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Reply to: Washington, DC

October 26, 2011

Senator
Senate Office Building
Washington, D.C. 20510

Re: S.598, the “Respect for Marriage Act of 2011”

Dear Senator:

Liberty Counsel Action (LCA) understands that the “Respect for Marriage Act of 2011” may be up for a vote next week. LCA, on behalf of more than 750,000 members nationwide, urges you to vote against S.598, the “Respect for Marriage Act of 2011.” A vote against S.598 is a vote for individuals with a same-sex sexual preference, for states’ rights, and for the Defense of Marriage Act, which was passed by an overwhelming majority of Congress in 1996. LCA will negatively score the vote for S.598 and the vote will be included in LCA’s legislative scorecard for the 112th Congress.

There are a number of reasons the Defense of Marriage Act is good law and should be maintained for the benefit of individuals seeking same-sex marriages and the good of the country as a whole. Marriage, as it is currently defined by thirty-one states and the federal government, encourages healthier relationships and healthier people. According to the Center for Disease Control, males engaged in homosexual behavior in 2007 were “44 to 86 times as likely to be diagnosed with HIV compared with other men.”¹ Additionally, the Canadian Rainbow Health Coalition has listed a number of health issues that are more common in homosexuals: increased risks of developing cancers, including a higher risk of lung and liver cancer for male and female homosexuals, an increased risk of anal cancer in homosexual men, an increased risk of breast cancer in homosexual women, increased smoking rates, increased rates of alcoholism, increased use of illicit drugs, increased experiences of depression, and increased risks of experiencing verbal and physical abuse.² God ordained marriage as the union of one man and one woman for our benefit – there are serious risks associated with homosexual behavior, which is why the government should not be in the business of normalizing or subsidizing the behavior.

Marriage, as the union of one man and one woman, is the foundation of society and provides the best and most healthy environment for living and raising children. Additionally, the voters in

¹ Center for Disease Control, *HIV among Gay, Bisexual and Other Men Who Have Sex with Men*, Department of Health and Human Services: Centers for Disease Control and Prevention, Divisions of HIV/AIDS Prevention September 23, 2010, <http://www.cdc.gov/hiv/topics/msm/index.htm>.

² Thaddeus Baklinski, *Homosexuals’ Complaint against Health Canada Lists Negative Health Consequences of Homosexual Lifestyle*. LifeSiteNews.com: Life, Family and Culture News, May 14, 2009, <http://www.lifesitenews.com/news/archive/ldn/2009/may/09051403>.

thirty-one states have chosen to define marriage as the Defense of Marriage Act does, as the union of one man and one woman; this definition is supported by a vast majority of Americans.

Currently, states have the ability and authority to recognize marriage as their residents and legislatures wish because of Section two of the Defense of Marriage Act.³ Repealing DOMA would cause the 31 states, where voters have defined marriage as the union of one man and one woman, to accept other definitions from other states, whether the definition includes polygamous, homosexual, or other types of relationships, and would require states to provide benefits based on other states' definitions of marriage.

Section Three of the Defense of Marriage Act simply defines, for interpretation of Congressional and other federal acts, that "the word 'marriage' means only a legal union between one man and one woman as husband and wife, and the word 'spouse' refers only to a person of the opposite sex who is a husband or a wife."⁴ Marriage, as a building block of society has an economic impact. Study after study shows that the families with the highest income and net worth are intact families, where children are raised by their biological, married parents; in fact, marriage drops the probability of child poverty by eighty-two percent.⁵ This is why the government rewards marriage through the provision of spousal benefits and other benefits to married couples. In a sense, there is a return on the federal government's investment. Homosexual couples do not have that ability to create intact families because they cannot procreate and thus, innately have a diminished capacity to reach their own highest economic potential.

Thus, repealing DOMA would have a substantial and negative economic impact by including a new group of people eligible for a range of federal spousal benefits and subsidies, a group of people never before recognized for such benefits, a group of people that past Congresses, the Congresses that created those benefits, never intended to confer to same-sex partners.

The Defense of Marriage Act is good law because it reinforces and subsidizes healthy behaviors for individuals and reserves federal benefits for those unions that return a benefit to society. S. 598 repeals the Defense of Marriage Act. Liberty Counsel Action encourages you to vote against S. 598, the "Respect for Marriage Act of 2011," and will include your vote in its Congressional Scorecard for the 112th Congress.

Sincerely,



Mandi Campbell
Director of Public Policy

³ Defense of Marriage Act § 2, 28 U.S.C. § 1738(c) (1996).

⁴ Defense of Marriage Act § 3, 1 U.S.C § 7 (1996).

⁵ Henry Potrykus, Patrick Fagan & Robert Schwarzwaldner, *Our Fiscal Crisis: We Cannot Tax, Spend, and Borrow Enough to Substitute for Marriage*, Family Research Council, June 2011, <http://downloads.frc.org/EF/EF11F49.pdf>; The Heritage Foundation: Leadership for America, *Marriage: America's No. 1 Weapon Against Childhood Poverty: How the Collapse of Marriage Hurts the Nation and 7 Steps to Reverse the Damage*, Fall 2010, http://thf_media.s3.amazonaws.com/2010/pdf/marriage_poverty_slideshow.pdf.