

# How did the Supreme Court ruling on DOMA affect astronomers?

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**Abstract:** In June 2013, the U. S. Supreme Court ruled that Section 3 of the Defense of Marriage Act (DOMA) was unconstitutional. Section 3 had barred the federal government from recognizing same-sex marriages. The decision, *United States v. Windsor*, made headlines around the world, and particularly affected astronomers, since astronomers are more likely than the general US population to be foreign nationals, to have a foreign-born spouse, or to work for the federal government.

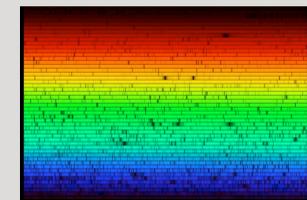
In this poster, we highlight some of the many ways that the *Windsor* case has affected US astronomers and our profession. Bi-national couples can now apply for green cards (permanent residency). Scientists who work for the federal government, including NASA and the NSF, can now obtain health insurance for a same-sex spouse. From taxes to death benefits, health insurance to daycare, immigration to ethics laws, the end of S3 of DOMA has profoundly improved the lives of US scientists who are lesbian, gay, bisexual, or transgender (LGBT). Here, we highlight several real-world examples of how DOMA's demise has improved the lives and careers of US astronomers.



At the steps of the United States Supreme Court, 3/27/2013, as the Court heard oral arguments in *U.S. v. Windsor*. (Photo by the author).

WORKING GROUP ON LGBTIQ EQUALITY (WGLE)  
LGBTIQ: LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX, QUEER OR QUESTIONING

The AAS Working Group on LGBTIQ Equality (WGLE, pronounced “wiggly”) is tasked with promoting equality for lesbian, gay, bisexual, transgender, intersex, and questioning (LGBTIQ) individuals within the astronomical profession. WGLE provides mentoring and networking for LGBTIQ astronomers, and provides resources to support LGBTIQ inclusion and equality within science.



N.A. Sharp, NOAO/INSO/Kitt Peak FTS/AURA/NSF

Join us at [wgle.aas.org](http://wgle.aas.org).

## Story # 1: Stefano

Daniel and I were married in California a few weeks after the Supreme Court's DOMA decision, after having been together for 8 years. **The DOMA decision will allow me to apply for a green card.**

My immigration status was a source of worry. Daniel and I met while I was an exchange student on a 1-year visa. We dated long-distance for a year while I applied for graduate school. My F-1 visa had to be periodically renewed at a U.S. embassy abroad (e.g. my home country, Italy). Any red flag could delay approval and reentry in the U.S. for months. This added to the stress of my PhD research! Nor was I eligible for fellowships restricted to citizens and permanent residents.



Astronomer Dr. Stefano Meschieri (right) with his husband Daniel (left), on their wedding day in summer 2013.

Uncertainty about my future has been a lingering source of worry for me and my husband. Our marriage sealed once and for all our future together, and reassures me that whatever hardship is ahead I will be able to be physically there for him, and vice versa. It makes us happier to think that we can finally plan for the long term together.

The DOMA decision is an incredible step forward. I hope my colleagues will recognize the tremendous impact it will have on their LGBT colleagues.

## Story # 2: Scott

When I first met my partner, he was living in another state. After about 1.5 years of dating, he resigned from his job and moved to Columbus, OH to be with me. He was out of work for about 6 months. Fortunately, my employer, The Ohio State University, offered domestic partner benefits. After filling out an affidavit of domestic partnership, I could put him on my health insurance.

Unfortunately, because of DOMA, Martin's benefits were federally taxable income, significantly raising my yearly taxes. Therefore, once he got a job, he switched to his employer's health insurance plan, even though it was demonstrably worse than mine.



Astronomer Dr. Scott Gaudi (right) with his partner Martin.

**DOMA has obviously changed this situation: we will no longer have to pay these extra taxes,** provided Martin and I are married. This is a significant improvement in our finances. However, this is only because Ohio State's generously offers partner benefits. Martin and I are still not able to get married legally in Ohio, and marriages performed elsewhere are not recognized in Ohio.

The past few years have seen an incredible amount of progress on gay rights issues, including but certainly not limited to DOMA. For me, Obama's public support of gay marriage was a watershed moment. This progress has affected my life enormously. I finally feel like I am on my way to becoming an equal citizen (we still have a long way to go). And, I don't hesitate nearly as long to mention Martin when someone asks me if I'm married.

## Story # 3: Jane

My wife Andrea and I were married in California five years ago. We've been together thirteen years.

Three years ago, I accepted my job as a federal employee at NASA. I knew that because of DOMA, I wouldn't have the same benefits as most of my co-workers. I got a smaller moving allowance because NASA called me “single”. I couldn't cover my wife on my health insurance plan, and she wouldn't get survivor payments if I died.

The adoption process is hard, but no harder for us than a straight couple, because Maryland recognizes our marriage.

My wife and I, with our baby, stood with the crowd at the steps of the Supreme Court when DOMA was struck down. We cried, and the baby napped.

**After DOMA fell, a NASA benefits counselor called to explain all the (equal) benefits I was now entitled to.** My family can now be covered by a single health insurance plan, saving us ~\$2K/yr. I signed up for a daycare flexible savings account, saving us \$1K/yr. If I should die early, NASA will pay my wife survivor benefits. It's now far easier to file our taxes.



Astronomer Dr. Jane Rigby (right) with her wife Dr. Andrea Leistra and their baby, at the Supreme Court after DOMA was struck down.

I'm no longer treated as a second-class employee. It's such a relief to finally be paid and taxed the same as everyone else. It's even better to have respect and equality!