



Written by [Dave Bohon](#) on November 14, 2011

Bill to Rescind DOMA Passes Senate Committee

Democrats on the Senate Judiciary Committee overwhelming approved a bill that would overturn the Defense of Marriage Act (DOMA), the federal law that defines marriage for federal purposes as only between a man and a woman. The 10-8 vote in favor of the Respect for Marriage Act, sponsored by Senator Dianne Feinstein (D-Calif., left), marks the first time a committee in either the Senate or the House has voted to repeal the 17-year-old law, and represents a major step toward federal approval of homosexual marriage.



“Because of DOMA, thousands of American families are now being treated unfairly by the federal government,” declared Senate Judiciary Committee Chairman Patrick Leahy (D-Vt.). “This unfairness must end.” But Republicans on the committee, reported [Politico.com](#), “noting that the bill faces bleak prospects for passing the full Congress, said the measure was a waste of time and the matter should be left up to the states.” Thus far, Iowa, New York, Connecticut, Vermont, Massachusetts, and New Hampshire, along with the District of Columbia, have passed state laws recognizing homosexual “marriage.”

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Senator John Cornyn (R-Texas), chairman of the National Republican Senatorial Committee, pointed out that Senate Majority Leader Harry Reid (D-Nev.) would never allow the controversial bill to come to the Senate floor for a vote, given that the Democrats’ control of the Senate will be on the line in the 2012 elections. “Were he to schedule a vote on this bill before the next election, he would face a revolution in his own caucus,” Cornyn said.

While acknowledging that she did not have the 60 votes necessary to override a filibuster on the Senate floor, even should she gain Reid’s approval to move ahead with the bill, Feinstein nonetheless called the committee’s approval a “big first step” in her party’s push to force homosexuality on the nation.

“Virtually any advance in civil rights or any kind of rights has been carried by the Democratic Party,” she said. “It’s just a fact. So, we’ll just march on. We’ll continue this. And if I have to reintroduce it next session, I’ll reintroduce it. Session after that, I’ll reintroduce it.”

Senator Chuck Grassley (R-Iowa), the committee’s ranking Republican, argued that the bill has nothing to do with civil rights or discrimination. “To me, this debate is about stable families, good environments for raising children, and religious beliefs,” he said.

In addition to establishing a traditional definition of marriage in federal law, DOMA leaves it to states to determine both their own definition of marriage and their response to the “gay” marriage laws of other states. Thus far more than 40 states have passed laws or constitutional amendments affirming the traditional view of marriage. “Under DOMA, states can define marriage however they want,” explained Grassley. “They can decide for themselves whether they will recognize same-sex marriages from other states. Under this bill, by contrast, states that recognize only traditional marriages will be required to



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honor same-sex marriages for purposes of federal law.”

[Baptist Press News](#) noted that the homosexual activists have turned to legal maneuverings to force same-sex marriage on the nation, quoting Senator Orrin Hatch (R-Utah) as saying that “advocates want to use the courts to force states to legalize or recognize same-sex marriage.” Continued BP News,

The strategy, Hatch said, includes using Article IV, Section 1 of the Constitution to sue in court and force states to recognize gay “marriages” from outside their borders. Article IV says that states must give “Full Faith and Credit” to the “public acts, records, and judicial proceedings” of other states. If marriage is one of those “public acts” or “records,” Hatch said, then all 50 states could be forced to recognize gay “marriage” if DOMA is repealed.

Hatch noted that Article IV also empowers Congress to regulate the full faith and credit of states, which it did with the passage of DOMA. He said that repealing DOMA “would mean that these very states might be forced by courts to recognize, as valid, marriages that their own constitutions and laws prohibit.”

BP News recalled that in 1996 DOMA “passed overwhelmingly with margins of 85-14 in the Senate and 342-67 in the House.” Significantly, three Democrats on the Senate Judiciary Committee who voted to overturn DOMA — Patrick Leahy (Vt.), Herb Kohl (Wis.), and Charles Schumer (N.Y.) — all voted for the law in 1996.

In related news, reported Focus on the Family’s [CitizenLink.com](#), “a group that advises the U.S. House of Representatives weighed in on a court challenge to DOMA this week, saying the federal law must be obeyed. The Bipartisan Legal Advisory Group (BLAG) filed a motion to intervene in a dispute taking place in Pennsylvania between a lesbian and her deceased partner’s parents.”

In the case, the late Sarah Ellyn Farley named her parents the beneficiaries of death benefits provided by her employer, rather than giving them to her lesbian partner, Jennifer Tobits, whom she supposedly “married” in 2006. Tobits sued the parents, challenging the constitutionality of both DOMA and Pennsylvania’s own marriage defense law, which triggered the government’s response.

Peter Breen of the [Thomas More Society](#), the conservative legal advocacy group which is representing the deceased woman’s parents, told CitizenLink that the case shows how the issue is coming to a head for the American people. “Marriage is a privileged relationship,” he said. “Our hope is that this case will clearly show that. Here we have actual human beings who will be hurt if DOMA is struck down. There will be great legal problems, great confusion in terms of something as important as people’s retirement plans if DOMA is allowed to be struck down.”

He added that such disputes highlight the negative cultural impact of normalizing homosexual unions. “You can’t change marriage without harming a lot of people,” Breen said. “Up until now we really haven’t seen the harms, but now we are.... The problem happens when they slide these things through in the dead of night with no attention paid to them.”



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