

# Immigration

## WHAT YOU CAN DO

Do your senators & representative support the Uniting American Families Act? [Click here for a list of co-sponsors: Senate | House](#)

If they do, write or call to ask them to make sure it move ahead. If they don't, write or call to ask them to support it. Find their contact information [here](#).

The Alternatives to Marriage Project supports efforts, such as the Uniting American Families Act (S. 1278 , H.R. 3006 ) to make immigration policies fair to families that aren't based on a marital relationship. U.S. immigration actions already recognize that marriage or the intent to marry does not guarantee a genuine family relationship, and that growing numbers of genuine family relationships are not based on marriage. We urge the U.S. and all national governments to amend their policies to eliminate marital status discrimination in the family reunification provisions of immigration law.

### Background:

Immigration law in many countries, including the United States, gives priority to family reunification, enabling close family members (and often more distant family members) a route to immigration based on their family relationship with an existing citizen or resident. Although marriage is often privileged as an indicator of family relationship, it is rarely treated as a guarantor of a genuine family relationship. Married couples, or couples seeking immigration with the intention to marry, are required to provide additional proof of the genuine nature of their relationship through documentation, affidavits sworn by persons known to each individual, photographs, and even interviews with immigration officials. The possibility that a marriage might not be genuine is so well known that "green card" marriages have been the topic of films, books and other popular cultural narratives.

The Alternatives to Marriage Project believes family is defined by emotional and practical ties that may include shared residence, financial interdependence, emotional and physical care for member of the family, and the like. We thus agree that family is an important part, even a "building block," of wider social and community relations. However, it is our position that families do not necessarily involve a married couple. The ability to enter into and protect mutual activities, including the purchasing property, sharing income, providing health care, etc., should be protected regardless of marital status.

Therefore, we see the Uniting American Families Act (S. 1278 , H.R. 3006), as an important step towards making the process fair to families that aren't based on a marital relationship.

We agree with the authors of the joint report of Human Rights Watch and Immigration Equality, "Family, Unvalued: Discrimination, Denial, and the Fate of Binational Same-Sex Couples under U.S. Law" that recognition of non-marital family relationships would likely reduce fraud by removing a major incentive for individuals to enter into sham marriages for purposes of immigration.

Although the Human Rights Watch report focuses on same-sex couples, many of the issues raised also apply to other unmarried people. According to the report, policies in many other countries recognize that the valuable aspects of family are long-term commitment, co-residence, financial interdependence, and emotional connections. Most of these retain a privileging of conjugal relationships though family reunification provisions in immigration policy usually also contain provisions for non-conjugal family relationships, including the adult children of citizens/residents, the parents of adult citizens/residents, cousins, aunts and uncles, etc.

In an increasingly globalized economy, opportunities to meet potential partners in another country and opportunities (or requirements) to travel to other countries for work are increasing. AtMP takes the position that governments should recognize that their actual immigration actions are based on the fact that marriage or the intent to marry is not a guarantor of a genuine family relationship, and that growing numbers of genuine family relationships are not based on marriage. We urge governments to amend their laws and policy statements to eliminate marital status discrimination in the family reunification provisions.

Because the purpose of immigration policy is to be selective about who is admitted to the country, and thus to exclude some people from admittance, immigration procedures will always be onerous. However, a policy based on existing evidential requirements — for example, proof of co-residence, proof of enduring nature of the relationship, proof that the relationship is known and recognized by others in the community, proof of financial interdependence, etc. — would meet the policy goals of family reunification, reduce immigration fraud, and end discrimination in this important area of public policy.

See also:

- Immigration Resources
- Immigration and Family Diversity