

# “COMING OUT UNDOCUMENTED” IN THE AGE OF PERRY

NATASHA RIVERA-SILBER<sup>†</sup>

In New York City’s Union Square last May, flanked by journalists and a sizeable crowd, 18-year-old Melissa Garcia Velez grabbed the microphone and announced: “I am undocumented, unafraid and unapologetic.”<sup>1</sup> This past summer, a group of undocumented day laborers, domestic workers, and students toured the country in what they called an “undocubus.”<sup>2</sup> Under the mantra “No Papers, No Fear,” each declared him or herself undocumented at public gatherings.<sup>3</sup> And in June, former *Washington Post* reporter and Pulitzer Prize winner Jose Antonio Vargas became the most high-profile immigrant to “come out” as undocumented.<sup>4</sup> In an article he penned for the *New York Times*, Vargas revealed that while he had “built a career as a journalist, interviewing some of the most famous people in the country,” as an undocumented immigrant he “liv[ed] a different kind of reality.”<sup>5</sup> That reality, he explained, has “mean[t] going about [his] day[s] in fear of being found out . . . [and] rarely trusting people, even those closest to [him], with who [he] really [was].”<sup>6</sup> Similar actions have recurred across the United States.<sup>7</sup>

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<sup>†</sup> Natasha Rivera-Silber is a third-year law student at New York University School of Law. She is an AnBryce Scholar and an Articles Editor on the N.Y.U. Law Review. As a student advocate for the N.Y.U. Immigrant Rights Clinic, she represented clients in removal proceedings and co-wrote two amicus briefs for the Supreme Court. She holds an M.A. in U.S. History from Yale University, where she studied and taught U.S. Gay and Lesbian History. Next year, she will be an associate at Wachtell, Lipton, Rosen & Katz. In 2014, she will serve as a law clerk for the Honorable Ann Claire Williams of the Seventh Circuit Court of Appeals.

1. Eline Gordts, *Undocumented Immigrant Youth Support DREAM Act By Coming Out Of The Shadows*, LATIN AMERICA NEWS DISPATCH (May 5, 2011, 8:30 AM), <http://latindispatch.com/2011/05/05/undocumented-immigrant-youth-support-dream-act-by-coming-out-of-the-shadows>.

2. Lawrence Downes, *The UndocuBus*, N.Y. TIMES, Sept. 5, 2012, <http://takingnote.blogs.nytimes.com/2012/09/05/the-undocubus/>; NO PAPERS NO FEAR: RIDE FOR JUSTICE, <http://nopapersnofear.org/> (last visited Jan. 22, 2013).

3. Downes, *supra* note 2; NO PAPERS NO FEAR, *supra* note 2.

4. Jose Antonio Vargas, *My Life as an Undocumented Immigrant*, N.Y. TIMES, June 22, 2011, [http://www.nytimes.com/2011/06/26/magazine/my-life-as-an-undocumented-immigrant.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2011/06/26/magazine/my-life-as-an-undocumented-immigrant.html?pagewanted=all&_r=0). See also Cristina Costantini, *8 Celebrities Who Broke U.S. Immigration Law, Allegedly*, ABC NEWS UNIVISION, Feb. 1, 2013, [http://abcnews.go.com/ABC\\_Univision/salma-hayek-celebrities-broke-us-immigration-law/story?id=18367374](http://abcnews.go.com/ABC_Univision/salma-hayek-celebrities-broke-us-immigration-law/story?id=18367374).

