



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

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June 7, 2005

Mr. Frederick P. Schaffer
General Counsel and Vice Chancellor for Legal Affairs
City University of New York
535 East 80th Street
New York, NY 10021

Dear Rick:

Per our discussion, I am forwarding to you a letter we received from Robert Pisano, a Queens College employee, who recently encountered difficulty in registering his spouse, John Thompson, for CUNY spousal health benefits. Mr. Pisano and Mr. Thompson were wed recently in Ontario, Canada. As the letter states, CUNY's health benefits office did not accept their Canadian marriage certificate for the purpose of determining benefits eligibility and, instead, required the couple to re-register as domestic partners in the City and their domestic partnership certificate was then accepted for the purposes of the determination.

While Mr. Pisano recognizes that the City of New York and CUNY are two distinct legal entities, he wrote to City Hall because he is aware that the Mayor recently announced that the City would recognize equally all marriages, whether between same- or opposite-sex couples, and civil unions lawfully entered into in jurisdictions other than New York State, for the purposes of extending and administering all rights and benefits belonging to these couples, to the maximum extent allowed by law. Although the immediate issue of health coverage for Mr. Thompson seems to be resolved by CUNY's agreement to extend him health care benefits, based on domestic partnership status, on behalf of the Mayor I thank you for reviewing the larger and important issue of CUNY's treatment, for the purposes of spousal benefits administration, of same-sex couples who legally enter into marriages or civil unions in other jurisdictions. To assist you in your review, I am including a legal opinion from the Corporation Counsel that you may find helpful. Please contact me with any questions and I appreciate your advising me of the outcome of your review and whether CUNY decides to make health benefits available to Mr. Thompson and others based on same-sex spousal relationships.

Sincerely,


Anthony Crowell

cc: Mr. Robert Pisano