

Same-Sex Marriage
5/15/96

Gay Marriage
May 15, 1996

Mike FYI --

- Richard Soceridies and Marsha Scott called from the Hill to say that Andy Fois, Assistant Attorney General at the Justice Department, has sent a letter to Rep. Hyde indicating DOJ believed that the gay marriage legislation HR 3396 would be sustained as constitutional if a legal challenge were raised against it.
- This was a routine letter sent in response to a routine request for testimony. In determining that a constitutional challenge to the legislation would not be sustained, the department concluded that there were no issues which necessitated an appearance by a member of DOJ at today's hearing.

If asked about this letter Marsha and Richard would like to you respond:

This was a routine letter sent in response to a routine request for testimony. You should check with the Department of Justice for further information on this decision.

Letter attached

Drafted: Kathy McKiernan

5/24/96

Written by Jeremy -

Same-Sex Marriage 5/24/96

OK'd by GS + Mount +
Counsisff.

GAY MARRIAGE

Q: Yesterday, Mike McCurry said that the gay marriage bill in Congress has two provisions. Today, the President said that he is willing to sign the bill because it does only one thing. How do you explain this discrepancy?

A: The bill has two key provisions. The first, which the President expressly mentioned today, reiterates that states are not required by the Full Faith and Credit Clause to recognize a gay marriage that is legal in another state. The second provision, which the President also referred to in substance, provides that for purposes of federal law, marriage refers only to a union between a man and a woman. As Mike McCurry said, both of these provisions are consistent with the President's opposition to gay marriage. Thus, as Mr. McCurry said, if the pending bill were presented in its present form, the President would sign it.

Q: Doesn't the bill do more than the President said?

A: No. The bill has two parts and both of them were covered by the President's remarks.

Drafted by Jeremy BenAmi 65587
Cleared by George Stephanopoulos