5. *Id.*

6. *Id.*

7. See, e.g., Serena Maria Daniels, *Young Immigrants Declare Illegal Status*, CHI. TRIB., March 10, 2010, [http://articles.chicagotribune.com/2010-03-10/news/ct-met-illegal-immigrants-march-20100310\\_1\\_immigration-reform-illegal-status](http://articles.chicagotribune.com/2010-03-10/news/ct-met-illegal-immigrants-march-20100310_1_immigration-reform-illegal-status) (discussing Chicago’s “National Coming Out of the Shadows Day”); *Undocumented Protesters in North Carolina Will Not Be Deported*,

The ritual of “coming out” finds its historical roots in gay culture and activism.<sup>8</sup> The appropriation of this ritual by many undocumented immigrants serves as a poignant reminder of the broad range of constituencies influenced by decades of trailblazing queer activism. Many of those at the forefront of the “coming out undocumented” movement, including Vargas,<sup>9</sup> are also “out” as gay or lesbian.<sup>10</sup> Surely, these individuals have utilized their unique experiences as sexual minorities to shape the immigrant rights movement from within. The gay rights call to action, embodied in Harvey Milk’s famous cry “Brothers and sisters, you must come out,”<sup>11</sup> however, has now influenced many undocumented immigrant activists, regardless of sexual orientation.

The “coming out” undocumented campaign reminds us that, as we begin the process of understanding the long-term impact of *Perry* (and the marriage equality movement as a whole), we must look both within and beyond the LGBTQ community. The immigrant rights movement provides an ideal place to start. Exploration reveals striking synergies between the gay and immigrant rights movements—arguably the two most significant American civil rights struggles of the twenty-first century. Specifically, the immigrant rights movement has recently, and with much aplomb, adopted rhetorical and strategic devices developed in the context of gay and lesbian activism, most notably “coming out.”<sup>12</sup> Such tactics, which encourage movement participants to engage in self-expression and self-disclosure as forms of political resistance, have enabled both movements to overcome the visibility deficit that previously prevented successful organization and mobilization.

Recognizing the synergy between these movements sheds a different kind of light on the debate about the evolution and trajectory of queer activism. While the focus of many gay rights activists has been critiqued for moving away from the more radical objectives of sexual freedom and expression to the (perhaps) tamer demand for marriage equality, the movement’s “mainstreaming” has made protest strategies like “coming out” more available for other groups, who can use

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FOX NEWS LATINO, Mar. 2, 2012, <http://latino.foxnews.com/latino/news/2012/03/02/undocumented-protesters-who-disrupted-north-carolina-meeting-will-not-be/> (describing event where immigrants bearing shirts that read “Undocumented and Unafraid” walked into a North Carolina legislative meeting).

8. See, e.g., JOHN D’EMILIO & ESTELLE FREEDMAN, *INTIMATE MATTERS: A HISTORY OF SEXUALITY IN AMERICA* 321–23 (1997) (arguing that by the 1970s “[c]oming out of the closet was incorporated into the basic assumptions of what it meant to be gay” in America).

9. Vargas, *supra* note 4.

10. See Rosa Ramirez, *Undocumented Activists Follow LGBT Tactics*, NAT’L J., July 24, 2012, <http://www.nationaljournal.com/thenextamerica/immigration/undocumented-activists-follow-lgbt-tactics-20120724>.

11. *Id.*

12. See generally Maggie Jones, *Coming Out Illegal*, N.Y. TIMES, Oct. 21, 2010, <http://www.nytimes.com/2010/10/24/magazine/24DreamTeam-t.html?pagewanted=all>

(“Borrowing tactics from the civil rights and gay rights movements, . . . [immigrant rights activists] have orchestrated dozens of . . . ‘coming out’ events — publicly revealing their undocumented status — [and] risking both arrest and deportation . . .”).

them in novel, radical ways. For proof, one need not look further than those calling themselves “undocuqueer”—young immigrants who are “out” as both undocumented and queer.<sup>13</sup> At the vanguard of the “coming out” project today, “undocuqueer” youth have forced both the gay and immigrant rights movements to recognize and respect their existence.

