U.S. Armed Forces Members and Enlistees

Parole-in-place and deferred action to spouses, parents, and children of U.S. citizens or lawful permanent residents (LPR) who seek to enlist in the U.S. Armed Forces

Under current policy, family members of U.S. military service members *and veterans* are eligible for parole-in-place.

This new directive increases the availability of *parole-in-place and deferred action* to spouses, parents, and children of citizens and LPRs who “*seek to enlist...*”

The Department of Defense has requested that the Department of Homeland Security expand the scope of its parole-in-place memorandum of November 2013 to encompass family members of U.S. citizens and lawful permanent residents who seek to enlist in the U.S. Armed Forces.

“Seek to enlist” could include the claim that one will “seek” to enlist sometime in the distant future.

Memorandum No. 9: Directive to Provide Consistency Regarding Advance Parole

Advance Parole to Leave the Country

The same issue as Memorandum No. 6. In this memorandum Jeh Johnson asks:

...the Department’s General Counsel to issue written legal guidance... on the meaning of the Arrabally decision (Board of Immigration Appeals), which will clarify that in all cases when an individual physically leaves the United States pursuant to a grant of advance parole, that individual shall not have made a “departure” within the meaning of section 212(a)(9)(B)(i) of the INA.

As Memorandum No. 6 explains, an illegal alien who leaves the country while in the process of adjusting his status can be barred from returning for 3 to 10 years. Johnson has declared that the General Counsel will make it clear that any advance parole that results in one leaving the country *will not be viewed as one actually leaving the country*, thereby guaranteeing their legal return.

There is a debate among immigration attorneys about this one. Does the waiver, which allows legal exit from and legal re-entry back into our country, constitute a “legal presence” once they have returned? A question for the courts, undoubtedly.

Memorandum No. 10: Policies to Promote and Increase Access to U.S. Citizenship

The Impending Massive Naturalization of Legal Permanent Residents before the 2016 Election

“Policies to **Promote and Increase Access to U.S. Citizenship**” is the most important of all the memorandums published November 20.³⁰ It unleashes the greatest potential direct impact on our nation’s political future.

Johnson’s statement, “there are more than 8 million lawful permanent residents in the United States who are eligible to become citizens,” *vastly under estimates the number* of Legal Permanent Residents (LPRs). The number of LPRs eligible to naturalize at the end of 2010 was 8,530,000, according to *Estimates of the Legal Permanent Resident Population in 2011*, published by the DHS Office of Immigration Statistics July 2012.³¹

The total number of LPRs in the country at the end of 2010 was 13,070,000. If the additional 4,540,000 LPRs are waiting to fulfill the 5-year residence requirement, by January 1, 2016, they will have done it: 694,193 LPRs were naturalized in 2011, so most of them will be eligible to naturalize in 2016 prior to the election, bringing the potential number of new citizen/voters to 13,764,193.

Where the LPRs Are From; Country of Birth of Legal Permanent Resident Population: 2011
TOTAL: 13,070,000

Mexico	3,320,000	South Korea	280,000
China	590,000	Haiti	250,000
Philippines	590,000	Colombia	240,000
India	520,000	Jamaica	240,000
Dominican Rep.	470,000	Guatemala	190,000
Cuba	410,000	Germany	180,000
Vietnam	330,000	Poland	150,000
El Salvador	330,000	Peru	140,000
Canada	320,000	Japan	140,000
United Kingdom	290,000	Pakistan	140,000
Other	3,940,000		

Source: Estimates of the Legal Permanent Resident Population in 2011³²

Voter Registration

The number that DHS will be targeting to turn into citizens could possibly exceed 13,750,000 by the time voter registration ends in the fall of 2016. For example, Florida’s registration deadline is 10-11-2016, Virginia’s is 10-14-2016, Pennsylvania’s is 30 days prior to the November 8 election, etc.

The Effort to Accelerate Naturalization

In Memorandum No. 10 Johnson directs U.S. Citizenship and Immigration Services (USCIS) to:

...expand citizenship public awareness by launching a comprehensive media campaign targeting major media markets in California, New York, Texas, Florida, New Jersey, Illinois, Massachusetts, Virginia, Washington, and Arizona.

