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Business, Labor, Congressional Reps, Medical and Legal Experts Take Aim at DOMA in *Gill* Amici Briefs

Today, supporters of *Gill v. Office of Personnel Management*, GLAD's challenge to the federal Defense of Marriage Act (DOMA), filed 11 amici curiae briefs in the First Circuit Court of Appeals in Boston.

The amici briefs (which can be [read here](#)) collectively reflect a broad and deep opposition to DOMA's exclusion of married same sex couples from federal marital protections, including: a business brief joined by companies large and small in a wide swath of industries; a labor brief by leading organizations representing workers; a brief signed by more than 130 Members of Congress; and a filing from Citizens for Responsibility and Ethics (CRE) showing how DOMA undermines ethics laws and burdens the public fisc.

"These amici filings provide critical and accurate information to the court. They also provide overwhelming evidence for what we've been saying since we filed this lawsuit -- and what a federal District Court Judge has already declared: there is no justification for depriving only married same-sex couples of the federal protections and responsibilities other married persons receive," said Mary L. Bonauto, Civil Rights Project Director for GLAD. "Many of the briefs also demonstrate that DOMA works counter to the purposes it supposedly serves."

The 11 briefs are:

1. **Business Amici** (70) addressing the burdens on business caused by DOMA, such as how it forces employers to treat employees with same-sex spouses disadvantageously compared to other married employees and imposes extra costs
2. **Members of Congress** (more than 130), arguing that DOMA is unconstitutional and opposing the arguments purportedly made on their behalf by the Bipartisan Legal Advisory Group (BLAG), which is now defending DOMA in court.
3. **Psychological, Medical and Social Work Professional Associations**, addressing child welfare issues, scientific evidence on child rearing, and the stigma and harms imposed by DOMA on married couples and their children

4. **Historians of Marriage**, addressing the multiple purposes of state regulation of marriage and refuting the idea of biological procreation as the reason for state regulation of marriage, the history of dramatic and contested changes in U.S. marriage law, and the consistent rule of federal deference to state marital status determinations.
5. **Professors of Family Law**, addressing the federal government’s acceptance of state marriage and divorce determinations – until DOMA, and how DOMA differs from every other federal law that uses family terms in determining benefits or protections.
6. **Professors of Family and Child Welfare Law**, addressing why “responsible procreation” and “optimal childrearing” fail to justify DOMA, and how DOMA contradicts Congressional policy supporting the welfare of all children, regardless of the circumstances of their birth.
7. **Bar Associations and Civil Rights Organizations**, addressing why sexual orientation classifications merit heightened scrutiny under existing Supreme Court precedent.
8. **Labor Organizations**, addressing how DOMA prevents private and public sector employees from obtaining protections available to other workers and undermines the economic security of working people.
9. **Citizens for Responsibility and Ethics**, explaining how DOMA undermines numerous ethical provisions that promote transparency and avoid conflicts of interest, and that its cost to the public fisc is an additional reason for striking it down.
10. **Anti Defamation League and Religious Organizations**, explaining that religious and sectarian moral views cannot provide a rational basis for federal law.
11. **Jewish Social Policy Action Network**, arguing that DOMA fails the rational basis test.

Gill v. Office of Personnel Management, was the first strategic case in the nation to be filed against DOMA. In July 2010, GLAD won the first-ever ruling at the district court level that DOMA is unconstitutional, and GLAD’s case is the first to reach a federal appellate court.

Gay & Lesbian Advocates & Defenders is New England’s leading legal organization dedicated to ending discrimination based on sexual orientation, HIV status, and gender identity and expression.

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