# I.

## “COMING OUT” UNDOCUMENTED

Over the last several years, undocumented immigrants have appropriated the convention of “coming out” to announce their undocumented status. Under threat of arrest, imprisonment, and even deportation, undocumented immigrants have publicly announced and boldly defended their presence in the United States.<sup>14</sup> First begun as a strategy to build support for the Development, Relief, and Education for Alien Minors (“DREAM”) Act,<sup>15</sup> “coming out” has evolved into something of a “rite of passage” within the movement.<sup>16</sup>

Undocumented immigrants “come out” for a variety of reasons. While some “come out” to protest current immigration policy and push for reform,<sup>17</sup> others seek a cathartic experience to excise the shame often associated with being undocumented in America.<sup>18</sup> As one woman explains it, coming out “was liberating . . . I wasn’t lying about my life anymore . . . [It] was like a weight was lifted.”<sup>19</sup> A third common goal is increasing visibility and tolerance. As Jose

13. See Juan Pedro Garcia Machado, *Op-ed: Coming Out as Gay and Undocumented*, ADVOCATE.COM (Oct. 12 2012, 3:00 AM), <http://www.advocate.com/commentary/2012/10/12/op-ed-coming-out-gay-and-undocumented?page=0,1> (“In addition to being gay, I am still an undocumented immigrant, or what is sometimes referred to as undocuqueer.”).

14. See Jorge Rivas, *Four Undocumented Arizonans Arrested for Coming Out at Arpaio’s Trial*, COLORLINES (July 25 2012, 12:18 PM), <http://colorlines.com/archives/2012/07/four-undocumented-arizonans-arrested-for-coming-out-at-arpaio-trial.html> (reporting event where four undocumented persons “came out” at the trial of an Arizona police officer and were promptly arrested). See also Yana Kunichoff, *Despite Risks, Undocumented Immigrants Stage “Coming Out of the Shadows” Week*, TRUTHOUT (Mar. 7 2012, 8:42 AM), <http://truth-out.org/news/item/7132:despite-risks-undocumented-immigrants-stage-coming-out-of-the-shadows-week> (describing efforts of undocumented immigrants in Illinois to create Coming Out of the Shadows Week). For a general discussion on the benefits and risks of “coming out” as undocumented, see Rose Cuison Villazor & Elizabeth Glazer, *Is Getting on the ‘UndocuBus’ a Good Idea?* N.Y. TIMES, Aug. 1, 2012, <http://www.nytimes.com/roomfordebate/2012/08/01/is-getting-on-the-undocubus-a-good-idea>.

15. S. 729, 111th Cong. (2009); H.R. 1751, 111th Cong. (2009).

16. See Leslie Berestein Rojas, *‘Coming Out’ Undocumented: A Dream Act Strategy Becomes a Rite of Passage*, SO. CAL. PUB. RADIO BLOG (Mar. 15, 2011, 4:54 PM), <http://www.scp.org/blogs/multiamerican/2011/03/15/7668/coming-out-undocumented-a-dream-act-strategy-becom>.

17. *Id.*

18. See, e.g., Amy Kuras, *Coming Out: Undocumented Students Chase American DREAM, MODEL D*, (Sept. 25, 2012), <http://www.modeldmedia.com/features/kellogg912.aspx>.

19. Helen O’Neill, *Young Illegal Immigrants Coming Out of the Shadows*, MINN. PUB. RADIO NEWS, (May 20, 2012), <http://minnesota.publicradio.org/display/web/2012/05/20/immigrants-coming-out> (quoting安吉 Rivera).

Antonio Vargas explains, by coming out as undocumented, “[we] are saying that we are here . . . [a]nd our existence doesn’t threaten yours.”<sup>20</sup>

Youth organizations have been at the helm of the “coming out undocumented” movement. Along with other activist organizations engaged in similar projects, the National Immigrant Youth Alliance (NIYA) has organized a National Coming Out of the Shadows week of action.<sup>21</sup> NIYA has also developed a toolkit for the “undocumented, unafraid and unapologetic,” called “How to tell Your Story; Taking Action Online; and Why Come Out?”<sup>22</sup>

Indeed, “coming out” as undocumented is particularly salient among undocumented youth, often called “Dreamers.”<sup>23</sup> Brought to the United States as young children, many Dreamers have never known homes outside the United States. Yet, without papers, they are unable to pursue the basic elements of the American dream. Many cannot obtain higher education, jobs, or even drivers’ licenses.<sup>24</sup> Perhaps most onerously, they all live under the constant threat of deportation to places many of them scarcely remember.

