

FACT SHEET

ON

H.J. RES. 480, A RESOLUTION TO DISAPPROVE D.C. COUNCIL ACT 9-188, HEALTH CARE BENEFITS EXPANSION ACT (FORMERLY THE DOMESTIC PARTNERS ACT)

H.J. Res. 480 was introduced by Congressman Clyde C. Holloway and referred to the House District of Columbia Committee. H.J. Res. 480 is a resolution disapproving D.C. Council Act 9-188, the Health Care Benefits Expansion Act (formerly the Domestic Partners Act). The Council Act 9-188 was transmitted to Congress April 28, 1992. Congress has 30 legislative days to review all D.C. Council Acts. If there is no disapproving resolution passed by both houses of Congress and signed by the President, then the D.C. Council Act 9-188 becomes law. If the Congress does not pass a veto measure, the Council Act becomes law on or about June 11, 1992, if Congress keeps its current recess schedule.

The Council Act 9-188 allows unmarried couples or partners (homosexuals or heterosexuals, an unmarried grandparent and unmarried child raising grandchildren, unmarried siblings living together and raising children, unmarried elderly or widows) to register with the city as domestic partners. Domestic partners, who are D.C. government employees, and their children are eligible for group health insurance benefits offered by the D.C. government for its employees. These District employees must assume the total cost of the additional family coverage.

The Act also entitles domestic partners to full visitation rights in all health care facilities, including hospitals, convalescent facilities, or other long term care facilities. District government employees may use sick, annual, and bereavement leave, and leave without pay for domestic partners and family members in the domestic partnership.

Private sector employers, who provide health insurance benefits for families of domestic partners, are entitled to a tax deduction in accordance with the District of Columbia Income and Franchise Tax Act of 1947. The group health insurance must be offered to all of the full time employees. The deduction is applicable only for employees who are District residents.

The House District of Columbia Committee has traditionally accepted three questions as the criteria for review of local Council Acts:

1. Does the Council Act violate the U.S. Constitution?
2. Does the Council Act violate the Home Rule Act?
3. Does the Council Act violate the federal interest?

The Council Act is within the D.C. Council and local government's authority granted by the Home Rule Act. The Subcommittee on Fiscal Affairs and Health will hold a hearing and mark-up on the disapproval resolution H.J. Res. 480 to review the Council Act in light of these criteria. The hearing is scheduled for June 4, 1992, at 9:00 a.m. in the Committee hearing room, 1310A Longworth House Office Building.

SUBCOMMITTEE ON FISCAL AFFAIRS AND HEALTH

COMMITTEE ON THE DISTRICT OF COLUMBIA

Hearing & Mark-up of H.J. Res. 480
(Resolution Disapproving D.C. Council Act 9-188)

Thursday, June 4, 1992

9:00 a.m.

1310A Longworth HOB

WITNESS LIST

The Honorable Clyde C. Holloway

Accompanied by:

Bishop Leonard J. Olivier
Archdiocese of Washington
and

Rev. William D. Jackson
Missionary Baptist Ministers Conference

The Honorable Eleanor Holmes Norton

Accompanied by:

Father James R. Adams
St. Marks Episcopal Church
and

Rev. Robert Craig
New York Avenue Presbyterian Church

The Honorable Sharon Pratt Kelly
Mayor of the District of Columbia

The Honorable John A. Wilson
Chairman
Council of the District of Columbia

PANEL

Professor Charles E. Rice
Notre Dame Law School

James E. Patterson, Esq.
Carpenter, Bennett & Morrissey

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity of coming before you to present my views in opposition to H.J. Res. 480, a resolution disapproving the action of the D. C. Council in approving the Health Care Benefits Expansion Act of 1992 (D.C. Council Act 9-188). Although I come before you as a concerned citizen and not as a representative of any religious organization, my views are based on my theological studies as well as my thirty-four years experience in parish ministry.

When the District of Columbia Council approved the resolution once known as "the Domestic Partners Act", I quietly applauded what I perceived to be an act of simple justice. Single people in general often suffer from discrimination in our society, and homosexual people in particular are often abused by our laws and customs. Giving single people living in partnership the same access to health care as married people will help us form a more just and stable society.

The opposition to the Health Care Benefits Expansion Act appears to be based on the fear that official recognition of domestic partners will somehow promote homosexuality and that such promotion would be a bad thing for our city. I rather doubt that anyone would take up a homosexual way of life in order to gain health care benefits, but I do think that the act might help promote greater stability in already existing gay and lesbian partnerships. Such stability would be of great benefit to society as a whole.

