



June 1, 2009

U.S. Senate
Washington, DC 20510

RE: Cosponsor S. 424, the Uniting American Families Act

Dear Senator:

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On behalf of the American Civil Liberties Union (ACLU) and its more than half a million members and activists and 53 affiliates nationwide, we urge you to cosponsor S. 424, the Uniting American Families Act (UAFa).

S. 424 Modifies U.S. Immigration Policy to Apply Equal Standards to the Permanent Partners of all Americans

Under the U.S. Immigration and Nationality Act, citizens and permanent legal residents can sponsor their spouses for immigration purposes. However, because same-sex partners of U.S. citizens are not considered “spouses,” gay U.S. citizens and permanent residents are barred from sponsoring their partners. As a result, relationships and families are inevitably torn. The Uniting American Families Act helps to rectify this injustice.

UAFa doesn’t extend special benefits to same-sex partners of citizens and permanent residents; it simply works to provide equal sponsorship protections. If enacted, UAFa would require bi-national same-sex couples to meet the same standards as opposite-sex couples. For example, same-sex couples would be required to produce evidence of their relationship, such as affidavits from friends or family, and evidence of financial interdependence. As with opposite-sex couples, occurrences of fraud would carry harsh punishments, such as up to five years in prison and up to \$250,000 in fines.

Furthermore, under UAFa, a permanent partner is defined as any individual 18 or older who is:

- In an intimate relationship in which both parties intend a lifelong commitment
- Financially interdependent with the other party in that relationship
- Not in a permanent partnership with anyone other than that second party
- Unable to be married to that other party under the Immigration and Nationality Act

UAFA Bolsters the Principle of Family Unification That Is Central to U.S. Immigration Law

Around 75% of the one million green cards and visas issued each year go to the families of U.S. citizens and permanent residents. However, U.S. Citizenship and Immigration Services' current definition of family excludes same-sex couples. As a result, U.S. citizens are sometimes forced to flee with their partners to countries with more equitable immigration laws, taking their skills and their contributions to the economy with them. UAFA will protect unification rights for all families and ensure that Americans are able to stay here to the full benefit of our economy and society.

The U.S. Lags Behind Other Democracies in Extending Fair Treatment in Immigration Policies to Gay Couples

A growing list of countries allow their gay and lesbian citizens to sponsor their partners to become permanent residents, including Australia, Belgium, Brazil, Canada, Denmark, Czech Republic, Denmark, Finland, France, Germany, Iceland, Israel, Netherlands, New Zealand, Norway, South Africa, Spain, Sweden, and the United Kingdom.

For these reasons, the ACLU strongly urges you to cosponsor S. 424, the Uniting American Families Act. If you have any questions, please do not hesitate to contact Joanne Lin, Legislative Counsel, at (202) 675-2317 or jlin@dcalu.org, or Christopher Anders, Senior Legislative Counsel, at (202) 675-2308 or canders@dcacclu.org.

Sincerely,



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