



OUT4IMMIGRATION

United by Love, Divided by Law

Shirley Tan and Family to March with Out4Immigration at San Francisco Pride 2009

Pacifica family and Out4Immigration seek equal immigration rights for LGBT families and passage of the Uniting American Families Act (UFAA)

*By Marina DiCerbo
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Media Contacts:

Kathy Drasky, Out4Immigration, 415-606-2085, Kathy@out4immigration.org

San Francisco, CA—June 23, 2009—Shirley Tan, her partner Jay Mercado, and their two children will join Out4Immigration—the all volunteer, grassroots advocate for same-sex binational couples and their families—at the San Francisco 2009 Pride Parade on Sunday, June 28th. Together, they will be marching for equal immigration rights for same-sex binational couples to remain together in the U.S. by urging Congress to pass the Uniting American Families Act (UFAA).

“We are proud that Shirley, Jay and their two sons are joining us in the San Francisco Pride Parade. This family’s struggle in the U.S. immigration system is one so many same-sex binational families face. It is unconscionable that Americans are still denied the right to sponsor their same gender partner for immigration,” said Belinda Ryan, co-founder and president of Out4Immigration.

Shirley Tan, a mother and housewife from Pacifica, California turned courageous activist, came to the U.S. from the Philippines 23 years ago. Living with her partner, Jay Mercado, a U.S. permanent resident and their 12-year-old twin sons, Jorriene and Jashley, both American citizens, the family’s private life came to an abrupt halt when earlier this year, U.S. Immigration and Customs Enforcement (ICE) agents showed up at their door with a deportation order for Shirley. A legal error by a former attorney had led Shirley to believe that she was in the U.S. legally. Detained and handcuffed like a criminal, Shirley was about to be deported, to be torn away from her beloved family, when a unique Private Bill (#867) was introduced by Senator Diane Feinstein that stayed her deportation until the end of 2010.

“Shirley and Jay, like tens of thousands of other LGBT binational couples, remain at risk until legislation such as The Uniting American Families Act is passed to ensure LGBT

immigration equality,” said Melanie Nathan of Private Courts, now representing Shirley Tan. “Shirley, her family and I will be riding alongside Out4Immigration to elucidate the plight of all who suffer immigration inequality.”

Shirley Tan delivered compelling testimony for the need to pass the UAFA earlier this month at a Senate Judiciary Committee hearing chaired by Senator Patrick Leahy, the bill’s sponsor in the Senate. Her story moved many to tears, including her son, and illustrated in real time the impact unfair U.S. immigration laws have on LGBT families.

“It is abhorrent that our families are treated as “legal strangers” in the eyes of U.S. immigration law. Devoted families who have been in strong committed relationships for years are torn apart or forced to live abroad, effectively exiled from the U.S. because present immigration law does not recognize their relationship. It is time our politicians stood up for what is fair and just and passed the UAFA,” added Out4Immigration’s Ryan.

The Uniting American Families Act (UAFA), re-introduced in February 2009 by Rep. Jerrold Nadler (D-NY) and Sen. Patrick Leahy (D-VT) would add the words “or permanent partner” to existing immigration law wherever the word “spouse” appears. This legislation would give gay and lesbian Americans and permanent residents the same rights to sponsor a foreign partner for U.S. residency that is currently only afforded heterosexuals in binational relationships. According to a 2006 report by the Human Rights Watch, there are approximately 36,000 same-sex binational couples living in the U.S. or in exile who would benefit from this legislation.

For more information:

Deportation on Hold for Lesbian Mom: http://www.pacifictribune.com/news/ci_12256112

UAFA Senate Hearings (6/3/09) – Shirley Tan Testimony:

<http://www.youtube.com/watch?v=9cTojNqjnP4>

Out4Immigration: <http://www.out4immigration.org>

The Uniting American Families Act (H.R. 1024): <http://thomas.loc.gov/cgi-bin/bdquery/z?d111:HR01024:@@@P>

The Uniting American Families Act (S.424): <http://thomas.loc.gov/cgi-bin/bdquery/z?d111:SN0424>:

Human Rights Watch Report: Family Unvalued: Discrimination, Denial, and the Fate of Binational Same-Sex Couples under US Law:

<http://www.hrw.org/en/reports/2006/05/01/family-unvalued>

Out4Immigration is a national grassroots organization dedicated to raising awareness about the discrimination same-sex binational couples face under current US immigration law and the difficulties they encounter in keeping their families together legally in this country. For more information, visit www.out4immigration.org.