We all know that the Christian Church has for centuries supported marriage and family life, but many people are unaware of the original reasons for such support. The first Book of Common Prayer, which as published in 1549, said that the purpose of marriage was "for a remedy against sin and to avoid fornication". Christians had learned by then that promiscuity had a destabilizing effect on society. Although they may not have understood the reasons, they may have also sensed that promiscuity spread infectious diseases. In these chaotic times, I should think that we all would be interested in promoting households that are stable and in encouraging committed sexual relationships.

The opposition to the bill comes from people who believe that homosexual relationships are contrary to the will of God. They are entitled to their beliefs, but I am entitled to mine as well. I believe that denouncing homosexual practices and denying them the same rights as heterosexuals sets up a climate in which mindless fear and hatred can flourish. Unprovoked attacks on gay men are an indirect result of the climate of fear and hatred unwittingly created by those people who are trying to promote what they believe is the will of God.

Most of the people opposed to the recognition of domestic partners believe that

they are following the law of love. Telling homosexual people that we love them but that they do not deserve the same rights as heterosexual people, however, does not constitute a very loving act. To demand that other people conform their lives to our religious beliefs constitutes a denial of the respect that must be a component of love.

Many of the people who want to deny homosexual partners the rights enjoyed by married people do so because of their reading of the Bible. Much of what they find in the Bible, I submit, is a matter of translation and interpretation. To find the truth which waits for us in ancient Scripture is a task which requires a willingness to use the findings of responsible scholars as well as a faithfulness to the Good News delivered by Jesus Christ.

Although the Bible actually has very little to say about homosexuality, a survey of Bible passages which touch on the subject has been complicated in two ways. First, all references to the Sodom and Gomorrah stories in support of the view that the Lord God abhors homosexuality rest on a questionable interpretation of the text. Second, several references to "sodomites" in the King James Version of the Old Testament are a result of a mistake in translation. With these misunderstandings set aside, we will discover that only five isolated verses in the entire Bible deal with the subject of homosexuality. A careful examination of those verses will show that they deal with issues of cult prostitution and promiscuity and not with stable, homosexual partnerships.

Sodom and Gomorrah

A person approaching chapters 18 and 19 of Genesis for the first time and without any predisposition to find references to homosexuality might find none. The grave sin mentioned in 18:20 is not made explicit. Nor is the offense of the men of Sodom in chapter 19 clear, although much has been made of their shouted conversation with Lot concerning the two mysterious strangers he was harboring in his house. The men of Sodom demanded, "Bring them out to us, so that we may know them" (Gen. 19:5, NRSV¹). The key word is "know," a common Hebrew euphemism for heterosexual intercourse, but not homosexual. It is quite possible, therefore, that the key word should be taken in its more basic meaning and that what the men of Sodom wanted was to interrogate the strangers who were being sheltered by Lot, an untrusted alien in their midst.

If the offense of the men of Sodom and Gomorrah were their homosexual behavior, the prophets who refer frequently to their destruction apparently were unaware of it. In his commentary on Genesis 19, Von Rod says of the offending behavior:

Isaiah seems to have considered it the barbarity of their administration of justice (Isa. 1:10, 3:9); Ezekiel, however, thinks of "pride, surfeit of food, and prosperous ease" (Ezek. 16:49); and when Jeremiah speaks of adultery, lying, and unwillingness to repent (Jer. 23:14) he does not appear to be thinking directly of

¹ NRSV=New Revised Standard Version

unnatural unchastity, which would have been expressed differently.²

The two references to Sodom and Gomorrah in the New Testament are equally devoid of specific mention of homosexual practices. II Peter 2:6-10 begins with the example of fallen angels before turning to Sodom and Gomorrah as prototypes of the destruction to be expected by the "ungodly". The specific offense warned against in verse 10 has been variously translated because the original Greek phrase, *epithumia miasmou*, does not lend itself easily to translation. *Epithumia*, usually rendered "lust," is a compound word, *thumia* coming from the root which meant ritual fire or passion and *epi* being a prefix indicating a movement for or toward when used with words describing feelings. *Miasmos* means pollution or corruption. The behavior being condemned is the attempt to grasp after fire, that is, turn yourself on, by corruption. Although the connotation is probably sexual, it is not necessarily homosexual.