These are the top ten states with the most Legal Permanent Residents (LPRs).

Making It Easier and Cheaper to Apply

Johnson proposes to make paying the \$680 fee for naturalization a little easier on the applicant by allowing credit cards to be used and expanding the waivers and offering a 50 percent discount to \$340 if the applicant’s annual income is no more than 200 percent of the federal poverty level. (The federal poverty level is \$47,700 for a family of four, x 2 = \$95,400 per year.)

I have asked USCIS to consider a partial waiver (e.g., 50 percent) in the case of applicants whose income is more than 150 percent and no greater than 200 percent of the federal poverty level, or a scaled adjustment to the fee based on a range of income lev-

els. In response, you have informed me that you cannot at this time recommend a partial fee waiver given the uncertain financial risk associated with it for an agency that is dependent on fee-generated income. In light of that, I direct that USCIS include the feasibility of such a partial fee waiver proposal as part of the next biennial fee study. *We will reconsider a partial fee waiver following that study.*

There is little doubt that the study will recommend the discount.

Similar to Citizenship USA in 1996, but potentially much bigger

Clearly, the plan is to naturalize millions of Legal Permanent Residents and turn the majority of them into Democrat voters. This will be the 2016 version of Citizenship U.S.A. in 1996, which naturalized over one million LPRs who were then aggressively pursued to register to vote as Democrats.

Every congratulatory letter from President Clinton to the newly naturalized citizen included a voter registration form.

What Secretary Johnson has proposed could *potentially be 10 to 14 times bigger than CUSA*. And one can expect fraud and corruption at every level of the process.

The massive fraud of CUSA in 1996

In Chapter 4, "Injustice for All," of David P. Schippers' book *Sellout: The Inside Story of President Clinton's Impeachment*, Schippers describes the *Immigration and Naturalization Service (INS)*³³ as,

...running out of control....A blatant politicization of the agency took place during the 1996 presidential campaign when the White House pressured the INS into expediting its "Citizenship USA" (CUSA) program to grant citizenship to thousands of aliens that the White House counted as likely Democratic voters.

Schippers' investigators believed that many criminals had been naturalized:

If, as we anticipated, anywhere near 20 percent came back with subsequent crimes, we would then confront the Justice Department, demand the identity and address of these known criminals, and point out that they had been given citizenship illegally, and were still engaged in criminal activity. Unfortunately, before we could go further, the referral from Independent Counsel Kenneth Starr arrived. *Had we been given sufficient time to develop evidence and witnesses, the CUSA*

matter might have been included in the abuse of power impeachment article.

<http://www.wnd.com/2000/08/4238/No.azOGEYzDODFEEatx.99>

Expect a massive citizenship/voter registration drive

The political impact will vary from state to state, but one thing is clear: a massive citizenship/voter registration drive by the Obama Administration will result in millions of new Democrat voters. And, if the experience of Bill Clinton's Citizenship U.S.A. is any example, the fraud will also be massive.

Motivations for naturalization

One example of motivation from 1996 CUSA: HUD Secretary Henry Cisneros told Hispanic Legal Permanent Residents that a pending welfare reform bill would restrict them from government benefits as immigrants, but *not* as citizens.

It wouldn't be surprising to see a "bi-partisan" benefits reform act in the next Congress to "tighten up on immigrants and illegal aliens getting welfare" to delude a section of the electorate into feeling like something is being done about welfare fraud, when the purpose is actually to push LPRs to naturalization.

How the top 20 states will be affected

In the spreadsheet, "*Legal Permanent Residents and Electoral Votes*," the top 20 states with LPRs are listed with the 2012 Presidential vote totals and the number of LPRs that could seek citizenship prior to the November 2016 election. Without advocating for either political party, the effects of the mass naturalization will benefit the Democrats.