Given this reality, most Dreamers have experienced the pain and frustration associated with living “in the shadows” of American society. In her “coming out undocumented” essay, 22-year-old Fernanda Marroquin recalls being taught by her parents to be “as invisible as possible to avoid any trouble”—or else risk deportation to Peru. Her parents feared forming close relationships “because they couldn’t trust that others would keep [their immigration] status a secret.”<sup>25</sup> Although she knew that there was something “not quite right” at home, Marroquin never realized just “how much [her] status . . . would impact [her] future.”<sup>26</sup> When she was forced to deal with this harsh reality as a teenager, she felt ashamed and frustrated. She remembers “ma[king] up excuses when [her] friends would ask . . . why [she] wasn’t getting [a] driver’s license, getting a part time job, or traveling with them before graduation during trips.”<sup>27</sup>

Marroquin’s “coming out” story was not limited to her immigration status.

20. See Ramirez, *supra* note 10 (quoting Jose Antonio Vargas).

21. Mónica Novoa, “I Am . . .” *Storytelling Series*, COLORLINES (Mar. 13, 2012), <http://colorlines.com/droptheiword/blog/my-name-is-fernanda-i-am-undocuqueer-unafraid-unashamed.html>.

22. *Id.*

23. See Julia Preston, *Young Immigrants Say It’s Obama’s Time to Act*, N.Y. TIMES, (Nov. 30, 2012), <http://www.nytimes.com/2012/12/01/us/dream-act-gives-young-immigrants-a-political-voice.html?pagewanted=all> (“[Y]oung immigrants living in the country without legal papers . . . call themselves Dreamers.”).

24. Kuras, *supra* note 18 (“[An undocumented immigrant] can’t get a driver’s license, can’t work ‘on the books’ anywhere, and isn’t eligible for much financial aid or scholarship money as she prepares for college . . .”).

25. Fernanda Marroquin, *My Name is Fernanda; I am UndocuQueer, Unafraid, & Unashamed!*, COLORLINES (Mar. 13, 2012), <http://colorlines.com/droptheiword/blog/my-name-is-fernanda-i-am-undocuqueer-unafraid-unashamed.html>.

26. *Id.*

27. *Id.*

In the same essay, she reveals that she is gay.<sup>28</sup> As her story exemplifies, the fight for visibility (and survival) is particularly fierce among young people who are both queer *and* undocumented—or, as some call themselves, the “undocuqueer.”<sup>29</sup> In addition to the “double shame”<sup>30</sup> associated with both identities, undocuqueer youth experience unique pressures that force them into the shadows. Those who do come out as gay, risk not only discrimination at home, but also deportation to countries where gays and lesbians may be persecuted far more harshly than they are in the United States.<sup>31</sup> Some recall the fear of being singled out by immigration enforcement officials because of their sexuality. As one undocuqueer activist remembers thinking as a youth, “If we blend[ed], we might not get noticed, immigration [wouldn’t] come for you.”<sup>32</sup>

Despite the challenges of having to “come out twice” to friends, family, and fellow activists, there are many cases of young people doing just that.<sup>33</sup> According to undocuqueer artist and activist Julio Salgado, who runs the tumblr “I Exist!,” a “movement within [the] movement has surfaced” among queer undocumented students, many of whom had once felt marginalized within the immigrant rights community.<sup>34</sup> Through radical acts of courage, undocuqueer youths have fortified both the gay and immigrant rights movements, and brought them closer together.

Strategies such as “coming out” appear to have been enormously successful to the Dreamers’ quest to achieve immigration reform and permanent security in the United States. In 2010, Congress came close to passing the DREAM Act, which would have provided conditional permanent residency to certain undocumented residents who graduated from U.S. high schools, arrived in the United States as minors, and lived in the country continuously for a number of years prior to the bill’s enactment.<sup>35</sup> Although the bill was stalled in the Senate,

28. *Id.*

29. See *Undocumented and Queer – Undocuqueer*, N.Y. ST. YOUTH LEADERSHIP COUNCIL: UNDOCUMENTED YOUTH LEADING CHANGE, <http://www.nysylc.org/undocuqueer/> (last visited Jan. 22, 2013) (“We are queer undocumented youth. We cannot afford to be in either the queer or undocumented closet. We cannot and will not hide . . .”). See also Machado, *supra* note 13; Julio Salgado, *Queer, Undocumented and Unafraid*, HUFFINGTON POST (Nov. 13, 2011, 11:53 AM), [http://www.huffingtonpost.com/julio-salgado/queer-undocumented\\_b\\_1007869.html](http://www.huffingtonpost.com/julio-salgado/queer-undocumented_b_1007869.html).

