

Signe Bell, Presbytery of New Castle

Good Afternoon, my name is Signe Bell and I come to you to speak on behalf of item 18-06. Since 1977, the Presbyterian Church (U.S.A.) and its predecessor denominations have called for protection against social and economic discrimination based upon a person's sexual orientation. In 2004, the General Assembly requested a feasibility study by the Board of Pensions on domestic partner benefits. In 2006, this study was received favorably. And most recently in 2008, the 218th GA, passed a resolution to:

Renew and strengthen the long-standing Presbyterian Church (USA) commitment to equal protection under the law for lesbian and gay persons and of the right of same-gender persons to civil union and, thereby, to all of the benefits, privileges, and responsibilities of civil union.

Items 18-01 and 18-06 simply ask that we do just that, recognize civil unions and provide same gender couples with the same benefits that we have been providing to married couples all along. This is not only a matter of justice, it is a matter of caring for those who dedicate their lives to serving our congregations and doing God's work in our communities. We all know that one of the benefits on which we depend is medical care and, by extension, medical insurance, which has become a necessity to pay for or obtain that care. More than half of personal bankruptcies in the United States occur because of crushing medical debts. Without insurance, we are all just one accident or illness away from financial disaster.

We are not alone in pursuing the issue of benefits for domestic partners, nor, unfortunately, are we in the forefront of so doing. Three other denominations, the United Church of Christ, the Episcopal Church, and the Evangelical Lutheran Church, have already extended these benefits. Of the Fortune 100 companies, 83% extend benefits to domestic partners. As a church, we have a problem when a group of profit-making companies including the likes of Wal-Mart extend more benefits to a group of people than do we.

While I know there is some concern about the additional cost that passing this overture may require, please keep in mind that we would not ask those who are employed by our churches to refrain from getting married or having children, simply because it would be less expensive for us. The fact is that health and retirement benefits for members of the Board of Pension's plan and their families, is a benefit of employment.

Extending benefits to domestic partners is the right thing to do, and now is the right time to do it. We as Christians are called to speak out against injustice and discrimination. As a lifelong Presbyterian, I have always been proud of the willingness of our denomination to do so, and therefore; I am surprised and saddened that we continue to perpetuate this injustice in our own organization. Unequal access to health and retirement benefits is one of the greatest concerns of our time and we have the obligation and now the opportunity to care for those who care for us. I hope that the church will use its voice now to obey Jesus' call to justice and compassion.

Thank you.

David Wall, Presbytery of New Brunswick

Good afternoon!

My name is David Wall and I am the overture advocate for New Brunswick Presbytery. Our presbytery voted overwhelming to request that the General Assembly urge the Board of Pensions to end their discriminatory practice of excluding one category of participating members' spouses and their families from their plan.

Upon graduating from Princeton Seminary in 1980, I was hired by then President James McCord to serve with him in his administration. I was 25 years old. As part of my employment, the Seminary enrolled me in the Board of Pension's Medical and Pension Plan. I am an elder, a certified Christian educator and I have participated in committees at many levels of The Presbyterian Church U.S.A. for almost three decades now.

Legally, I am not single. I am also not married. New Jersey has a Civil Union law, which the state regards as the legal equivalent of marriage. On March 24, 2007 Bob Houck and I were "civilized" or "unionized" in the State of New Jersey. We are legally a couple. The state of New Jersey recognizes this status and my employer, Princeton Theological Seminary, recognizes this status. My spouse's employer, Bloomberg News, also recognizes this status. Our friends, families and the congregations in which we have been members, recognize this status.

In 1989 we became parents to a newborn baby girl, who is now 21 and a proud senior at The College of Wooster in Ohio, a Presbyterian college. Bob and I hope to retire in a few years.

Last summer I contacted the Board for retirement information. I received a retirement packet and later talked with a person who answered my questions. I told him that their forms do not have a box for me. "Legally, I am not single. I am in a legal relationship and that my spouse and I had been together for over 30 years." So I asked, "Does the Board recognize my legal status?" The person put me on hold, later came back with some answers. He said "The Board does not recognize you as a couple." I then asked if the Board would recognize us, if we were married in a state that had marriage, for example, Massachusetts. He said, "No." He then said much to my astonishment: "We are the church, we do not have to recognize state laws." I asked if I were to retire and die, who would get my pension, noting that there were a number of options from which a straight married person may choose and provide for a spouse. He said, "No one." I said "So not my estate, not my daughter, not my legal spouse?" "No, no one" he said.

Later, I asked the Board if I could roll over the contributions given by the Seminary to the Seminary's other retirement plan, TIAA-CREF. "No." I asked if I could ask for a lump sum payment so I could invest in another retirement fund to provide for my family. "No" was the answer. I then asked, "How do I appeal this? Who does the Board of Pensions report to?" He said that the Board reports to the General Assembly.

So, here I am today appealing to you, commissioners to the 218th General Assembly. My presbytery and I are asking for you to urge the Board of Pensions to be fair and just and change their current policy that excludes all same-gender couples.

Thank you.

Arnold Rots, Presbytery of Boston

Dear brothers and sisters,

My name is Arnold Rots and I represent the Presbytery of Boston as Overture Advocate for business item 18-01. The previous speakers have explained that this is a matter of equal justice and what it means for someone who is personally affected by the Board's current policy.

You have also seen the Board's comments on our overtures, indicating that implementation is eminently feasible, but asking for rephrasing of some sentences in the overture. We have no objection to that. However, we would strongly urge you to add one clause to the Board's substitute version, namely the insertion of the phrase "regardless of ordination status" after the word "members"¹.

Here is why. We want to be explicit that minister members are not to be excluded. This clause was not in the original overture since we believed the intent to be clear, but that conviction is not shared by the Board and hence we feel it is essential to state this explicitly.

The Board, in its attachment, indicates that it believes to have a mandate to enforce a particular article from the Book of Order. We respectfully disagree. Let me emphasize that it is not our intent to attack G-6.0106b with our overtures. But the Presbyterian Church (USA) has entrusted the judgment on violations of the Constitution to its Permanent Judicial Commissions, not to the Board of Pensions. The Board has stated that it does not meddle in polity issues and that is the way it should be. The question who is legitimately a member is up to the governing body. The Board of Pensions must treat all members of the Plan as if they are entitled to the mandated benefits, and may not deprive some members of benefits for their families; that would be a lack of due process. The Board of Pensions describes itself as a legal entity that is separate from the

¹ So that the first sentence reads:

[That the General Assembly] urge the Board of Pensions to adopt amendments to the Benefits Plan to extend eligibility for spousal and dependent benefits under the Plan to same-gender spouses and same-gender domestic partners of members, regardless of their ordination status, and to their partners' eligible dependents.

Presbyterian Church (USA). As such, it has no standing in the church's judicial system and therefore no right to question a member's standing in the church.

That is why we respectfully request that the committee consider directing the Board explicitly not to exclude ministers from these benefits.

In closing, let me repeat what the 218th General Assembly affirmed, namely:

“the long-standing [...] commitment to equal protection under the law for lesbian and gay persons and [...] the right of same-gender persons [...] to all the benefits, privileges, and responsibilities of civil union.”

On that basis the previous General Assembly requested:

“to urge state legislatures and the federal government to apply the principle of equal protection to same-gender couples and their children.”

Now let us apply that to ourselves: let us put our money where our mouth is and ask our own Board of Pensions to do no less than state and federal government or WalMart.

Thank you.