

Statement of
The Honorable Russ Feingold

United States Senator
Wisconsin
June 3, 2009

Statement of Senator Russell D. Feingold
Hearing before the Senate Committee on the Judiciary
on
"The Uniting American Families Act:
Addressing Inequality in Federal Immigration Law"
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Thank you, Mr. Chairman, for holding this important hearing.

I am proud to be a co-sponsor of the Uniting American Families Act, which would allow American citizens and legal permanent residents to sponsor their same-sex partners for legal residency here in the United States, under the same exacting immigration requirements that we apply to opposite-sex couples.

Right now, our family immigration rules force many committed long-term couples to make a terrible choice between living in different countries and leaving this country they love to stay together. Worse still, these couples have no protection against deportation proceedings, no matter how long they have been together and whether or not they have obtained a valid marriage license or other legal recognition in a jurisdiction that recognizes same-sex marriage or civil unions.

This discrimination is unfair, unjustifiable, and un-American. It affects as many as 36,000 gay and lesbian Americans in bi-national relationships, including my own constituents. To put a face on just one of these stories, consider Pamela Hathaway, a U.S. citizen who lived with her committed partner of four years, Lucie, in a house they bought together in Madison--until Lucie's visa expired. For the past year, Pamela and Lucie have been forced to live in different countries. The alternative is for Pamela to exile herself to Canada, one of 20 countries that offer immigration benefits for same-sex and opposite-partners alike.

I should point out that Lucie is a French teacher and Pamela is the executive director of her local neighborhood planning council. This couple has devoted their careers to serving their community, and we are telling them that if they want a healthy relationship, they must leave that community forever.

Is that what we want? To place an incalculable strain on loving, committed relationships, and to alienate--literally alienate--thousands of hardworking Americans? This makes no sense as economic policy in a competitive global marketplace, let alone as social policy in a nation that cherishes strong family bonds.

As the American Bar Association concluded in its resolution to support this legislation, "The current failure to recognize same-sex permanent partnerships for immigration purposes is cruel and unnecessary, and such critical protections should be available to help same-sex partners maintain their commitment to one another on an equal basis with different-sex spouses."

I wish to emphasize that this legislation represents no intrusion on any state's control over its own family law. It simply allows U.S. Citizen and Immigration Services to grant legal residency to permanent partners in committed, intimate, lifelong, financially interdependent relationships; to vigorously smoke out fraud; and to keep families together.

Mr. Chairman, thank you again for holding this hearing and for your leadership on this important and worthwhile bill.