Romney's margin of victory in Texas, for example, was smaller than the total number of LPRs who could register to vote after naturalization. While it is not likely to happen that all would naturalize and become Democrat voters, a large number could make Texas more competitive, requiring more resources to win the state, thereby depriving money from competitive races elsewhere in the country.

With 29 electoral votes, it is generally believed that one must win Florida to win the presidency. If only 10 percent of those who are eligible become citizens/voters, it could put Florida out of reach for the Republican candidate. This will affect the 2016 U.S. Senate race in Florida, also.

In the 20 states with the most LPRs, there are 14 U.S. Senate races in 2016: 8 Democrats and 6 Republicans. Marco Rubio (R-FL) certainly looks to be at risk, and perhaps the Arizona race whether John McCain (R-AZ) is the incumbent or not.

Only two governorships out of the 20 states are up in 2016. North Carolina Governor Pat McCrory could possibly be at risk. (There are a lot of illegals in North Carolina, which raises the prospect of a lot of voter fraud from that demo as an added challenge.)

- In *Arizona* a Republican loss of 3 Senate seats and 7 House seats give the Democrats control of the legislature.
- In *Michigan* a Republican loss of 6 House seats and the Democrats control the legislature.
- In *Colorado* the Republicans hold the Senate by one seat.
- In *Minnesota* the Republicans control the House 72-62. A loss of 6 seats, about 8 percent, and the Democrats control the legislature.
- In *Nevada* a one-seat loss will cost the Republicans control of the legislature.
- In *Virginia* a one-seat loss will cost the Republicans control of the Senate.

Issues

Issues and family values will matter little in the next election. Low-income voters, when they vote, usually vote for Democrats and not for a party that promises tax cuts, because they are aren't paying much in taxes. They tend to vote the way they are registered to vote. And one can only imagine the campaign propaganda that will be aimed at them.

Threatens the Second Amendment

Second Amendment rights are particularly at risk as more low income voters will elect more Dianne Feinstein and Chuck Schumers who will eventually vote away our gun rights.

The Memorandum on the White House Task Force on New Americans that Obama signed in Las Vegas on November 21 provides Cecilia Munoz and Jeh Johnson with a lot of help in getting the word out about naturalization.

Section 1. White House Task Force on New Americans. (a) There is established a White House Task Force on New Americans (Task Force) to develop a coordinated Federal strategy to better integrate new Americans into communities and support State and local efforts to do the same. It shall be co-chaired by the *Director of the Domestic Policy Council* and *Secretary of Homeland Security*, or their designees. In addition to the Co-Chairs, the Task Force shall consist of the following members:

- (i) the Secretary of State;
- (ii) the Attorney General;
- (iii) the Secretary of Agriculture;
- (iv) the Secretary of Commerce;
- (v) the Secretary of Labor;
- (vi) the Secretary of Health and Human Services;
- (vii) the Secretary of Housing and Urban Development;
- (viii) the Secretary of Transportation;
- (ix) the Secretary of Education;
- (x) the Chief Executive Officer of the Corporation for National and Community Service;
- (xi) the Director of the Office of Management and Budget;
- (xii) the Administrator of the Small Business Administration;
- (xiii) the Senior Advisor and Assistant to the President for Intergovernmental Affairs and Public Engagement;
- (xiv) the Director of the National Economic Council;
- (xv) the Assistant to the President for Homeland Security and Counterterrorism; and
- (xvi) the Director of the Office of Science and Technology Policy.

USCIS is the agency responsible for naturalization and has been designated by Jeh Johnson to take the lead;

I hereby direct that USCIS *expand citizenship public awareness* by launching a *comprehensive media campaign* targeting major media markets in California, New York, Texas, Florida, New Jersey, Illinois, Massachusetts, Virginia, Washington, and Arizona. These 10 states are home to 75 percent of the overall lawful permanent resident population. To this end, *USCIS should collaborate with state and local governments and foreign embassies in the United States to provide information on U.S. citizenship and the naturalization process.*

A two-year media campaign that will likely not be restricted to the ten states listed by Johnson could cost hundreds of millions of dollars, maybe a billion dollars, or more. USCIS will get 5 percent of the \$60,918,787,000 DHS FY 2015 budget, approximately \$3.5 billion.³⁴ It is possible that the sixteen entities listed in Obama's Presidential Memorandum will be pitching in some portion of their budgets to the media effort. Likewise, state and local governments and foreign governments as well.

