A TIMELINE OF QUEER MIGRATIONS

1492 — The "Discovery" of America
October 12, 1492 Christopher Columbus "discovered" America.

1798 — Alien and Sedition Acts signed into law
The Alien and Sedition Acts consisted of four laws that increased the residency requirement for U.S. citizenship from five to fourteen years, authorized the President to imprison or deport aliens considered "dangerous to the peace and safety of the United States" and restricted speech critical of the government.

1857 — Dred Scott decision
Supreme Court's Dred Scott outcome claims Black people are not U.S. citizens.

1867 — Karl-Heinrich Ulrichs
On August 29, 1867, Karl-Heinrich Ulrichs became the first self-proclaimed homosexual to speak out publicly for homosexual rights when he pleaded at the Congress of German Jurists in Munich for a resolution urging the repeal of anti-homosexual laws.

1875 — Page Law Passes
In 1875, Congress passed the Page Law, the first immigration law that prohibited immigrants considered to be undesirable, including convicts, contract laborers, and specifically Asian women thought to be prostitutes, to enter the country.

1882 — Chinese Exclusion Act
The U.S. suspends Chinese immigration, a ban that was intended to last 10 years, but was repealed by the Magnuson Act on December 17, 1943.

1882 — The Immigration Act
The first comprehensive federal immigration law called for the return of convicts, idiots, lunatics, and persons unable to care for themselves to their countries of origin. The new federal system was funded by a tax of fifty cents on each immigrant.

1891 — The Immigration Act Amended
The 1891 Immigration Act amended the 1882 act to also exclude immigrants considered to be polygamists, to have contagious diseases, and those "likely to become a public charge." A congressional report at the time found "at least 50 percent of the criminals, insane and paupers of our largest cities ... are of foreign birth."

1910 — Emma Goldman
Political activist Emma Goldman first began speaking publicly in favor of gay rights.

1917 — Immigration Act of 1917
In 1917, U.S. Congress passed the Immigration Act of 1917, which required all immigrants to pass a literacy test. It also banned psychopaths, inferiors, and "people with abnormal sexual instincts" from coming to the United States. Lesbian and gay immigrants were officially excluded from coming to the U.S. until 1990.

1924 — National Origins Act
The Immigration Act of 1924 limited the number of immigrants allowed entry into the United States through a national origins quota. The Act excluded from entry anyone born in a geographically defined "Asiatic Barred Zone" except for Japanese and Filipinos.

1924 — Border Patrol
U.S. Congress passed the Labor Appropriation Act of 1924, officially establishing the U.S. Border Patrol for the purpose of securing its borders between inspection stations.

1924 — Society for Human Rights
The Society for Human Rights, the United States' first gay rights organization, was founded in Chicago. The movement existed for a few months before being shut down by the police.

1933-1945 — Nazi Holocaust
Persecution of homosexuals in Nazi Holocaust.

1937 — Pink Triangle
Twenty five thousand convicted "gay" offenders were forced into prison and then into concentration camps where they were made to wear a pink inverted triangle on their uniform. During the twelve-year Nazi regime up to one hundred thousand men were identified in police records as homosexuals, with about fifty thousand convicted of violating Paragraph 175.

1948 — Forbundet af 1948
The homophile group Forbundet af 1948 (League of 1948) was formed in Denmark.

1950 — Mattachine Society and RSFL
The Mattachine Society, the first American homophile group, was founded in New York and RFSL (Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights), the first Swedish homophile group, was formed.

1952 — Immigration and Nationality Act (INA)
Also known as the 1952 McCarren-Walter Act, INA recodified exclusion categories to include a ban on psychopathic personalities in the United States.

1956 — Daughters of Bilitis
The Daughters of Bilitis, a pioneering national lesbian organization was founded in San Francisco.

1965 — Immigration law bans "sexual deviates"
Immigration law in the United States underwent another revision: Lesbian and gay exclusion was again recodified, this time under the ban on "sexual deviates."

