

## President Bush Signs D.C. Domestic Partner Benefits Bill

President George W. Bush signed a historic bill on December 21, 2001, which for the first time allows the local government in the District of Columbia to implement a domestic partner benefits law which it had enacted in 1992. The measure reached the President's desk due to support from 41 House Republicans.

The D.C. Council and Mayor passed the "Health Care and Benefits Expansion Act" in 1992. The law created a domestic partner registry and granted several legal protections to registered partners. (See center box.)

However, the following year Congress placed restrictions in the District's Appropriations Bill which prohibited any local or federal funds from being used to implement the new law. Congress has oversight authority over the District's budget and can veto any local expenditures of which it disapproves.

Each year since then, Congress has placed similar restrictions in the D.C. Appropriations Act to prohibit implementation of the domestic partner law.

Eleanor Holmes Norton, the District's non-voting delegate to the House of Representatives, worked diligently each year to gain bi-partisan support for the measure as a "home rule" issue. Her goal was not reached until the current legislative session.

The District of Columbia now joins dozens of other municipalities in the nation which have implemented domestic partner registries or benefits programs for local government workers.

What distinguishes the District's law from all of the others, however, is that it includes same and opposite-sex unmarried couples, as well as unmarried blood relatives.

Some cities only allow same-sex couples to participate. All municipalities, with the exception of Washington, D.C., exclude unmarried blood relatives from eligibility.

The D.C. law allows any two unmarried adults who meet the law's definitional requirements to register as



Bush approves partner bill

### D.C. Bill is a Model of Inclusion

In order to be eligible for benefits under the law, two adults must register with the District of Columbia. To be eligible for registration, each adult: must be at least 18 years old, competent to enter into a contract, the sole domestic partner of the other person; and may not be married. Unlike laws in other jurisdictions, blood relatives are not excluded from registering as domestic partners.

- Under the domestic partner law:
- All health care facilities must give visitation rights to partners.
  - Employees of the District may enroll a partner for health benefits at the group rate, although it is at their own cost.
  - District employees may take sick leave to care for a domestic partner.
  - The District must allow an employee bereavement leave to make funeral arrangements for a domestic partner.



Rep. Norton savors a victory

partners, regardless of sex, sexual orientation, or blood relationship.

Because of its inclusion of blood relatives, domestic partners who register with the District of Columbia will not be presumed to be in an intimate sexual relationship. Instead, they will be presumed to be each other's immediate family members.

"The fact that the District's law is grounded in household-family relationships, rather than in sexual intimacy, probably made it easier for the President and moderate Republicans to support it," observed Thomas F. Coleman, Executive Director of AASP.

"The law's requirement that partners be in a 'committed relationship' characterized by 'mutual caring and sharing of a mutual residence' apparently did not cause undue concern for the President or moderate Republicans in the House and Senate," Coleman added.

In floor arguments on the measure, Democrat Jim Moran (VA) pointed out that allowing the District to implement the domestic partner law "would help a single grandmother caring for her grand child, or two elderly sisters" as well as providing some protection to "two elderly people who can't get married for economic reasons."

Norton called the vote in the House "not only an invaluable precedent for District home rule, but a historic breakthrough for human rights."

House Republicans voting to allow the benefits program to be implemented included: National Republican Congressional Committee Chairman Tom Davis of Virginia, Representatives Greg Ganske (IA), Mike Ferguson (NJ), Jim McCrery (LA), and Robert Ehrlich (MD).

Ohio Republicans voting for the program included Ralph Regula, Paul Gillmor, Steven LaTourette, David Hobson, and Deborah Pryce.

Florida Republicans voting for the measure included Ileana Ros-Lehtinen, Dan Miller, and E. Clay Shaw.

California House Republicans Dana Rohrabacher, Mary Bono, Jerry Lewis, David Dreier, and Darrel Issa also voted in favor of the program. ▲▲▲