30. See Marroquin, *supra* note 25.

31. See, e.g., Salgado, *supra* note 29 (“[A]n undocumented gay student from Iran . . . risked deportation to a country where homosexuality is punished with death.”); Devin Dwyer, *Gay Immigrant Seeks Asylum with Deportation to Iran Pending*, ABCNEWS (July 27, 2010), <http://abcnews.go.com/Politics/immigration-gay-iranian-seeks-us-asylum-faces-deportation/story?id=10865471>.

32. Christina Crisostomo, *Undocuqueer Stories, Documented*, GEO. U. WOMEN’S CTR. BLOG (Nov. 2, 2012) (last visited Jan. 17, 10:30 PM), <https://blogs.commonsworld.org/georgetown.edu/guwc-events-programs/2012/11/02/undocuqueer-post> (quoting Felipe Matos).

33. See Michelle Chen, *Queering Immigration*, CULTURESTRIKE (June 29, 2012), <http://culturestrike.net/queering-immigration> (describing the experiences of several undocuqueer activists in promoting visibility and coming out to others).

34. See Salgado, *supra* note 29.

35. DREAM ACT, S. 729, 111th Cong. (2009); H.R. 1751, 111th Cong. (2009); Julie

activists in several states have enjoyed the passage of local versions of the bill.<sup>36</sup> In 2012, immigrant youth activists successfully lobbied the Obama administration to grant prosecutorial discretion to many Dreamers.<sup>37</sup>

By “coming out” as undocumented, Dreamers—gay or straight—have forced Americans to take stock of the harsh consequences that U.S. immigration policies impose upon young people.<sup>38</sup> Above all, they have forced Americans to see, simply, that they “exist.”<sup>39</sup>

## II.

### GAY RIGHTS, IMMIGRANT RIGHTS

In many ways, the special relationship between the gay and immigrant rights movements is unsurprising. Both movements are centrally concerned with the boundaries and content of citizenship, with family bonds, and with the pursuit of the American dream. And, of course, there is significant demographic overlap: Many immigrants are queer and many queer people are immigrants. Thus, it is also unsurprising that many immigrants have tangibly benefited from the successes of the marriage equality campaign. While DOMA<sup>40</sup> is still on the

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Hirschfeld Davis, *House OKs Bill Aimed at Illegal Youth Immigrants*, NBCNEWS.COM (Dec. 8, 2010, 9:35 PM), [http://www.msnbc.msn.com/id/40567180/ns/politics-capitol\\_hill#UFuT664XJjY](http://www.msnbc.msn.com/id/40567180/ns/politics-capitol_hill#UFuT664XJjY).

36. As of November 2012, twelve states had enacted laws providing relief to Dreamers, for instance, by allowing illegal immigrants to claim state residency and pay in-state tuition. In November of 2012, Maryland became the first state to adopt such a law by popular vote. The others states are California, Connecticut, Illinois, Kansas, New York, Oklahoma, Rhode Island, Texas, Utah, Washington and Wisconsin. Richard Pérez-Peña, *Immigrants to Pay Tuition at Rate Set for Residents*, N.Y. TIMES, Nov. 19, 2012, [http://www.nytimes.com/2012/11/20/us/illegal-immigrants-to-pay-in-state-tuition-at-mass-state-colleges.html?\\_r=1&](http://www.nytimes.com/2012/11/20/us/illegal-immigrants-to-pay-in-state-tuition-at-mass-state-colleges.html?_r=1&). See also Aaron C. Davis and Jon Cohen, *Poll: Wide lead for Maryland Dream Act*, WASH. POST, Oct. 18, 2012, [http://www.washingtonpost.com/local/md-politics/poll-wide-lead-for-maryland-dreamact/2012/10/18/edd6cd50-1894-11e2-8bfd-12e2ee90dcf2\\_story.html](http://www.washingtonpost.com/local/md-politics/poll-wide-lead-for-maryland-dreamact/2012/10/18/edd6cd50-1894-11e2-8bfd-12e2ee90dcf2_story.html) (describing Maryland’s efforts to pass a state-level Dream Act).

