

Uniting American Families Act Testimony

I am submitting this testimony on behalf of the many New York families that are being hurt by current United States immigration law and do not have the opportunity to testify themselves. First, I want to thank New York Representative Jerrold Nadler for his leadership on this important legislation and for his distinguished service to the people of New York City throughout his career. I also thank Senator Patrick Leahy for his leadership on this legislation in the Senate. Senator Charles Schumer, Senator Kirsten Gillibrand and all the members of New York State's congressional delegation deserve praise for co-sponsoring this legislation.

The principle of "family unification," by which United States citizens are entitled to sponsor immediate family members for legal immigration, is the cornerstone of United States immigration law. While this principle has protected and promoted binational opposite-sex couples and families, the Immigration and Nationality Act fails to recognize the legitimacy and validity of same-sex lesbian, gay, bisexual, or transgender (LGBT) relationships, thus denying equal treatment under the law to over 35,000 same-sex binational couples.

Same-sex binational couples share a bond that is as strong as their opposite-sex couple counterparts. They contribute to their communities, pay taxes and work hard every day. The current Federal policy threatens to upend not only the lives of these couples, but the lives of their children as well, as nearly half (46%) of these same-sex binational couples are raising at least one child in their home.

Same-sex binational couples have established stable homes together, developed joyful loving bonds and, in many cases, raised children together, shared dreams together, celebrated anniversaries together, mourned loss together, and built lives together. However, under existing law, these same-sex binational couples live in constant fear of being deported and losing their families because of their same-sex status. Many of these same-sex couples have been both physically and emotionally torn apart, or have chosen together to leave the United States to avoid their own nation's discriminatory immigration policy.

To put it simply, this cannot remain our policy on immigration. No American citizen or legal permanent resident, regardless of their gender or sexual orientation, should be forced to choose between their loyalty to their families and their loyalty to this country. This policy of forcing citizens and residents to choose is diametrically opposed to American immigration policy's professed reverence of family unification, as well as to the profoundly American principle of equal treatment under the law.

Rather than persisting with such discriminatory behavior, I urge Congress to pass the Uniting American Families Act (H.R. 1024/S.424). The Act, introduced by New York Representative Jerrold Nadler and Vermont Senator Patrick Leahy in the 111th Session of Congress, would give equal consideration to binational families by expanding the Immigration and Nationality Act to define same-sex "permanent partners" as family members, with the same immigration implications as opposite-sex couples. In doing so, the United States would join other leading democracies worldwide, including Australia, Belgium, Canada, Denmark, Finland, France, Iceland, Israel, the Netherlands, Norway,

South Africa, Sweden, and the United Kingdom, that recognize and celebrate same-sex partners' rightful claim to be considered "family" under the law.

As New Yorkers, we rely upon the wisdom of our elected leaders in the United States House of Representatives and Senate to develop and pursue reasoned, fair and just legislation reflecting our ideals. As New Yorkers, American citizens and citizens of the world, we have an unqualified, vested interest in the promotion of human rights. In the words of the Rev. Dr. Martin Luther King Jr., "Where there is injustice for one, there is injustice for all."

In the interest of equality for all our citizens, I ask Congress to uphold the principle of "family unification" by passing the Uniting American Families Act and eliminating the distinction between same-sex and opposite-sex binational families.

Thank you.