



May 8th, 2013

The Honorable Patrick Leahy
437 Russell Senate Building
Washington, DC 20510

Dear Senator Leahy,

We, the undersigned, represent individuals and organizations that serve and advocate for people at risk and living with HIV and AIDS. Together we are expressing our support for addressing the immigration system in this country. The introduction of the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013 marks the first step to reforming our broken immigration system. We recognize the leadership of the Gang of 8 Senators that developed this legislation, and urge Congress to pass legislation that modernizes immigration policy and promotes the dignity and humanity of all immigrants.

As this bill is discussed in the Judiciary committee, we urge you to consider the following:

1. Health Care Access

On January 1st, 2014, the Patient Protection and Affordable Care Act (ACA) will be fully implemented, giving unprecedented access to health care for millions of Americans who previously were underinsured, uninsured, or were unable to afford quality health insurance. Unfortunately, the ACA does not extend these benefits to undocumented immigrants, and, under the proposed legislation, undocumented immigrants who apply to become Registered Provisional Immigrants would have to wait 13 to 15 years for access to affordable health insurance options. Excluding millions of people from the benefits of the ACA not only makes no fiscal sense. It denies people life-saving health care. We urge you to support an amendment that would allow Registered Provisional Immigrants to access federal benefits provided by the ACA, including but not limited to full participation in the Health Insurance Exchange programs in all 50 states and US territories.

2. Economic Challenges for HIV Positive Immigrants

In addition to the lack of health care access, the proposed immigration reform bill presents many challenges to immigrants who are living with HIV. People living with HIV face additional barriers, stigma, and discrimination to income and employment that can affect their economic status as well as that of their families. The proposed restriction that excludes immigrants from applying for citizenship that have been unemployed for more than 60 days while in RPI status and who did not maintain an average yearly income 25% above the national poverty line will disproportionately impact immigrants living with HIV. From a public health perspective, this could destabilize the lives of HIV positive immigrants and impact their health outcomes or

jeopardize their pathway to citizenship. We urge you to reconsider the income and employment eligibility requirements for Registered Provisional Immigrants to reflect a greater understanding of the realities of HIV positive immigrants.

3. Family Unification for Same-Sex Couples

Federal recognition of same-sex couples has swelled in the last few years, and we are on the verge of a historic decision by the U.S. Supreme Court that may result in the overturning of the Defense of Marriage Act. The exclusion of the ability of gay American citizens from sponsoring their foreign-born partners for green cards stunts the progress that the United States has made in promoting LGBT equality. We urge you to support same-sex families by including the Uniting American Families Act into the proposed immigration reform bill.

We believe that including these issues is critical to modernizing U.S. immigration policy and aligning it with progress on domestic policy. Now is the time to promote sensible reforms that will establish an immigration system that promotes respect, dignity, and the rights of all people.

Respectfully,

Cc:

Senator Diane Feinstein
Senator Jeff Flake
Senator Chuck Schumer
Senator Ted Cruz
Senator Dick Durbin
Senator Michael Lee
Senator Sheldon Whitehouse
Senator John Cornyn
Senator Amy Klobuchar
Senator Lindsey Graham
Senator Al Franken
Senator Jeff Sessions
Senator Christopher Coons
Senator Orrin Hatch
Senator Richard Blumenthal
Senator Chuck Grassley
Senator Mazie Hirono