

October 22, 2021

Vice President Kamala Harris  
The White House  
Office of the Vice President  
1600 Pennsylvania Avenue NW  
Washington, DC 20050

Dear Vice President Harris:

Right now, you have the power to help pass historic legislation that creates a pathway to citizenship for millions of immigrants in the United States, many of whom identify as lesbian, gay, bisexual, transgender, and queer (LGBTQ).

We write to you as organizations that have worked tirelessly to support our LGBTQ immigrant communities and fully understand that granting a pathway to citizenship for all undocumented immigrants is an LGBTQ issue.

All immigrants, especially those who are Black, Indigenous and people of color (BIPOC), and LGBTQ people, have faced increased forms of individual and institutional violence in the past few years. There are almost 300,000 undocumented LGBTQ immigrants that live and work in the US and within those 300,000 people, [an estimated 15,000 and 50,000 undocumented LGBTQ immigrants are transgender](#). According to the UCLA Willaims Institute, this number may actually be higher because many transgender people may be reluctant to identify themselves as transgender for a number of reasons.

We also know that more than [one in 10 \(13.6%\) undocumented LGBT adults are Asian or Pacific Islander and that three-quarters \(75.7%\) of undocumented LGBT adults are Latino/a/x/e](#). Although we do not have verified statistics for Black African LGBTQ undocumented immigrants, we know these folks also exist as seen through the community organizing efforts led by Black groups, like [the UndocuBlack Network, in support of Black LGBTQ undocumented immigrants](#). For LGBTQ Asian Pacific Islanders (API) and other LGBT BIPOC, being undocumented significantly compounds one's susceptibility to harm.

For example, there are an estimated [81,000 undocumented young people](#) that identify as LGBTQ whose deportation to countries of origin could be devastating. These groups not only live with the continuous threat of being "outed" as LGBTQ by their peers, but also with the threat of being denied basic rights and being deported, ultimately increasing vulnerability ranging from wage theft, to sexual violence, to overwhelming emotional and psychological stress due to their sexual orientation and/or gender identity.

Furthermore, undocumented LGBTQ immigrants often come from countries with severely repressive anti-LGBTQ laws and sociopolitical climates.  $\frac{1}{3}$  of countries continue to observe

discriminatory laws that continue to harm, criminalize, and murder LGBTQ people on the basis of their sexual orientation, and gender identity. Undocumented LGBTQ immigrants have repeatedly had their hopes of securing basic safety and security through citizenship in the United States dashed by the opposition of xenophobic and anti-LGBTQ policymakers.

For these reasons, the struggle for the LGBT community extends into the fight for a pathway to citizenship and we must guarantee a pathway to citizenship as soon as possible and by any means necessary.

This is why we urge you, Vice President Kamala Harris, to use your authority as the Presiding Officer of the Senate and disregard the Parliamentarian's arbitrary advice. The Senate Parliamentarian's advisory opinion was riddled with flawed reasoning and consideration of irrelevant factors that "[made it abundantly clear how eager she was to get to 'no,' despite ample precedent and a strong rationale that would allow for the immigration proposal to be included in a reconciliation bill.](#)" Not only does a pathway to citizenship satisfy the "Byrd Rule," but it is a "[perfect fit for reconciliation.](#)"

Despite the repeated, unfortunate and misguided advice of the Senate Parliamentarian on this question, as the Presiding Officer of the Senate it is ultimately up to you to decide whether to take action to make a pathway to citizenship possible.

You are legally authorized to reach a conclusion independent from the Senate Parliamentarian's erroneous advisory opinion, and to clear the path for Democrats to finally deliver on the promise of legalization. This is a crucial moment, where millions of immigrants living in the United States are relying on you to take a major step towards reforming our broken immigration system, lifting the constant fear of deportation for them and their family members and finally offering them an opportunity to fully integrate into our society.

As you once eloquently stated, "[we must recommit ourselves to doing everything in our power to protect the community from discrimination and harm and deliver full and equal rights to LGBTQ+ Americans](#)" and "[make sure that our transgender community and our youth are all protected.](#)" This is true more now than ever. The LGBTQ immigrant community as a whole, but especially undocumented young people and the transgender immigrant community need to see that their full rights as people are protected. And given that the month of October is LGBT History Month, it would be especially powerful for LGBTQ immigrants to receive a pathway to citizenship this month.

Sincerely,

National Queer Asian Pacific Islander Alliance (NQAPIA)  
API Equality-LA  
Asian American Women's Political Initiative  
Bend the Arc: Jewish Action  
Bend the Arc: Jewish Action Cincinnati

Black Queer and Intersectional Collective  
Black Queer & Intersectional Collective (BQIC)  
Blasian March  
Caribbean Equality Project  
Colors+  
Desi Rainbow Parents & Allies  
Diversity Collective Ventura County  
Familia: Trans Queer Liberation Movement  
GAPIMNY  
Global Cleveland  
Hudson Pride Center  
InterReligious Task Force on Central America and Colombia  
Kamayan Coalition  
KhushDC  
KOREAN AMERICAN RAINBOW PARENTS  
KQT DC  
National Korean American Service & Education Consortium (NAKASEC)  
National LGBTQ Task Force Action Fund  
OPAWL - Building AAPI Feminist Leadership  
PFLAG National  
Q-Wave  
Queer Detainee Empowerment Project  
Sacramento LGBT Community Center  
Somos Familia Valle  
Southern Arizona AIDS Foundation  
The Buckeye Flame  
The Human Rights Alliance  
The LGBTQ Community Center of the Desert  
The Liam Foundation  
The Source LGBT+ Center  
The Welcome Project PA  
UndocuBlack Network  
United We Dream  
Waves Ahead Puerto Rico  
We Are Family  
Zora's House