1965 — Exclusion by Immigration Reform Act
U.S. immigration laws were amended in 1965 to exclude homosexuals "aliens afflicted with sexual deviation" from admission into the United States.

1965-1967 — UMAP detention camps, Cuba
Gay men were detained in reeducation camps known as Military Units for Increased Production (UMAP).

1969 — Stonewall Riots
In June 1969, police raided the Stonewall Inn in New York, checked for identification, made homophobic and transphobic comments, and physically assaulted members of the LGBTIQ communities. Rather than quietly taking police abuses, the community fought back. This was one of the first LGBTIQ mass uprisings in the U.S. lasting for nearly 3 days. One of the customers at the Stonewall Inn that night was an immigrant man, who later committed suicide. He preferred to die than to be deported for being gay. If people didn't disclose their sexual orientation when they entered the U.S., but were later caught by the Immigration and Naturalization Services (INS), they could be deported for perjury (lying to cover up their sexuality).

1970 — First Gay Liberation Days
First Gay Liberation Day March held New York City, First Gay Freedom Day March held in Los Angeles, and first Gay-in held in San Francisco.

1972 — Transgender legal sex change in Sweden
Sweden becomes the first country in the world to allow transgendered people to legally change their sex and provide free hormone therapy.

1979 — Bullying by U.S. Border Patrol Agents
The Border Patrol often used stereotypes to decide who was gay or lesbian. If an agent suspected an immigrant of being gay or lesbian, they could deport them or send them to a psychiatrist for a deportation hearing.

1979 — Targeting of male homosexuality in Cuba
According to the Cuban 1979 Penal Code, public ostentation of homosexuality was punishable by sentences of three to nine months.

1980 — Refugee Act
The U.S. Refugee Act of 1980 expanded the legal definition of "refugee" to include those fleeing "persecution on account of membership in a particular social group."

1980 — Castro launches the Mariel boatlift
On April 20, 1980 Fidel Castro launched the Mariel boatlift in which he allowed as many as 125,000 "undesirable" Cubans to leave to the U.S.

1981 — Norwegian law against homosexual discrimination
Norway becomes the first country in the world to enact a law to prevent discrimination against homosexuals.

1986 — Immigration Reform and Control Act (IRCA)
The Immigration Reform and Control Act (IRCA) of 1986 was signed into law by President Ronald Reagan in order to control and deter undocumented immigration to the United States.

1987 — ACT UP
The AIDS Coalition to Unleash Power (ACT UP) stages its first major demonstration in New York City.

1987 — La Frontera/Borderlands
Gloria Anzaldúa, a self-proclaimed "chicana dyke-feminist, tejana patlache poet, writer, and cultural theorist" writes the popular book *La Frontera/Borderlands: The New Mestiza* highlighting the intersection of material and metaphorical borders within the politics of sexuality, culture and race.

1987 — United States banned HIV+ visitors from entering the country.

1988 — Social services, taxes, and inheritances in Sweden
Sweden became the first country in the world to pass laws protecting gays and lesbians regarding social services, taxes, and inheritances.

1989 — Registered Partnership in Denmark
Denmark became the first country to enact registered partnership laws.

1990 — United States' laws that banned lesbian and gay immigrants officially repealed
Laws that banned lesbian and gay immigrants were officially repealed in 1990, but LGBT immigrants still face substantial difficulties in obtaining legal immigration status. For example, current immigration policy only recognizes "direct family ties" as heterosexual; same sex partners are therefore denied such immigration privileges. Transgender immigrants may not be able to have gender changed on official documents from their home country, resulting in enormous, sometimes insurmountable difficulties.

1990 — Homosexual ban disappears in the U.S.
Barney Frank, Congressman from Massachusetts, drafts the comprehensive immigration exclusion amendment that defines the reasons for denying entry into the U.S., and leaves out the sexual preference exclusion.