Jude 1:7 also mentions Sodom and Gomorrah as examples of punishment but describes the offending behavior in different words, none of which refer specifically to homosexual practices.

The Sodom and Gomorrah story, and the use made of it by other Biblical authors, indicates in our tradition a long-standing opposition to injustice and grasping behavior. Nothing in the in the Bible related to the Sodom and Gomorrah story, however, suggests a condemnation of homosexuality.

"Sodomites"

One reason for the confusion of the Sodom and Gomorrah story with homosexuality is due to the King James Version of the Hebrew Scriptures use of the word "sodomite" to translate *qadesh*.³ Modern versions of the Bible have come closer to the original meaning by translating it "male cult prostitute." The word *qadesh*, which literally means "holy one", appears both in a masculine and a feminine form. It was the term applied to the men and women who served in fertility temples. Apparently part of the ritual included having sexual intercourse with these "holy ones". Whether the male cult prostitutes were available to men or women or both is a matter of conjecture, but the reason for denouncing them was clear: the fertility rites of the Canaanites were in competition with the worship of the Lord God of Israel.

The Five References to Homosexuality in the Bible

Having put aside the questionable references, we are left with five passages which clearly refer to homosexuality. Two are found in Leviticus, both in chapters warning

² Gerhard Von Rad: *Genesis*, Revised Edition, Westminster Press; 1972; page 218

³ For example, see Deuteronomy 23:17, 18; I Kings 14:24, 15:12, 22:46, and II Kings 23:7.

against participation in local fertility cults.⁴ The only reason that homosexuality was mentioned at all was because the Israelites sense of identity depended on their differentiating themselves from their neighbors.

The three references to homosexuality in the New Testament appear in lists of offensive behavior,⁵ lists that include lying, perjury, and greed. What the writers in these passages condemn is not homosexual practice in general but prostitution and promiscuity. Prostitution and promiscuity -- in the same fashion as lying, perjury, and greed -- undermine the trust necessary for the stable functioning of society. Nothing in these three passages, however, relates to the subject of domestic partners.

One of the references to homosexuality in the New Testament⁶ is also part of a condemnation of fertility cult practices. Like the people of Israel who wrote Leviticus, St. Paul was trying to help the followers of Jesus stay clear of competing religions.

Conclusion

Mr. Chairman and Members of the Committee, as I have attempted to demonstrate, the Bible allots precious little space to the subject of homosexuality. Apparently it was not a subject of much interest to the people who wrote the Bible. Like them, I am opposed to prostitution, and I am opposed to people forcing other people into sexual acts, but I do not think that the concerns about homosexuality raised in the Bible are any basis to deny adult homosexual partners living together by mutual consent the same rights as married couples.

⁴ Leviticus 18:22 and 20:13

⁵ I Corinthians 6:9-10, I Timothy 1:8-10, Romans 1:26-32

⁶ Romans 1:18-32

METRO

D.C. Domestic Partner Law Attacked in Congressional Hearing

By Kent Jenkins Jr.
Washington Post Staff Writer

In a congressional hearing that covered the Bible, racial politics and the sexual orientation of a witness, a new District law was denounced yesterday as a first step toward "gay marriage" and an attack on family values.

The domestic partnership law, which allows any District government employee to designate a "domestic partner" and obtain health

insurance for that person, has been championed by D.C.'s politically influential gay community.

In one exchange during the House subcommittee hearing, the chief opponent of the law, Rep. Clyde C. Holloway (R-La.), questioned whether a priest who testified in favor of the law was himself gay.

The priest, the Rev. James Adams of St. Mark's Episcopal Church, answered simply, "No." He later said he considered the ques-

tion "inappropriate . . . angry and spiteful toward a group of citizens in this country."

Another House conservative, Rep. Dana Rohrabacher (R-Calif.), was sharply rebuked by Del. Eleanor Holmes Norton (D-D.C.) when he suggested that blacks were more likely to oppose the domestic partnership law than whites.

Rohrabacher noted that the ministers who testified against the law were black, and those who supported it were white. The black

ministers, Rohrabacher said, "more accurately reflect the makeup of the city."

"I object to the injection of race into this issue, sir," Norton snapped. "This is controversial enough without making it a racial issue. It is out of order, polarizing and unworthy."

That was not his intention, Rohrabacher said. The contentious hearing, before the House D.C. subcommittee on fiscal affairs and health, begins what

is expected to be a lengthy and emotional battle over the domestic partnership law, which conservatives have vowed to overturn.