The impact from the effect of these memorandums will be, at least:

- *Increasing* the number of legal immigrants by millions more a year.
- *Prodding* all eligible legal immigrants (the 13 million already here and those encouraged to come) to become citizens (voters and welfare recipients), followed by massive chain migration.
- *Creating* and/or *making* larger government bureaucracies that will add \$ billions, if not \$ trillions, to the national debt.

Thwarting the naturalization

After realizing the impact of the massive naturalization that the Democrats plan prior to the 2016 election, a first reaction by some will be to ask how to thwart it.

These are legal immigrants, the people who followed the law and did it the right way. These are the people who are always referred to when describing how unfair an amnesty would be to them and the others still waiting in line, etc. The political consequences of any attempt to thwart the naturalization would be extreme. Any attempt will be responded to in the media similar to how voter ID laws are “designed to suppress the black vote,” only much, much worse.

There will probably be national, state, and county competition between the political parties to register new Americans as Democrats or Republicans.

There will be many massive swearing in ceremonies.

There is one already scheduled for July 4, 2015, at Monticello.³⁵

We hope you will join us at 9 am for the 53rd Annual Independence Day Celebration and Naturalization Ceremony on Monticello’s West Lawn — one of America’s most moving July 4 events *and the largest naturalization ceremony* held outside of a courtroom.

In summary, there is no Executive Order granting amnesty to illegal aliens. And, there is no plan to remove them either. In the years ahead, the impact on our country and our culture resulting from the actions described in these memoranda, especially the naturalization of 13+ million legal immigrants, will be “...*fundamentally transforming the United States of America.*” ■

Endnotes

1. <http://www.whitehouse.gov/briefing-room/presidential-actions/executive-orders>
2. <http://www.dhs.gov/news/2014/11/21/fact-sheet-fixing-our-broken-immigration-system-through-executive-action>

tive-action

3. <http://www.whitehouse.gov/the-press-office/2014/11/20/remarks-president-address-nation-immigration>
4. <http://www.dhs.gov/news/2014/11/21/fact-sheet-fixing-our-broken-immigration-system-through-executive-action>
5. <http://www.whitehouse.gov/briefing-room/presidential-actions/presidential-memoranda>
6. <http://www.whitehouse.gov/the-press-office/2014/11/21/presidential-memorandum-modernizing-and-streamlining-us-immigrant-visa-s>
7. <http://www.whitehouse.gov/the-press-office/2014/11/21/presidential-memorandum-creating-welcoming-communities-and-fully-integra>
8. <http://www.nclr.org/>
9. <http://www.whitehouse.gov/administration/eop/dpc/about/dpc-director>
10. <http://www.dhs.gov/news/2014/11/21/fact-sheet-fixing-our-broken-immigration-system-through-executive-action>
11. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_southern_border_campaign_plan.pdf
12. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf
13. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf
14. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_pay_reform_ice_officers.pdf
15. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_deferred_action.pdf
16. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_business_actions.pdf
17. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_parole_in_place.pdf
18. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_arrabally.pdf
19. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_naturalization.pdf
20. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_business_actions.pdf
21. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_southern_border_campaign_plan.pdf
22. <http://www.ice.gov/doclib/secure-communities/pdf/prosecutorial-discretion-memo.pdf>
23. http://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf
24. <http://www.uscis.gov/outreach/upcoming-local>