1990 — "Toboso-Alfonso" case
The Board of Immigration Appeals (BIA) recognized the need to protect homosexuals as a social group and allows Toboso-Alfonso to remain in the U.S. through "withholding of deportation," but upholds a lower court's decision to deny asylum because Toboso-Alfonso had a U.S. criminal conviction.

1993 — U.S. HIV Ban becomes law in the U.S.
U.S. Congress placed a ban on immigrants who are HIV+. The Immigration and Nationality Act states that any foreign national with a "communicable disease of public health significance," which includes HIV, is "inadmissible." If you are HIV+ and apply for legal permanent residence and do not qualify for a waiver, your application will be denied and you may be placed in deportation proceedings.

1993 — "Don't Ask, Don't Tell"
The "Don't Ask, Don't Tell" policy is instituted for the U.S. military, permitting gays to serve in the military but banning homosexual activity. President Clinton's original intention to revoke the prohibition against gays in the military was met with stiff opposition; this compromise, which has led to the discharge of thousands of men and women in the armed forces, was the result.

1994 — "Toboso-Alfonso" case becomes precedent
U.S. Attorney Janet Reno releases Order 1895-94, which makes the "Toboso-Alfonso" case a binding precedent for Immigration and Naturalization Services (INS) officials making future immigration and asylum decisions. The Order states that "an individual who has been identified as homosexual and persecuted by his or her government for that reason alone may be eligible for relief under the refugee laws on the basis of persecution because of membership in a social group."

1994 — Political asylum
In 1994, gays and lesbians were finally recognized as a social group for purposes of applying for political asylum in the United States. Poor LGBT immigrants are particularly likely to be dismissed simply as "economic migrants," while those from countries with whom the U.S. has friendly relations are often denied asylum for foreign policy reasons. Few transgender people have ever been awarded asylum, because gender and sexual orientation persecution often operates in ways that are difficult to document.

1994 — Refugee status in Canada
Canada grants refugee status to homosexuals fearing for their well being in their native country.

1994 — Lesbian and Gay Immigration Rights Task Force
Lesbian and Gay Immigration Rights Task Force (LGIRTF) formed in New York to provide support, information and networking opportunities for gay and lesbian immigrants and their partners.

1994 — Audre Lorde Project (ALP)
ALP is formed in New York City as a Community Organizing Center for Lesbian, Gay, Bisexual, Two-Spirit, Trans and Gender Non Conforming (LGBTSTGNC) People of Color Communities.

1994 — Immigration Equality
Immigration Equality formed as an independent chapter of the Lesbian and Gay Immigration Rights Task Force under its own name and leadership in Los Angeles.

1996 — Defense of Marriage Act (DOMA)
President Clinton signed DOMA into law: "The Federal Government may not recognize same-sex or polygamous marriages for any purpose."

1996 — IIRIRA
President Clinton signed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) into law. The new law retroactively expanded the criminal grounds for deportation, created mandatory detention for many immigrants, and authorized more state and local law police participation in immigration enforcement.

1997 — Immigration rights to same-sex couples akin to marriage in U.K.

1999 — PACS in France
France enacted civil union laws (PACS) for same-sex couples.

2000 — Permanent Partners Immigration Act introduced in U.S.
Congressman Jerrold Nadler (D-NY) introduced the PPIA on Valentine's Day. This legislation would allow U.S. citizens and lawful permanent residents to sponsor their same-sex partners for immigration to the U.S. by simply adding the term "permanent partner" in sections where "spouse" appears in the Immigration and Nationality Act.

2000 — Permanent Partners Immigration Act resolution passed in San Francisco and Los Angeles

2000 — Asylum case Hernandez-Montiel v. INS in California
In August, the U.S. Court of Appeals of the 9th Circuit held that the petitioner "a gay man with a female sexual identity, who may be considered a transsexual" was entitled to asylum and withholding of deportation.

2000 — Vermont became First U.S. state to legalize civil unions

2000 — Israel recognized same-sex relations for immigration
Israel recognized same-sex relations for immigration purposes for a foreign partner of an Israeli resident.

