

Vermont's congressional delegation – U.S. Senator Patrick Leahy (D), U.S. Senator Bernie Sanders (I), and U.S. Representative Peter Welch (D) – Tuesday announced a breakthrough that will bring certainty and stability for now to the legal status of a Japanese-born woman, Takako Ueda, who is married under Vermont law to an American citizen, Frances Herbert. The couple live in Dummerston, Vt.

The bi-national same-sex couple has been together for more than a decade and were legally married in Vermont last year, but U.S. Citizenship and Immigration Services (USCIS) had denied the Japanese-born Ms. Ueda a spousal permanent resident card – also known as a green card – because, under the federal Defense of Marriage Act (DOMA), their nuptials are not recognized at the federal level.

Leahy, Sanders and Welch announced that USCIS has used the agency's discretion to grant "deferred action" to Ms. Ueda, in effect suspending any potential deportation for now. Earlier the lawmakers also had sent a letter to Department of Homeland Security Secretary Janet Napolitano urging that USCIS reconsider its December 2011 decision to deny a spousal green card for Ms. Ueda. They asked that the agency re-evaluate its policy on marriage-based immigration petitions for same-sex spouses, and particularly for the Dummerston couple.

In a joint statement on Tuesday's breakthrough, Leahy, Sanders and Welch said: "We welcome this remedy that for now will offer a measure of common sense and compassion for this Vermont couple. Ms. Ueda now will be able to apply to USCIS for authorization to work, and to the Vermont Department of Motor Vehicles for a driver's license. All three of our offices have worked hard to support this loving and committed couple who have been unfairly prevented by DOMA from enjoying the rights and benefits that all lawfully married couples deserve."