



Defense of Marriage Act Repeal Discussed at Senate Hearing

The Senate Judiciary Committee held hearings July 20 on a possible repeal of the Defense of Marriage Act (DOMA), the 15-year-old law that defines marriage in federal matters as between a man and a woman, and allows states the option of not recognizing the same-sex marriage laws of other states. The hearings highlighted the stark difference between the views of homosexual activists, who testified that the foundations of marriage are personal happiness and financial security, and those of pro-family advocates, who explained that traditional marriage is crucial to the stability and survival of society.



Over the past months, President Obama has subtly taken the lead on dismantling DOMA, passed in 1996 by his Democratic predecessor Bill Clinton. On July 19, White House spokesman Jay Carney told reporters that Obama is “proud” to support the [Respect for Marriage Act](#), the legislation introduced by Senator Dianne Feinstein (D-Calif.) and Representative Jerry Nadler (D-N.Y.) that would effect the repeal of DOMA. “This legislation would uphold the principle that the federal government should not deny gay and lesbian couples the same rights and legal protections as straight couples,” explained Carney. As reported by [The New American](#), in February the President called DOMA unconstitutional and ordered the Department of Justice to stop defending the law in federal court.

During the hearings, Ron Wallen testified that after Tom Carrollo, his homosexual partner of 55 years, died last March he was unable to collect survivor’s benefits from Carrollo’s Social Security, causing his monthly income to plummet from \$3,050 to \$900. “Tom and I have played by the rules as we pursued our version of the American dream,” Wallen told the Senate committee. “We served our country, we paid our taxes, we volunteered in our community. This is unjust.”

The Respect for Marriage Act, which is unlikely to pass given the political makeup of this Congress, would give “married” homosexual couples the same rights as a husband and wife, including benefits under family leave laws, Social Security regulations, and federal tax codes. Joe Solmonese, president of the homosexual activist group [Human Rights Campaign](#), testified that DOMA unfairly penalizes homosexual partners. “For those lucky enough to live in states that do permit them to marry,” he told the Senators, “they still face a federal government that treats their marriages as if they do not exist.”

Representative John Lewis (D-Ga.), one of the congressmen who was called to testify on behalf of same-sex marriage, attempted to compare DOMA to the racial inequality once suffered by blacks in the United States. “My entire childhood, I followed signs that said, ‘white restrooms, colored restrooms, white water fountains, colored water fountains,’” he testified. “We look back on that time now in disbelief, and one day we will look back on this period with that same sense of disbelief.... All across



Written by [Dave Bohon](#) on July 22, 2011

this nation, same-sex couples are denied the very rights that you and I enjoy.”

Arguing for the “Respect for Marriage” bill, Senator Richard Blumenthal (D-Conn.) said that states “have the prerogative to establish the rules that surround marriage.... For the federal government to discriminate against some marriages in the way that it does is also a disrespect for Connecticut’s law.”

By contrast, Senator Charles Grassley (R-Iowa, pictured above) called the Feinstein bill “Orwellian,” reflecting, “I never thought I would have to defend traditional marriage. It’s been the foundation of society for 6,000 years.” While saying that he supported “the rights of states to make changes in marriage if they choose,” Grassley added that “a state that changes its definition of marriage should not be able to impose that change on sister states or the federal government,” something that would occur under the “Respect for Marriage” law.

Challenging the argument that government has a responsibility to ensure the happiness and financial stability that marriage often brings, Austin R. Nimmocks, an attorney with the pro-family [Alliance Defense Fund](#), testified that the right to marry “has never been conditioned upon a couple’s actual ability and desire to find happiness together, their level of financial entanglement, or their actual personal dedication to each other. Rather, marriage laws stem from the fact that children are the product of the sexual relationships between men and woman, and that both fathers and mothers are viewed to be necessary for children.”

Added Nimmocks: “While some may argue that times have changed, they cannot credibly argue that humanity, as a gendered species, has changed. Men and women still compose the two great halves of humanity, men and women are uniquely different, and men and women still play important and irreplaceable roles in the family.”

The ADF attorney declared that because of “the fundamental truth that children are the product of sexual relationships between men and women and that men and women each bring something important to the table of parenting, this government maintains a compelling interest in protecting and preserving the institution of marriage as the union of one man and one woman.”

In the aftermath of the Senate hearing, Dan Avila, a policy advisor to U.S. Catholic bishops on marriage, warned that even though the repeal of DOMA does not appear to be imminent, homosexual activists — and President Obama — will not stop their aggressive campaign to transform the complexion of marriage and family, making it imperative for pro-family individuals and groups to be aggressive in their defense of traditional marriage.

“We can’t just take DOMA for granted,” said Avila in an interview with the [Catholic News Agency](#). “Even if there’s no immediate prospect for this bill to race through Congress, the fact is that the pressure is building and the case is being made for the eventual demise of DOMA. All those concerned about the preservation of marriage simply need to pay attention, stay tuned, and be ready to respond.”



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