2001 — DREAM Act
Introduction of the Development, Relief and Education for Alien Minors Act (DREAM Act), a U.S. legislative proposal that would provide undocumented youth a path to citizenship.

2001 — President Bush signs USA PATRIOT Act
Less than a month after the attacks of September 11, 2001 Congress passed the PATRIOT Act. Among other controversial provisions, it authorized the Attorney General to detain non-citizens if he/she has "reasonable grounds to believe" the person may be a threat to national security. It also called for a system to track international students.

2001 — Permanent Partners Immigration Act reintroduced
Congressman Jerrold Nadler reintroduces the PPIA on Valentine's Day in the United States.

2002 — Sylvia Rivera Law Project (SRLP)
SRLP, a collective organization that brings visibility to low income people and people of color who are transgender, gender non-conforming or intersex is formed, fighting together against all forms of harassment, discrimination, or violence they face.

2002 — Adoption
Sweden legalized adoption for same-sex couples, making Sweden's registered partnership nearly identical to marriage, with the exception of the right to marriage in a church.

2002 — Christina Madrazo
Christina Madrazo, a transsexual, said she was raped by a guard in an Immigration and Naturalization Services (INS) Detention Center. She sued the U.S. Government for $15 Million.

2002 — Canada Immigration and Refugee Protection Act
Same-sex marriage becomes officially recognized for the purpose of immigrating to Canada.

2003 — Permanent Partners Immigration Act reintroduced
Congressman Jerrold Nadler reintroduced the Permanent Partners Immigration Act in the House on February 13, 2003, and Senator Patrick Leahy (D-VT) introduced it in the Senate July 31, 2003.

2003 — Immigration and Customs Enforcement Agency
The Bush administration dissolved the INS and transferred its powers to the Immigration and Customs Enforcement Agency (ICE) under the newly created Department of Homeland Security. Its mission is to uphold public safety by enforcing immigration and customs laws.

2004 — Marriages with a transsexual spouse invalid
On April 16, 2004, the Bush administration issued a new policy regarding marriages with a transsexual spouse. The policy invalidated all legal marriages "between two individuals where one or both of the parties claims to be a transsexual."

2004 — Permanent Partners Immigration Act in California
The California Assembly passes a resolution in support of the PPIA.

2005 — Lovo-Lara
On May 18, 2005, the Board of Immigration Appeals (BIA) issued an Interim Decision in the "Lovo-Lara" case in which it upheld the validity of a legal marriage with a transsexual spouse and approved issuing of a green card.

2005 — Church of Sweden's blessings
The Church of Sweden, the former state church, decided to hold blessing ceremonies for same-sex couples, who can already enter into registered partnerships equal to marriage.

2006 — Out4Immigration is founded
On June 22, Out4Immigration formed in San Francisco as an all-volunteer grassroots organization to raise awareness on the plight of same-sex bi-national couples and their families, as well as the HIV ban.

2006 — Same-sex marriage in South Africa
Same-sex marriage became legal in South Africa.

2006 — Yogyakarta Principles
In 2006, in response to well-documented patterns of abuse, a distinguished group of international human rights experts met in Yogyakarta, Indonesia to outline a set of international principles relating to sexual orientation and gender identity. The result was the Yogyakarta Principles: A universal guide to human rights, which affirm binding international legal standards with which all States must comply.

2006 — For All The Ways They Say We Are, No One Is Illegal
The Audre Lorde Project releases a statement in support of LGBTSTGNC immigrants of color.

2007 — Definition of Marriage
Twenty six U.S. states had constitutional amendments restricting marriage to between a man and a woman. An additional nineteen states have laws against gay marriage. Several states extended this to all "similar" unions "for any purpose," such as Michigan in February of 2007. In California, a constitutional amendment appeared on the November 2008 ballot.

