

# Immigration Reform Must Heed LGBTIQ Voices

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Immigrants from around the world come to the United States in search of a better life and a stronger future, often sacrificing much for both themselves and their families. Within the South Asian community, we intimately know the toll it takes on some immigrant workers to leave families behind for long periods of time and wait to be reunited due to severe visa backlogs and processing delays. South Asians do not come here just to be workers – we also seek to build homes and communities in this country. Yet, the current immigration system tears families apart, forcing many to choose between being with loved ones and contributing to the economy and diversity of this country.

Now, consider the story of Amin. He arrived from the United Kingdom on an H-1B visa and worked hard while in the U.S. But every night, he would come home to an empty apartment and feel the absence of his partner of over 10 years. His sense of separation was the same as that of South Asian green card holders who have to wait five years to bring their spouses to the United States. The only difference is that, for Amin, he would never be reunited with his life partner, Subhash, in this country, because they are in a same-sex relationship and, thus, ineligible for sponsorship under current immigration law. Forced with making a difficult decision between working here and being with his partner, Amin chose to return to the U.K. And he was actually one of the lucky ones, because unlike many South Asians who are compelled to go back to India, Pakistan or Sri Lanka, where homosexuality

country, and their partners cannot sponsor them for family-based immigration. All too often, when it comes to immigration, the needs of LGBTIQ families are ignored. This second-class citizenship is not just a minor inconvenience, but a life-altering situation for

would be the same.

Being intimately familiar with the obstacles of current immigration law, South Asian families understand the importance of immigration reform. Yet we can do more to recognize the similar struggles that LGBTIQ South



Pride Day activities that took place in Los Angeles last year. (Satrang photo)

loving couples who suffer great pains just to be together.

Clearly, immigration reform must address various issues, including visa backlogs, detention, deportation and worker exploitation. Any solution should also allow LGBTIQ bi-national couples, torn apart by inequitable immigration laws, to be reunited. Policies can be changed to permit U.S. citizens and green card holders to sponsor their "permanent partners" who live abroad. In fact, such a legislative fix exists in both the Uniting American Families Act, sponsored by Congressman Jerrold Nadler of New York, and the Reuniting Families Act, sponsored by Congressman Michael Honda of California. As South Asian community members mobilize for just and humane immigration reform from Congress

Asian families confront. In addition, the LGBTIQ community can also build bridges with those fighting for immigrant rights. As the story of Amin and Subhash highlights, our communities and challenges are interconnected. Through the National Coalition of South Asian Organization's One Community United immigration and civil rights campaign, national organizations such as South Asian Americans Leading Together and local LGBTIQ organizations such as Satrang in Southern California are raising awareness and advocating around such shared challenges. Rather than seeing the immigration reform and LGBTIQ rights as separate movements, we need support from each other in seeking family unity.

As civil rights struggles in South Asia and the United States teach us, laws can change with the times. Through mobilization of immigrant communities, policies can become more fair and humane. Working towards ending discrimination under immigration law for LGBTIQ families provides us with a golden opportunity to push for reforms that benefit all of our communities and elevate diverse South Asian voices. By joining the One Community United campaign, South Asian community members can let policymakers know how our struggles are connected and how laws need to change. It is when we stand together against discrimination that we will have equality and justice for all.

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is criminalized, he could return to a country where his relationship could enjoy relative safety.

The stories of Amin and Subhash and the difficult choices they had to make are shared by thousands of committed lesbian, gay, bisexual, intersex, and queer bi-national couples, including 36,000 same-sex partners who are separated because of this country's immigration policies. Under current laws, U.S. citizens and green card holders may sponsor family members for immigration purposes. However, LGBTIQ partners of U.S. citizens and green card holders are not considered "spouses," even if they are legally married in the U.S. or another

this year, it is important that such provisions be included in the debate.

Critics may argue that there is a potential for fraud. However, as married South Asians know, the government has set high standards for evaluating each marriage's authenticity. Under proposed bills allowing permanent partner sponsorship, immigration authorities would enforce the same standards of evidence currently applicable to heterosexual marriages, such as proof of emotional commitment, joint finances and rigorous interviews. In addition, penalties that currently exist for fraudulent marriages for immigration purposes