Although the full D.C. Committee is expected to sustain the law in a vote Tuesday, opponents will try to kill it when it likely comes before the full House as an amendment to the District budget. The domestic partnership law, like all legislation passed by the D.C. government, is subject to federal review.

Supporters of the law repeatedly

have denied that it seeks to legalize gay marriage or expand gay rights. They portray it foremost as an attempt to expand the availability of health insurance, and note that unmarried heterosexuals can designate a mate or family member as a "domestic partner."

Proponents reacted angrily to much of what conservatives said at yesterday's hearing. "It's offensive," said Ernest Hopkins, co-chairman of the D.C. Health Care

See PARTNERS, D8, Col. 4

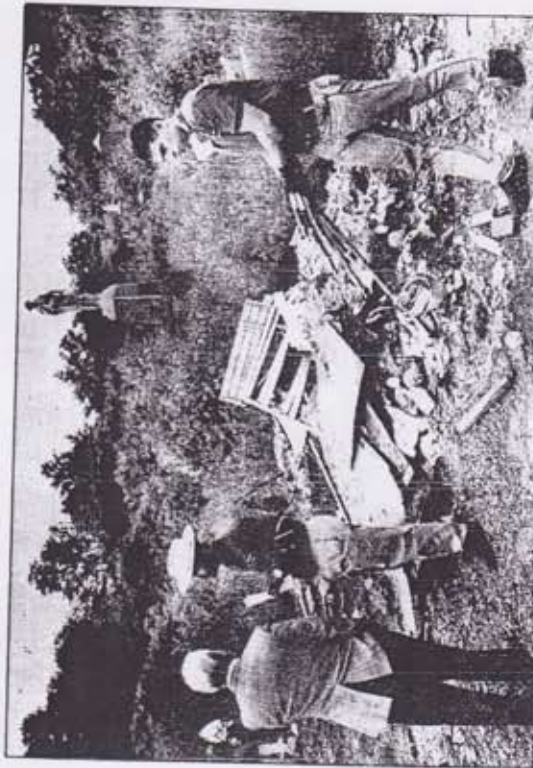


PHOTO BY JAMES S. FROST FOR THE WASHINGTON POST

SPRUNGING UP THE CEMETERY

Members of the D.C. Service Corps cleared away cars and tires, repaired fences and restored monuments yesterday at Woodlawn Cemetery.



HIV Victim Charged In Attack Bite Called Attempt To Kill U.S. Officer

By Amy Goldstein
and Gabriel Escobar
Washington Post Staff Writers

A District man infected with the AIDS virus has been charged with assault with intent to kill for allegedly biting a U.S. Secret Service officer in the thumb while being arrested a week ago, according to court records.

Wilbert Michael Yeager, 41, a photographer who learned he is HIV-positive a few months ago, is

Domestic Partner Law Assailed on Hill

PARTNERS, From D1

Coalition. "What they want is to discriminate against gays and lesbians in society. And this allows them to focus their rabid bigotry."

But Holloway said opponents will continue to attack the bill as a gay-rights measure. "The day we recognize homosexual and lesbian marriages, we lead to the destruction of our nation," he said after the hearing. "I think we're leading in that direction with this bill."

The exchange between Holloway and Adams, the Episcopal priest, began after Adams testified at length in favor of the law. Holloway asked whether Adams's congregation was "predominantly gay," and Adams said it was not.

"I'm almost flabbergasted to hear the statements that have been made today," Holloway said. "You don't read the Bible as I do . . . Does a bill like this set the example we would like to have set for our children?"

"We have too-long raised our children in a climate of hatred toward those not like them," Adams responded. "This sends the message that they should not feel that way."



REV. JAMES ADAMS
... questioning was "inappropriate."

Holloway then prompted an audible gasp in the crowded committee room by asking Adams, "Are you a homosexual?"

Holloway later acknowledged that "maybe some would say it was not a fitting question," but defended his decision to ask. "We have witnesses before us representing spe-

cial interests all the time," Holloway said. "After his statement, I thought I should" ask.

Strong emotions also were apparent in the standing-room-only audience. Opponents of the law wore lapel stickers reading "Domestic partners are not families." The laughter and applause of supporters had to be gaveled down by the subcommittee's chairman, Rep. Fortney H. "Pete" Stark (D-Cal.).

Neither D.C. Mayor Sharon Pratt Kelly nor D.C. Council Chairman John A. Wilson, both supporters of the law, attended yesterday's hearing. Both sent lawyers from their staffs to testify.

