Legislation Details (With Text)

File #:	Res 2172-2009	**Version:**	*	**Name:**	Uniting American Families Act of 2009 (H.R.1024 / S. 424)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Immigration
On agenda:	9/17/2009				
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Title: Resolution calling upon the United States Congress to pass the Uniting American Families Act of 2009 (H.R.1024/S. 424) or other legislation which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign-born partners for lawful permanent resident status in a manner consistent with the legal requirements and rights currently enjoyed by opposite-sex couples.

Sponsors:

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript, 3. Hearing Testimony, 4. Hearing Transcript - Stated Meeting 9/30/09

Date	Ver.	Action By	Action	Result
9/17/2009	*	City Council	Introduced by Council	
9/17/2009	*	City Council	Referred to Comm by Council	
9/29/2009	*	Committee on Civil Rights	Hearing Held by Committee	
9/29/2009	*	Committee on Civil Rights	Approved by Committee	
9/29/2009	*	Committee on Immigration	Hearing Held by Committee	
9/29/2009	*	Committee on Immigration	Approved by Committee	Pass
9/30/2009	*	City Council	Approved, by Council	Pass

Res. No. 2172

Resolution calling upon the United States Congress to pass the Uniting American Families Act of 2009 (H.R.1024/S. 424) or other legislation which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign-born partners for lawful permanent resident status in a manner consistent with the legal requirements and rights currently enjoyed by opposite-sex couples.

By Council Members Stewart, The Speaker (Council Member Quinn) and Council Members Arroyo, Jackson, Palma, Barron, Brewer, Dickens, Ferreras, Fidler, Foster, Koppell, Seabrook, Weprin, Gerson, Avella, Mark-Viverito, Nelson and Mendez

Whereas, The principle of "family unification," by which United States citizens are entitled to sponsor immediate family members for legal immigration, is purported to be the sacred cornerstone of United States immigration law, intended to protect and promote the sanctity of family; and

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Whereas, Current United States immigration law grants married opposite-sex partners full consideration and highest priority for the foreign partner's permanent resident status but does not recognize the legitimacy or validity of same-sex lesbian, gay, bisexual, or transgender (LGBT) relationships; and

Whereas, As of the 2000 United States Census, there were 35,820 same-sex, binational couples in the United States whose relationships were not recognized under United States immigration law; and

Whereas, These couples have often established stable homes together, developed joyful loving bonds and, in many cases raised children together, shared dreams together, celebrated anniversaries together, mourned losses together, built lives together, and created in every way a family; and

Whereas, Regardless of length of cohabitation, of investment in their communities, of state-sanctioned domestic partnership, civil union, or marriage, these couples are not a "family" by United States immigration law definition; and

Whereas, These couples live each day in a chronic state of fear, facing the constant specter of eventual deportation and decimation of their cherished family unit because their same-sex status denies them protections under immigration law; and

Whereas, Many such couples, because of their same-sex partnership, have been both physically and emotionally torn apart, or have chosen to leave the United States as a family in order to avoid their own nation's discriminatory immigration policy; and

Whereas, Forcing American citizens and legal permanent residents to make inhuman choices such as deserting their own homeland, families and friends is contrary to American immigration policy's professed reverence of family unification, as well as the profoundly American principle of equal treatment under the law; and

Whereas, During a September 2006 New York City Council hearing on the Uniting American Families Act, there was testimony from Ms. Asimoula Marresia, a first-generation American and New Yorker who had been in a 10-year relationship with her Spanish partner; and

Whereas, At the time of the hearing, Ms. Marresia stated that she had already left her job as a New York City public school teacher and was planning to leave the United States, because she did not feel wanted, so that she could move to Spain in order to be with her partner; and

Whereas, Ron Gold, a 79 year-old New Yorker, has been in a relationship for over 12 years with his partner, Ali, a native of Bangladesh, but has never been able to share a home in New York City with Ali because of current immigration laws; and

Whereas, Rather than persisting with such discriminatory behavior, the United States should further the international pursuit of human rights, joining with the progressive policies of leading democracies worldwide, including Australia, Belgium, Brazil, Canada, Denmark, Finland, France, Germany, Iceland, Israel, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Switzerland and the United Kingdom, all of which recognize and celebrate same-sex partners' rightful claim to be considered "family" in terms of legal immigration; and

Whereas, In order to eliminate discrimination in immigration, New York Representative Jerrold Nadler and Vermont Senator Patrick Leahy have introduced the Uniting American Families Act (H.R.1024/S.424) in the 111th Congress; and

Whereas, If enacted, the Uniting American Families Act would expand the Immigration and Nationality Act to define a "permanent partner" in such a way that includes same-sex couples and would allow them protections under the Immigration and Nationality Act (INA) as provided to married opposite sex couples; and

Whereas, In order to qualify as a "permanent partner" under the Uniting American Families Act, an individual 18 years of age or older must establish (i) that he or she is in a committed, intimate relationship with another adult in which both parties intend a life long commitment; (ii) that there is financial interdependence, (iii) that neither party is married or in a permanent partnership with another person, and (iv) that he or she is unable to enter in a marriage in a manner that is recognized under the INA; and

Whereas, New Yorkers rely upon the wisdom of their elected legislators in the United States House of

Representatives and Senate to develop and pursue reasoned, fair, and just legislation reflecting our ideals as New Yorkers, as American citizens, and as citizens of the world with an unqualified, vested interest in the promotion of human rights; and

Whereas, In the words of the Rev. Dr. Martin Luther King Jr., “Where there is injustice for one, there is injustice for all;” now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass the Uniting American Families Act of 2009 (H.R.1024/S. 424) or other legislation which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign-born partners for lawful permanent resident status in a manner consistent with the legal requirements and rights currently enjoyed by opposite-sex couples.

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