



KNOW YOUR RIGHTS

Immigration

Can you sponsor your same-sex partner to immigrate to the U.S.?

The U.S. Immigration law does not provide for lesbians and gays to sponsor their foreign national partners to immigrate to the U.S. The federal law (Defense of Marriage Act) defines marriage as “a legal union between one man and one woman as husband and wife” and defines spouse as “a person of the opposite sex who is a husband or wife.” This means that even if a couple is legally married in Massachusetts, Canada or any other foreign jurisdiction recognizing same-sex marriage, a lesbian or gay person cannot sponsor her/his spouse for permanent U.S. residency.

Is there a chance for the same-sex partner immigration in the future?

The Permanent Partners Immigration Act (PPIA) was introduced in the Congress in 2003 to amend the Immigration and Nationality Act to provide a mechanism for United States citizens and lawful permanent residents to sponsor their same-sex permanent partners for residence in the United States. The Act proposes to insert the terms “permanent partner” and “permanent partnership” where necessary in order to allow same-sex permanent partner immigration. The Act defines these terms as follows:

- The term ‘permanent partner’ means an individual 18 years of age or older who-
 - is in a committed, intimate relationship with another individual 18 years of age or older in which both parties intend a lifelong commitment;
 - is financially interdependent with that other individual;
 - is not married to or in a permanent partnership with anyone other than that other individual;
 - is unable to contract with that other individual a marriage cognizable under this Act; and
 - is not a first, second, or third degree blood relation of that other individual.
- The term ‘permanent partnership’ means the relationship that exists between two permanent partners.



What can I do to help pass Permanent Partners Immigration Act?

Urge your Congress Representative to co-sponsor the bill. You can check the status and sponsors of the bill at:

In the House (H.R. 832): <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.00832>:

In the Senate (S 1510): <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:s.01510>:

For more information contact Immigration Equality at:
<http://www.immigrationequality.org/> or call (212) 714-2904.