37. See Memorandum from Janet Napolitano, Sec’y of Homeland Sec., to David V. Aguilar, Acting Comm’r of U.S. Customs & Border Patrol, Alejandro Mayorkas, Dir. of U.S. Citizenship & Immigr. Servs., and John Morton, Dir. of U.S. Immigr. & Customs Enforcement (June 15, 2012), available at <http://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf> (describing prosecutorial discretion to be granted to Dreamers). See also Preston, *supra* note 23 (“[Dreamers’] protests and pressure helped push President Obama to offer many of them reprieves from deportation.”); Alan Gomez, *Obama Administration Sparing Some from Deportation*, USA TODAY, June 16, 2012, <http://www.usatoday.com/news/washington/story/2012-06-15/obama-immigration/55613364/1> (“[T]he Obama administration announced today that it would halt deportations of up to 800,000 illegal immigrants who were brought to the country as children.”).

38. See Kuras, *supra* note 18 (“[Many undocumented students] are coming together and ‘coming out’ as undocumented, in an effort to bring attention to their plight and change their future and that of other kids like them.”). See also Rojas, *supra* note 16 (“Beyond the catharsis factor, the [undocumented] students who are coming out still hope that their stories will spur legislative action in their favor.”).

39. See Julio Salgado, *I Exist!*, JULIO SALGADO, <http://juliosalgado83.tumblr.com/post/15803758188/i-am-undocuqueer-is-an-art-project-in> (last visited Oct. 22, 2012).

40. Defense of Marriage Act, Pub. L. No. 104-199, 110 Stat. 2419 (1996) (codified at 1

books, the steady assault being launched against it has begun to change the legal terrain for gay and lesbian immigrants who find themselves in deportation proceedings. In some instances, immigration judges have begun granting discretionary relief to immigrants in same-sex relationships.<sup>41</sup> Recently, Department of Homeland Security Secretary Janet Napolitano declared that the same-sex partners and spouses of U.S. citizens would be eligible for deferred action under the Obama administration's new deportation prioritization scheme.<sup>42</sup> And although the federal government has yet to officially recognize same-sex marriage for immigration purposes, it is under increasing pressure to do so.<sup>43</sup>

Despite the overlapping membership and interests of these two movements, one could hardly imagine—say, a decade ago—that undocumented immigrants would feel comfortable borrowing the tropes of queer activists in their pursuit of greater rights and visibility. The recent adoption of “coming out” by many members of the immigrant rights movement reflects the degree to which the longstanding campaign for LGBT rights has moved into the mainstream of American political and social discourse over the past decade. And that trend, no doubt, has been hastened by *Perry* and the many recent successes in the fight for marriage equality.

*Perry* has seemingly brought an end to the fiery assimilationist debates that characterized queer activism in the 1990s and 2000s. In light of stunning court successes, it has become easy to forget the case *against* marriage—that the movement's dogged focus on marriage equality would stigmatize members of the community who engaged in other types of sexual or romantic relationships, and come at the cost of other legal and economic goals that benefitted the entire community.<sup>44</sup> As full-scale legal and social recognition of same-sex marriage increasingly gains an air of inevitability, there are signs that internal critics were

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U.S.C. § 7 & 28 U.S.C. § 1738C (2006)) (defining marriage as a union of one husband and one wife for purposes of federal statutes).

