

## Statement of Support for Preservation of Family Preference Visa Categories and Reduction of Family-Based Immigration Visa Backlogs

Endorsed by NAPABA

April 2012

**WHEREAS**, the Immigration and Nationality Act (INA) divides family members eligible for sponsorship into two categories, immediate relatives and family preference. “Immediate relatives” are the spouses, unmarried minor children and parents of U.S. citizens. Relatives in the “family preference” category are the unmarried or married adult children of citizens, spouses and minor children of legal permanent residents, or the siblings of citizens;

**WHEREAS**, the INA sets no limit on the number of immigrant visas allotted for immediate relatives, but strictly limits the entrance of family members through the family preference system; the annual ceiling for all family-based immigration is 480,000 individuals per year and there is a per-country limit of 7% of the total annual family-based preference limits;

**WHEREAS**, the annual and per-country limits on family-based immigrants have resulted in substantial backlogs in the family preference categories, with particularly lengthy backlogs for immigrants from the Philippines, China, and India;

**WHEREAS**, more than four million of the over eight million individuals in the backlog are relatives of Asian Pacific Americans, whose families are disrupted and kept apart for many years or even decades;

**WHEREAS**, the current backlog for immigrants from the Philippines means that many elderly Filipino World War II veterans residing in the U.S. are unable to bring their children, who may be needed to provide much-needed care and assistance, to this country in a reasonable time;

**WHEREAS**, family-based immigration enhances an individual’s ability to integrate, contribute, and thrive in the U.S.;

**WHEREAS**, the current system that continues to keep hardworking Americans divided from their loved ones for many years is unfair and does not advance the best interest of the United States; and

**WHEREAS**, this system harms immigrant families and communities, as well as America generally.

THEREFORE BE IT RESOLVED, that NAPABA

1. Urges Congress to immediately reclassify the spouses and minor children of legal permanent residents as "immediate relatives" to enable these family members to be quickly reunited with their loved ones in the United States.
2. Urges Congress to promote family unity as a priority of U.S. immigration law and policy by clearing out bureaucratic backlogs for family-based immigration visas and facilitating the timely reunification of immigrant families.
3. Urges Congress to provide adequate numbers of family-based visas per year, update family preference categories, raise per country limits, and remove bars to reentry and adjustment of status so immigrants can reunite with the family members and loved ones in the U.S.
4. Urges Congress to eliminate discrimination in immigration law by allowing U.S. citizens and permanent residents to sponsor their same-sex, foreign-born partners for immigration purposes.
5. Urges Congress to honor the sacrifices of Filipino World War II veterans who served and defended the U.S. in a time of war by exempting the children of Filipino World War II veterans who are U.S. citizens from the annual family-based immigration quotas.
6. Authorizes its President, officers, and staff to communicate the content of this resolution to other diverse bar associations, members of the House of Representatives, members of the U.S. Senate, the press, and to others the NAPABA Board deems suitable to receive the information.

I, the elected president of the National Asian Pacific American Bar Association, hereby certify that this resolution was enacted by NAPABA on April 18, 2012.

A handwritten signature in black ink, appearing to read "Nimesh M. Patel", with a long horizontal flourish extending to the right.

Nimesh M. Patel  
President