

Senator Leahy Talks About DOMA

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"We're deeply disappointed that the proponents of DOMA have undermined a state's right to define marriage and reinforce second class citizenship for gay men and lesbians," said Vermont Freedom to Marry Task Force co-chair Beth Robinson about Leahy's vote.

President Clinton signed DOMA into law on September 21 after it passed the House by a vote of 342 to 67 and the Senate by a vote of 85 to 14. By defining marriage on the federal level as "a legal union between one man and one woman as husband and wife," DOMA denies federal recognition of same-sex marriages and allows states to refuse to recognize same-sex marriages performed in other states.

On the same day as the DOMA vote, Leahy voted in favor of the Employment Nondiscrimination Act (ENDA) which would prohibit employment discrimination on the basis of sexual orientation. ENDA failed by a 49-50 vote.

Patrick Leahy, 56, has represented Vermont in the United States Senate since 1975. An attorney by training, he currently serves on the Agriculture, Appropriations, and Judiciary committees. Leahy met with *Out in the Mountains* to discuss his record, recent votes, and the results of the 1996 elections.

OITM: What impact do you think the recent election will have on issues of national concern to gay, lesbian, and bisexual Vermonters?

Leahy: If I was part of the gay, lesbian and bisexual community, I would not be too happy with the elections in the Senate. I would be happier with the elections in the House. I haven't analyzed the House as much, but I look at such things as the defeat of Bob Dornan, who I think is one of two or three of the biggest homophobes in the Congress. In the Senate, however, I try to balance this on the ENDA legislation. David Pryor, who would have voted for it, has retired and has been replaced by a conservative Republican. Mark Hatfield has been replaced by a conservative Republican who I don't think would vote for ENDA. Alan Simpson voted with us and his replacement definitely wouldn't. There may be one other.

We've got 13 or 14 new Senators, and I don't know how they'll vote. I knew where we were last time. Some of the members who stepped down voted against it and in at least one instance was replaced by a Senator who said they'd vote for it. The Senate is a little more conservative on these issues. We'll go back and look. Had we taken the majority back, I would have been far more encouraged, although Jim's [Jeffords R-VT] chairmanship will be helpful because it will go through that committee.

OITM: Since 1992 you have co-sponsored legislation that would prohibit discrimination on the basis of sexual orientation nationwide. How did you come to support this legislation?

Leahy: I supported it because I thought it was the right thing to do. I have a basic Vermonter's view that we ought to stand for everybody's rights. It was drilled into me from the time I was a little boy growing up in Montpelier. Both my grandfathers were stonecutters here in Vermont. My

paternal grandfather died when my father was just a teenager. He had to start work in the early part of this century in Montpelier. There the rights were more ethnic or religious. He faced the signs, at that time, that said either "No Irish need apply" or "No Catholics need apply." That was the type of discrimination that we saw then. Drummed into me was that we in our family should not discriminate. Most religious discrimination in Vermont has disappeared. The discrimination we're most apt to see in Vermont today is against gays and lesbians. This [co-sponsorship] just seemed like the right thing to do. I do not cosponsor many pieces of legislation unless I feel it is really necessary to get it over the top.

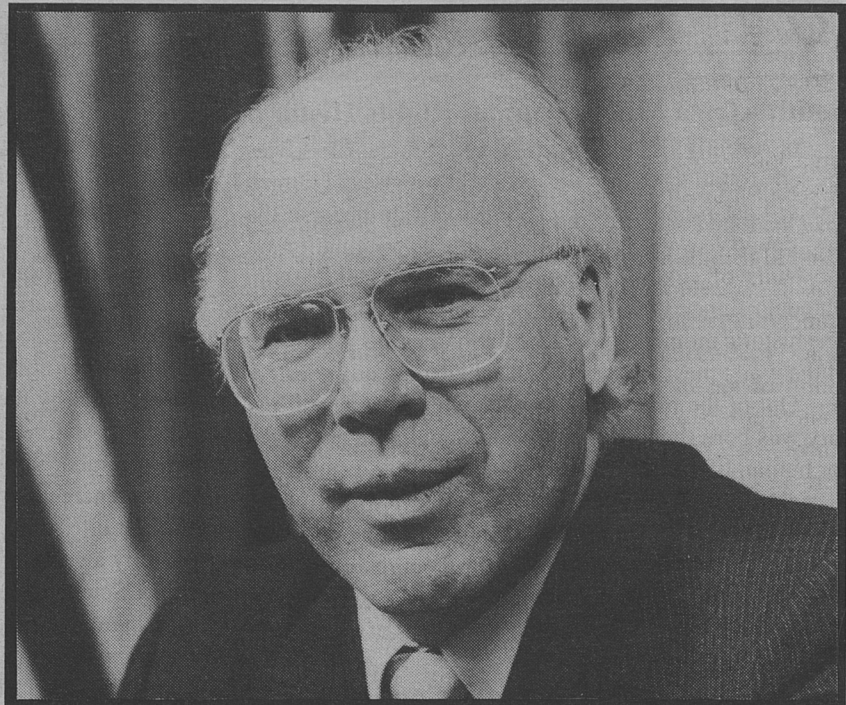
OITM: You recently voted in favor of the Defense of Marriage Act (DOMA). How did you come to support it?

