

Protecting LGBT Civil Rights in Comprehensive Immigration Reform

WHEREAS, President Obama supports recognizing of same-sex unions in immigration reform legislation and offering additional critical protections to the civil rights of members of the LGBT community; and

WHEREAS, the California Democratic Party, in its proud historical tradition of defending the civil rights of all, supports immigration reform with “a clear pathway to earn citizenship free of unnecessary or burdensome roadblocks” and recognizes that immigration to the U.S. “can be inaccessible and burdensome to [many including] families of same-sex marriages and same-sex couples”; and

WHEREAS, undocumented LGBT immigrants living in or seeking to emigrate to the United States face extraordinary social and legal problems, including discrimination here and in their countries of origin and high rates of bullying, harassment, family abandonment, homelessness, employment discrimination, victimization by crime, and suicide; therefore,

BE IT RESOLVED that the Democratic Party of Orange County (‘DPOC’) [*substitute ‘CDP’ after adoption*] supports incorporating in immigration reform legislation measures to protect the LGBT community from further discrimination, which include: (a) passing the United American Families Act to allow LGBT citizens to help their partners adjust their immigration status and gain legal residency; [*(b) eliminating of the requirement that those who apply for asylum based on their sexual orientation and gender identity must do so within one year of entry into the U.S.*]; (c) recognizing the preferred gender identity of transgender individuals in their new immigration documents; (d) protecting LGBT immigrants in detention from harassment and discrimination; (e) clarifying eligibility criteria and expanding the availability of U-visas for victims of harassment and violence due to sexual orientation and/or gender identity that were established in the re-authorized Violence Against Women Act; (f) allowing LGBT immigrants who have been abandoned by relatives or other potential visa sponsors to self-petition; (g) covering all former undocumented immigrants in public healthcare programs after they apply for temporary or permanent legalized status; (h) suspending, where adjustment of immigration status requires a certain length of work, such requirements for periods during which applicants may be unemployed due to discrimination prohibited by law, or based on LGBT status even where not prohibited by law, or high general unemployment (as may be defined by law); and (i) prohibiting, to the extent that federal authority or conditioned grants permit, state and local agencies from placing homeless children in foster care if otherwise qualified relatives are available to care for them but are disqualified solely based on their immigration status; and

BE IT FURTHER RESOLVED that DPOC [*substitute ‘CDP’ after adoption*] urges all Orange County [*delete OC after adoption*] federal legislators to support including in the Immigration Reform Act provisions addressing the realities of LGBT people, as stated above and urges other state legislators and local officials to adopt similar resolutions in a further effort to bring about these crucial reforms.

Submitted by DPOC Vice-Chair Gloria Alvarado

with appreciation for help from the OC Dream Team and CDP Executive Board Member Claudia Brena