The absence of the two annoyed some supporters of the law, who questioned whether the officials were ducking controversy on Capitol Hill.



Rep. Clyde C. Holloway says the law could "lead to the destruction of our nation."
BY RAY LUSTIG—THE WASHINGTON POST

Water,
flowers,
trees,
fruits,
vegetables,
shrubs,
soil,
grass and
people
love us.



VALERIE COUPON VALERIE

TO: VESTRY
FROM: JANICE GREGORY
RE: RESPONSE REGARDING QUESTIONING OF RECTOR BEFORE
HOUSE OF REPRESENTATIVES DC COMMITTEE
DATE: JUNE 8, 1992

As you are aware, Jim Adams testified before the House DC Committee on June 4. His testimony was at the request of DC Delegate Eleanor Holmes Norton. She asked him to address the issues of whether the DC Health Care Benefits Expansion Act (which allows individuals working for the DC government to purchase family coverage for a domestic partner and the dependents of a domestic partner from the DC employee health plan and also accords visitor rights and certain other rights on domestic partners) would "promote homosexuality and undermine the Christian family" and to provide an analysis of the treatment of homosexuality in the Bible.

The hearing was being held on a resolution to overturn this District law. The proponents of the resolution to overturn, lead by Rep. Clyde Holloway of (R-LA), were bringing in two ministers (one Catholic and one Baptist) to testify that the DC law did undermine the Christian family and promote homosexuality. Mrs. Norton asked Jim and the minister of the New York Avenue Presbyterian Church to present the opposing view.

A copy of Jim's testimony was placed in your message box. (If you can't get to your box, we can fax you a copy directly.)

At the hearing, Jim was subjected to a series of questions by Rep. Holloway, several of which were recounted in the Washington Post Friday morning.

Bill Dannenmaier has suggested that the Vestry write to Rep. Holloway in support of Jim's ministry and in order to protest the inappropriateness of his line of questioning.

A copy of a draft of such a letter is attached.

What do you think?

Do you want to send a letter? yes no

If you want to send a letter but want to change the attached draft, please enclose your changes with your response to this memo.

You may fax your response to me at 202-789-1120. Thanks.

JAMES R. ADAMS, RECTOR
SUSAN M. GRESINGER, ASSOCIATE RECTOR

118 3RD STREET, S. E.
WASHINGTON, D. C. 20003
TELEPHONE (202) 543-0053

June 10, 1992

U. S. Rep. Clyde C. Holloway
1206 Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Holloway:

We, the Vestry of St. Mark's Church on Capitol Hill, Washington, D.C., noted with interest the questions you asked our Rector, the Reverend James R. Adams, at the June 4 hearing before the Subcommittee on Fiscal Affairs & Health of the Committee on the District of Columbia.

We would like you to know that, as the elected leaders of this Protestant Episcopal Church, we affirm Jim Adams in his ministry and heartily support his expression before the Subcommittee and elsewhere of his opinions on political, social, and religious matters affecting this community and the wider world.

We also would like to address more fully one of the questions that you put to him. The question was whether or not our congregation was "predominantly gay." We are concerned that this question suggests an intent to label and devalue members of our church, our community, and our society -- and, on that basis, to dismiss as unworthy the views of our Rector.

To discriminate against some members of our congregation is to discriminate against us all. We choose to stand together. Since some of our members are homosexual, so are we all in the face of discrimination. Since some of our members are Jewish, so are we all in the face of discrimination. Since some of our members are children, so are we all in the face of discrimination. We are mothers, fathers, single, married, gay, straight, old young, African-American, white, Latino, Asian-American, handicapped; we are many faces of humanity. As a congregation, however, we are one.

St. Mark's defines itself as a spiritual community in which we are gathered to celebrate the gifts of God that empower us to engage boldly in the struggles of life, to care for each other, and to serve Christ where we live and work. Thus, we support our Rector's timely reminder of what love for our fellow human beings can look like in practice.

As we are located close to your offices, we invite you to come and visit with us and to worship with us at 9:00 or at 11:00 on Sundays and at noon on Thursdays.

Very truly yours,


Janice M. Gregory
Senior Warden


Wayne T. Curtin
Junior Warden

Members of the Vestry

William H. Dannenmaier
Harrison Donnelly
Robert P. Hall
Edwin S. Kneedler
Keith Krueger

William J. Landers
Janice Lower
Bertha S. Martin
Lael Stegall

cc: Members of the Committee