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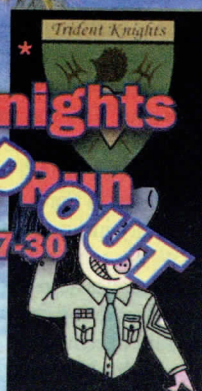
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Liberty's empty promise

Carolinas bi-national couples find U.S. immigration law unwelcoming

by Matt Comer . Q-Notes staff

inDepth

For countless millions of people in America and around the globe, Lady Liberty and her torch light the way to freedom and equality. For gay and lesbian bi-national couples, the famed statue, with a cold and stern face, seems more like a heartless sentry guarding the nation's borders and ripping lives apart.

Ryan Wilson, a Columbia resident and a sexual health coordinator at the University of South Carolina, first met his partner, Shehan Welihindha, at the 2008 National Lesbian and Gay Task Force Creating Change conference in Denver.

"We met in the very first session on the very first day," Wilson told Q-Notes. "We ended up sitting at the same table because we were from the same region. Shehan was working at the University of Arkansas."

They've been in a committed, mostly long-distance relationship ever since.

Both Wilson, 25, and Welihindha, 27, have earned masters degrees in higher education and made their careers in the world of academia. Wilson grew up in Baltimore and moved to South Carolina to attend college. Born in Sri Lanka, Welihindha attended middle school and high school in Dubai and came to the U.S. for college.

Their divergent life stories have created a tense and uncertain future for the couple. Faced with deportation after his graduation, Welihindha has been forced to go back to school, this time earning an MBA.

Wilson, a natural-born U.S. citizen, said it is hard knowing his partner is faced with obstacles he's never had to experience.

"If it weren't for immigration, I wouldn't be here," Wilson said. His great-grandmother fled World War I Germany to come to the U.S. "My family is an immigrant family; both sides aren't native to America."

Wilson can't help but feel as though his government has betrayed him and his loved one.

"It is hard for me to see what Shehan is going through. There's this promise of America being a better place to come to and all that it offers," Wilson said. "We say all that, but when you actually get here we say get out, especially if you are gay. Then, we really don't care."

Welihindha's brother and sister also came to America for college. Both married and received their green cards. His brother is now a U.S. citizen.

"I'm really happy for my siblings," Welihindha said. "I'm glad they were able to meet someone they love and want to spend the rest of their lives with. But, I feel it is a little unfair — I definitely feel discriminated against. I can have a relationship with Ryan and we've been together for going on two years now, but I can't have a relationship that is recognized by South Carolina, North Carolina or the federal government."

There's no argument that discrimination against same-sex couples in current immigra-

tion law most affects his life, but Welihindha thinks there are much bigger problems with the system.

"I think that sometimes there is a hint of hypocrisy in the way things are presented," he said. "You've got a view of America as a nation of immigrants and everyone here except Native Americans are immigrants. That is what has made America, but we also have an immigra-



Ryan Wilson and Shehan Welihindha face an uncertain future together, if Shehan is forced to leave the country.

tion system in place where all these systems don't work with each other. There is an injustice here and it is one of the reasons why we need comprehensive immigration reform."

Tony Snell, a businessman who also makes his home in Columbia, and his Asian-born partner will soon find themselves facing a similar situation.

Tony's partner — who has requested to remain anonymous — is a research assistant and student. As of now, he's living, working and studying legally in the U.S. under a student visa.

"He still has school for a year and a half," Snell said. "But, you never know with the economy the way it is. There is volatility there. There are no guarantees."

This uncertain and volatile future makes creating and maintaining a relationship harder than it should be, Snell said. "There are no guarantees with a relationship and it is even more difficult to have a relationship when you know it could be a possible roller-coaster ride."

Snell regrets he and his lover aren't given the same opportunities once afforded to his parents. His father, an American citizen, met his Spanish mother 50 years ago.

"They met and married in Spain and came back to the U.S. to raise a family," he said. "I'm only asking for the same thing; just something as simple as that. How does that harm anybody or change anything here? It only impacts us and our lives."

Snell is passionate about the basic unfairness exhibited by the nation's immigration law and policy.