Leahy: I was spending most of my time on ENDA trying to get votes because DOMA was going to pass overwhelmingly and the President said he was going to sign it. I probably did not spend as much time thinking about that as I might have otherwise. I think that a number of the basic aspects of DOMA I agree with. Should states have the right to determine whether they will accept or approve, in one way or the other, of same-sex marriages? Yes, I think states should have that right and I think they do have that right under the law and under the Constitution today. If we are going to change our basic Social Security laws to become a domestic partner law, irrespective of whether it is heterosexual or same sex, we should go back and look at the whole aspect of that in the Social Security law, because that's not the basis on which the Social Security legislation was set up in the first place. If we're going to change it, if that is the determination that is made and it is actuarially sound, then fine. We can address that when it comes. Basically DOMA said that.

What I did find offensive, and said so at the time, was the language of some who supported it. I did not like some of the gay bashing that went on with some of the commentators at that time. I don't like that under any circumstances. I contrast this, however, with the time when the Congress had legislation to deny the District of Columbia City Council the right to approve of same sex marriages. I voted against that. I would never vote for a law that said that Vermont could not approve of same sex marriages if Vermont wants to. That's an issue a state itself would determine just as they determine the ages of marriage.

OITM: Do you think that DOMA is anti-gay?

Leahy: No and yes. I think that the motivation of some of its supporters is. As for whether each state should be



"I do not like intolerance. I abhor it."

-- Vermont Senator Patrick Leahy (file photo)

allowed to determine whether they want to allow only marriages of opposite sex and non same sex marriages, that's probably in the eye of the beholder. But I think that a state should have that right. I certainly don't consider myself anti gay and lesbian.

OITM: Was your vote for DOMA a difficult one? Why or why not?

Leahy: Subsequently it was difficult because I think that I did not spend enough time looking at the motivation of some who backed it. I looked at DOMA as something that was going to pass overwhelmingly and I was concentrating on trying to get Senators to vote for ENDA.

Of the two, I wish all the efforts had been placed on ENDA. Maybe we would have gotten the one or two extra votes we needed and that would have been a very significant step. If I had the same thing to do over again, the least I would have done is spend a little less time looking at ENDA and given a speech on the floor responding, as John Kerry [D-Massachusetts] did, to some of the people who were supporting DOMA.

OITM: The 1996 Vermont Democratic party platform states "we oppose any initiative, such as the Defense of Marriage Act, which attempts to deny the full and equal rights of any group of American citizens." How do you reconcile your vote with your party's platform?

Leahy: I probably shouldn't admit this, but I've never read a Vermont Democratic party platform in my life, nor a national Democratic party platform. I am not a slave to any party. When I run, I state what my positions are, and people can accept it or not accept it.

OITM: By defining marriage as a relationship between a man and a woman, DOMA prohibits recognition of gay marriages for purposes of federal social security, income

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"It's Elementary" Video to be Shown in Middlebury

MIDDLEBURY — Youth Aware, a group for gay, lesbian, bisexual, and transgendered youth and their allies in Addison County, will show the documentary "It's Elementary" on Tuesday, February 4th, at 7:30 p.m. in the Ilsley Library meeting room in Middlebury. An open discussion will follow the 70-minute video.

Directed by Academy Award winner Debra Chasnoff, "It's Elementary" looks at the controversial topic of school children dealing with gay and lesbian issues in the classroom. Chasnoff and co-producer Helen Cohen visited a number of schools where teachers had implemented units on gay and lesbian issues. They filmed the student's immediate responses and reactions, then spoke with several of the instructors about their reasons for developing such curricula.

The resulting documentary has already won awards at gay and lesbian film festivals in both Chicago and San Francisco. It also received rave reviews when it was shown during the "Our Town Meeting" of the Vermont Coalition for Lesbian and Gay Rights in Brattleboro last fall.

Youth Aware provides support and resources for youth dealing with sexuality and gender issues in the Addison County area. All ages and orientations are welcome at the group's regular meetings on the first Tuesday of each month. A coffeehouse is also held ten days after the regular monthly meetings. For more information about the group, contact Outright Vermont at (800) 452-2428. All calls are kept confidential. ▼