engagements/upcoming-local-engagements-your-area
 25. https://egov.uscis.gov/crisgwi/go?action=offices.type&OfficeLocator.office_type=SC
 26. <http://www.ice.gov/secure-communities>
 27. <http://www.justice.gov/crt/osc/>
 28. <http://www.nelp.org/page/-/reports/low-wage-recovery-industry-employment-wages-2014-report.pdf?nocdn=1>
 29. <https://www.youtube.com/watch?v=TCbFEgFajGU>
 30. [tions/14_1120_memo_naturalization.pdf
 31. \[https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_lpr_pe_2011.pdf\]\(https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_lpr_pe_2011.pdf\)
 32. \[https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_lpr_pe_2011.pdf\]\(https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_lpr_pe_2011.pdf\)
 33. \[http://www.amazon.com/Sellout-Inside-President-Clintons-Impeachment/dp/0895262436/ref=sr_1_9?ie=UTF8&qid=1418454043&sr=8-9&keywords=sellout\]\(http://www.amazon.com/Sellout-Inside-President-Clintons-Impeachment/dp/0895262436/ref=sr_1_9?ie=UTF8&qid=1418454043&sr=8-9&keywords=sellout\)
 34. <http://www.dhs.gov/sites/default/files/publications/FY15BIB.pdf>
 35. <http://www.monticello.org/site/visit/events/july-4th>](http://www.dhs.gov/sites/default/files/publica-</p>
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LEGAL PERMANENT RESIDENTS AND ELECTORAL VOTES

State	Electoral Votes	Romney	Obama	Vote Margin	Winner	Total LPRs 1-1-2011	% of LPRs	LPRs Eligible 1-1-2011	% Eligible
California	55	4,839,958	7,854,285	3,014,327	Obama	3,380,000	25.9	2,440,000	28.6
New York	29	2,490,496	4,485,877	1,995,381	Obama	1,620,000	12.4	1,000,000	11.7
Texas	38	4,569,843	3,308,124	1,261,719	Romney	1,280,000	9.8	920,000	10.8
Florida	29	4,163,447	4,237,756	74,309	Obama	1,270,000	9.7	790,000	9.3
New Jersey	14	1,383,233	1,960,744	577,511	Obama	600,000	4.6	360,000	4.2
Illinois	20	2,135,216	3,019,512	884,296	Obama	550,000	4.2	370,000	4.3
Massachusetts	11	1,188,460	1,921,761	733,301	Obama	330,000	2.5	200,000	2.3
Virginia	13	1,822,522	1,971,820	149,298	Obama	280,000	2.1	150,000	1.7
Washington	12	1,290,670	1,755,396	464,726	Obama	270,000	2.1	170,000	2
Arizona	11	1,233,654	1,025,232	208,422	Romney	250,000	1.9	170,000	2
Maryland	10	971,869	1,677,844	705,975	Obama	240,000	1.9	130,000	1.5
Georgia	16	2,078,688	1,773,827	304,861	Romney	240,000	1.9	130,000	1.5
Pennsylvania	20	2,680,434	2,990,274	309,840	Obama	240,000	1.8	140,000	1.6
Michigan	16	2,115,256	2,564,569	449,313	Obama	210,000	1.6	130,000	1.5
Connecticut	7	634,899	905,109	270,210	Obama	150,000	1.2	100,000	1.1
North Carolina	15	2,270,395	2,178,391	92,004	Romney	150,000	1.2	80,000	1
Ohio	18	2,661,437	2,827,709	166,272	Obama	150,000	1.1	90,000	1
Colorado	9	1,185,243	1,323,102	137,859	Obama	140,000	1.1	90,000	1.1
Minnesota	10	1,320,225	1,546,167	225,942	Obama	130,000	1	70,000	0.8
Nevada	6	463,567	531,373	67,806	Obama	130,000	1	80,000	1
Other						1,440,000	11	930,000	10.9
TOTAL	359					13,070,000	100	8,530,000	100

Electoral vote count from U.S. Election Atlas

<http://uselectionatlas.org/RESULTS/state.php?year=2012&fips=6&f=0&off=0&elect=0>

LPR Estimates from DHS July 2012 report "Estimates of the Legal Permanent Resident Population in 2011"

https://www.dhs.gov/xlibrary/assets/statistics/publications/ois_lpr_pe_2011.pdf