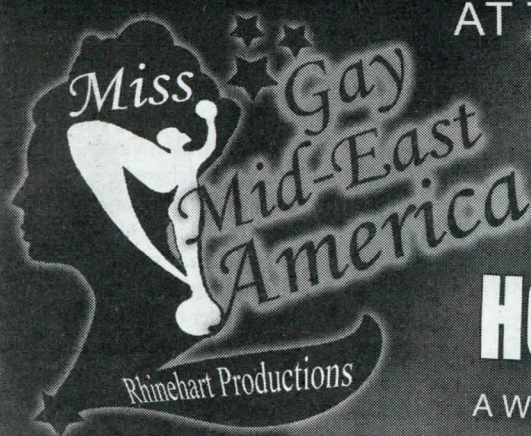
"It is almost as if your country is turning its back on you," he said. "You want to be

see **Immigration** on 14



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Immigration laws unwelcoming

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patriotic and want to love your country, but the country turns its back on you... You aren't the one turning away from your country, but your country is pushing you out and pushing you away from the one you love and care for. It doesn't make any sense."

The reality of the immigration debate is hitting home for Wilson and Welihindha right now. Just one day before he was to embark on a plane flight to Dubai, where he'd eventually be forced to return to Sri Lanka, Welihindha received another student visa. But, the stability won't last — in as little as a year's time, and no more than two, his student visa will expire.

The couple has several options — none of them too appealing. They could travel to Welihindha's native Sri Lanka, a land and society he left at age 11, and in which Wilson would be completely lost. Or, they could move apart, with a 12-hour time difference fuel a possible slow death to their relationship.

The most unappealing and dangerous option is to move to Dubai — where Welihindha spent his teenage years and where his parents still live. In a nation where homosexuality is still punished by imprisonment, deportation or death, a move to Dubai is far from practical.

Their final, and perhaps most realistic, option is migration to Canada. America's northern neighbor recognizes marriage for same-sex couples, as well as immigration rights and privileges.

Of course, their lives and choices would be much easier if U.S. law recognized permanent partnerships between same-sex couples.

Immigration Equality, a national organization working to secure rights and benefits for LGBT immigrants, hopes to have the issue addressed soon. They're pouring their resources into supporting three separate bills — Sen. Chuck Schumer's (D-NY) comprehensive immigration reform bill, the stand-alone Uniting American Families Act and the seven-point Reuniting American Families Act.

Steve Ralls, Immigration Equality's communications director, said rights and recognition for same-sex bi-national couples is on the top of his group's agenda, as Schumer's comprehensive reform bill is being fast-tracked along the legislative calendar.

"The next few weeks will be critical in our work to include gay and lesbian couples in

comprehensive immigration reform," Ralls told Q-Notes.

Schumer's large multi-issue bill will address immigration reform "from the top to the bottom," Ralls said.

Ralls expects South Carolina Sen. Lindsey Graham will be among leading GOP lawmakers working on the legislation. Immigration Equality is working with constituents and reaching out to legislators.

"What is most critical is bringing along some of the GOP lawmakers... to ensure they are not opposed to our inclusion," Ralls said. "Immigration reform is a sticky issue in general, and it will need Republican support to pass. The political reality is that it will not pass along partisan lines."

Both Wilson and Snell say they'll work to get their representatives on board with the immigration reform. Snell hasn't met with any of his elected officials yet, but Wilson has already written letters to both his senators and all of the Palmetto State's U.S. House members.

"I sent them a photo of us as a couple, wrote about the UAFA and its sister bills," Wilson said. "I was pleading for their support."

Activists are hopeful that LGBT couples will be included in forthcoming immigration reform. Four reform bills are currently circulating in the House and Senate — three of them include relief for gay couples. That's incredible chances for change.

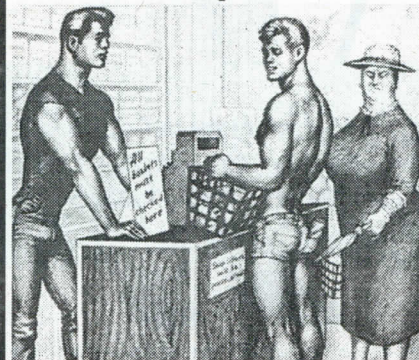
Ralls said President Barack Obama and other Democratic leaders have come out in support of the inclusive reforms.

"The White House has been steadfast in its support from the campaign trail through today of including us in any immigration reform effort," Ralls said, noting many of the key players in the immigration debate have been LGBT-supportive in the past.

But, if meaningful reform doesn't happen within the next year or two, the debate really won't mean much to Welihindha and Wilson, and Snell and his partner. For these two couples, and thousands across the country, time is running out.

Welihindha said it is past time for America to live up to its global reputation. "Most of the world has this one view of America — that it is the land of the free — but when you actually get here, sometimes that only applies to certain people. It doesn't apply to everyone." ■

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