41. See Paul Wilson Dorman, 25 I.&N. Dec. 485, 485 (Dep't of Homeland Sec. Apr. 26, 2011) (vacating deportation of foreign, same-sex spouse pending determination of “whether, absent the requirements of DOMA, respondent's same-sex marriage would qualify him to be considered a ‘spouse’ under the Immigration and Nationality Act”); Elise Foley, *Same-Sex Couple Wins Immigration Relief, Despite Defense of Marriage Act*, HUFFINGTON POST (Feb. 9, 2012 7:08 PM), [http://www.huffingtonpost.com/2012/02/09/same-sex-immigration-relief\\_n\\_1266829.html](http://www.huffingtonpost.com/2012/02/09/same-sex-immigration-relief_n_1266829.html); Chris Geidner, *DOJ Immigration Board Decisions Suggest Plans For a Post-DOMA America*, METRO WEEKLY (June 19, 2012, 2:55 PM), <http://www.metroweekly.com/poliglot/2012/06/mote-than-a-year-ago.html> (describing several cases in which the Board of Immigration Appeals has delayed deportation for same-sex bi-national couples pending a ruling on Section 3 of DOMA).

42. Julia Preston, *Same-Sex Couples Granted Protection in Deportations*, N.Y. TIMES, Sept. 28, 2012, <http://www.nytimes.com/2012/09/29/us/homeland-security-puts-it-in-writing-on-immigration-policy-and-gay-couples.html> (“[G]ay partners will be considered family members under the prosecutorial discretion policy.”).

43. See Eric Randall, *Obama Is Delaying Immigration Enforcement Against Same-Sex Couples*, THE ATLANTIC WIRE (June 20, 2012), <http://www.theatlanticwire.com/politics/2012/06/now-obama-delaying-immigration-enforcement-against-same-sex-couples/53748>.

44. See generally MICHAEL WARNER, *THE TROUBLE WITH MARRIAGE* (1999).

right. In the same year *Perry* was decided, studies showed that somewhere between 30 and 40 percent of homeless youths in urban centers identify as lesbian, gay, bisexual or transgender.<sup>45</sup> With millions spent to fund marriage litigation, one might wonder why the movement has given the most vulnerable members of the community such sparse attention and resources.

All movements struggle with whether, when, and how much to engage in the “politics of respectability.”<sup>46</sup> Arguably, the gay rights movement has, at least for now, abandoned its former focus on sexual freedom and expression to pursue the goals of marriage equality. However, this does not necessarily spell the end of radical queer politics. By looking at how other movements have interpreted and exploited strategies developed by gay rights activism, we begin to see that the meaning of gay marriage is far more complicated and unpredictable than any litigation strategy. For better or worse, marriage has pushed the rhetoric of the gay rights movement into the mainstream of American politics. This mainstreaming has made gay rights tactics and rhetoric available to other groups, including immigrant rights activists, who can and will use them in novel, and sometimes radical, ways. While the impact of *Perry* (and same-sex marriage generally) is yet unknown, the connection between the gay and immigrant rights movements makes clear that *Perry*’s ultimate legacy will extend far beyond LGBT activism. For those who enter the marriage equality fight with reservations, the Dreamers and the undocuqueer may suggest that the politics of gay rights continue to have radical potential.

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45. Margot Adler, *Young, Gay and Homeless: Fighting for Resources*, NAT’L PUB. RADIO (Nov. 20, 2011, 6:11 AM), <http://www.npr.org/2011/11/20/142364493/young-gay-and-homeless-fighting-for-resources>. In New York City, nearly 4,000 young people are counted among the homeless population each night; many are gay youths, who are more often kicked out of their homes than their straight counterparts, or made to feel so unwelcome that they are forced to leave. *Id.*

46. First coined by Evelyn Brooks Higginbotham, the “politics of respectability” refers to a strategy for minority group advancement that depends upon individuals in that group behaving in a manner acceptable to majoritarian social norms. EVELYN BROOKS HIGGINBOTHAM, *RIGHTEOUS DISCONTENT: THE WOMEN’S MOVEMENT IN THE BLACK BAPTIST CHURCH 1880–1920* (1993).