2007 — Victoria Arellano
On July 20th, Victoria Arellano died at the San Pedro detention center in California during custody. Victoria, an HIV+ transgender woman who came to the U.S. from Mexico as a child, was refused medication and medical care despite repeated pleas from the men detained with her. In spite of their care for her, she died shackled to her bed.

2007 — Jorge Soto Vega
An immigration judge denied Vega asylum because Vega didn't appear gay to him. The decision was appealed and asylum was secured on January 30, 2007, with the help of Lambda Legal. Vega said: "The court has awarded me my freedom and the opportunity to spend my life in the country I love with the person I love," referring to his partner of 15 years.

2007 — Uniting American Families Act
Reintroduction of UAFA in the House by Congressman Jerrold Nadler and in the Senate by Senator Patrick Leahy.

2008 — Bosede v. Mukasey
HIV positive Nigerian immigrant, Bosede Oriade was denied due process by an Immigration judge due to having been convicted for possession of small amounts of cocaine. Bosede argued that if he were sent back to Nigeria he would be immediately detained because of his HIV status. If imprisoned he would have no access to doctors, proper nutrition or medication. The 7th circuit disagreed with the IJ's decision and declared that all aliens in the U.S regardless of immigration status are entitled to due process. Bosede was granted a new hearing.

2008 — Queers and Immigration: A Vision Statement
Queers for Economic Justice released a solidarity statement outlining the political challenges facing queer immigrants. It critiques the discriminatory implications of anti-immigrant legislation and issues practical demands that would make a profound difference for the lives of all immigrants.

2008-2009 — Proposition 8
California voters support Proposition 8, a ballot that eliminated rights of same-sex couples to marry in California. On May 26, 2009, California's Supreme Court upheld Proposition 8, but did not overturn previous same-sex marriages.

2009 — Anti-Homosexuality bill proposed in Uganda was proposed in Uganda.

2009 — U.S. President Obama lifted HIV travel ban

2009-2010 — Norway, Iceland, Portugal, and Argentina legalized same-sex marriage

2010 — Arizona SB 1070 signed into law
A bill that deters "the unlawful entry and presence of illegal aliens and economic activity by illegal aliens in the United States."

2010 — Secretary Napolitano Announces Record Deportations
Napolitano held a press conference to announce the "highest number of removals in our nation's history." 392,000 deportations in 2010.

2010 — Switzerland Deportation Referendum
Switzerland gains right wing support in a referendum that calls for the immediate deportation of foreigners who are convicted of any serious crime.

2010 — Phallometric Test
The European Unions' leading human rights agency sharply criticized the Czech authorities for using the "Phallometric Test," a method for testing whether homosexual asylum seekers are genuinely gay by measuring the flow of blood to a man's penis to determine the physical reaction to pornography.

2011 — Obama bars U.S. entry for violators of LGBT human rights abroad
President Obama issued a proclamation that bars entry of immigrants who organize or participate in war crimes or serious violations of human rights, which could include those seeking to pass legislation in Uganda that would institute the death penalty for homosexual acts.

2011 — Human Rights Abuses at U.S. ICE Detention Centers
Immigrant advocates filed thirteen complaints with the Department of Homeland Security alleging civil and human rights abuses of LGBT immigrants being detained pending removal proceedings.

2011 — New York state passes Marriage Equality Bill

2011 — Australian passport gender/sex policy change
Australia became the first country in the world to allow gender/sex change in travel passports.

2011 — Official Documents
In 2011 only Panama, South Africa, New Zealand, Spain, Australia provide the ability to change gender on official documents.

2011 — Rudolf Brazda
Rudolf Brazda, the last known pink triangle Holocaust survivor dies.

2011 — High Level Meeting on AIDS
UN General Assembly High Level Meeting on AIDS agreed to advance efforts towards reducing sexual transmission of HIV and halving HIV infection among people who inject drugs by 2015.

