

# Definitions

## Marriage

Legally, states grant civil marriage licenses which afford couples over 1,000 legal protections and rights in state and federal law. Religious institutions do not have to recognize marriages or perform marriage ceremonies.

## Civil Unions

Provide legal protections and rights under state law. Every state can define the terms of its civil union recognition laws. Civil unions are not recognized by other states or federal government. They do not afford couples the federal benefits accorded by marriage. State benefit programs funded as a joint effort between federal and state entities would be excluded from civil union benefits. The breakup of a civil union can only be done in the state in which the couple was “unionized”. For example, civil unions performed in Vermont by residents outside of Vermont would have to become residents of the state in order to end the union.

## Domestic Partnerships

Provide health insurance and other benefits in the workplace. This is a non-mandated benefit among private and public employers.

## DOMA – Defense of Marriage Act

In 1996, Congress enacted the DOMA “to define and protect the institution of marriage.” It allows all states, territories, possessions, and Indian tribes to refuse to recognize an act of any other jurisdiction that designates a relationship between individuals of the same sex as marriage. In part, DOMA states:

No State, territory, or possession of the United States, or Indian tribe, shall be required to give effect to any public act, record, or judicial proceeding of any other State, territory, possession or tribe respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State, territory, possession or tribe, or a right or claim arising from such relationship.

Furthermore, DOMA goes on to declare that the terms “marriage” and “spouse” as used in federal enactments, exclude homosexual marriage.

In determining the meaning of any Act of Congress, or of any ruling, regulation or interpretation of the various administrative bureaus and agencies of the United States, 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.”