2011 — Revised Detention Center Standards for Trans Detainees
On March 1st, Immigration Equality announces that the DHS has enacted new standards that pertain to Transgender persons in detention. Access to hormone therapy if previously taken, strip searches done in private and gender self-identification taken into consideration for detention placement are all included within the new revisions.

2011 — International Intersex Forum
The world's first International Intersex Forum takes place in Brussels.

2011 — Prohibition
Belize, Lesotho, Swaziland continue to prohibit LGBT migrants.

2011 — DOMA
The U.S. Department of Justice acknowledges that the federal Defense of Marriage Act (DOMA) is unconstitutional when used against lesbian and gay immigrant couples.

2011 — U.S. Discretion and Deportation
President Obama laid out a plan to suspend the deportation proceedings of DREAM Act-eligible youth, military family members, crime victims, and immigrants with strong family ties. The new policy establishes a working group comprised of Department of Homeland Security and Department of Justice officials who will review 300,000 pending deportation cases to determine whether each case falls within the Administration's "enforcement priorities." The administration will halt cases that it determines merit an exercise of discretion and will allow those individuals whose cases are suspended to apply for work authorization.

2011 — "Don't Ask, Don't Tell" officially repealed in U.S.

2011 — Green Card moratorium
U.S Immigration officials said they have lifted the moratorium on green card cases for bi-national married couples, and they will continue to enforce the current law, which does not permit same-sex married couples the same immigration rights as heterosexual married couples.

2011 — U.S. Senator Menendez
U.S. Senator Robert Menendez introduced a comprehensive immigration reform, which includes provisions for LGBT bi-national couples.

2011 — ENDA
U.S. Senator Patrick re-introduced Employment Non-Discrimination Act (ENDA), a bill to help bi-national LGBT couples.

2011 — Alabama's HB 56 took effect
Alabama's tough immigration legislation took effect requiring police to investigate the immigration status of those pulled over for any legal stops, if they have a "reasonable suspicion" that a person is undocumented.

2011 — Undoing Borders: A Queer Manifesto
Horizontal Alliance of Very (or Voraciously or Vaguely) Organized Queers (HAVOQ) launch the Undoing Borders tour to share stories and thoughts about the intersections of queer and im/migrant experience.

2011 — Scarce immigration benefits
Only sixteen countries in the world provide immigration benefits to same sex couples and sixteen countries in the world allow sponsorship of same sex partners within their immigration rules.

2011 — Over one million deported under president Obama
According to U.S. Immigration and Customs Enforcement (ICE), deportations under president Obama have reached record levels: over one million, more than any preceding administration.

2012 — Russia's Anti-Gay Law
In St. Petersburg, Russia displays of homosexuality that could influence children are outlawed soliciting fines up to 500,000 rubles for anyone who espouses "public actions aimed at propaganda of sodomy, lesbianism, bisexuality, and transgenderism among minors."

2012 — International AIDS Conference in U.S
In July of 2012, the United States will hold the International AIDS Conference in Washington D.C for the first time in over 20 years following the lift of the HIV Entry Ban. Despite progress, sex workers and drug users, two populations extremely impacted by HIV are excluded from the conference due to U.S visa procedure, which prohibits them from entering the country.

2012 — UndocuQueer Coming Out of the Shadows Week
As part of National Coming Out of the Shadows week the National Immigrant Youth Alliance (NIYA) launched a project in March to highlight the stories and experiences of undocumented queer migrants.

***

This timeline was compiled by Cassidy Gardner, Camilo Godoy and Carlos Motta for "A New Discovery: Queer Immigration in Perspective," a performative intervention commissioned by the Museum of Art and Design and organized in collaboration with QUEEROCRACY, on Columbus Day (October 10, 2011) at Columbus Circle.

This is the second edition printed on the occasion of the exhibition "Museum as Hub: Carlos Motta: We Who Feel Differently" at the New Museum, in New York, May 16- September 9, 2012.

***

For a list of bibliographic sources please visit: www.carlosmotta.com/project/a-new-discovery-queer-immigration-in-perspective