

Today, Senator Feinstein led the effort to permanently and completely repeal the Defense of Marriage Act (DOMA). Along with 18 of her colleagues, Senator Feinstein introduced the legislation, which would restore the rights of all lawfully married couples and would allow them to be recognized under Federal Law. At a press conference she hosted today with her Senate colleagues, she outlined the details of the legislation.

This was a historic day. As Senator Feinstein said today – “It is time to right this wrong. This bill will ensure that all married couples in the United States enjoy equal protection of our laws.”

Below you will find:

- Joint Press Release on the DOMA Repeal Legislation
- Bill Text as it was introduced today (attached)

For Immediate Release

Wednesday, March 15, 2011

Senators Introduce DOMA Repeal Legislation

“Respect for Marriage Act” strikes law that denies married, same-sex couples federal protections

Washington, D.C. – Today, U.S. Senators from across the country stood with local, legally married couples who have been denied the benefits and protections of federal law to announce legislation that would repeal the Defense of Marriage Act (DOMA).

The ***Respect for Marriage Act*** would repeal DOMA and restore the rights of all lawfully married couples – including tens of thousands of same-sex couples – to receive the benefits of marriage under federal law.

Under current law, legally married, same-sex couples cannot take advantage of federal protections available to every other married couple in this country. These couples cannot:

File joint federal income taxes and claim certain deductions;

Receive spousal benefits under Social Security;

Take unpaid leave under the *Family and Medical Leave Act* when a loved one falls seriously ill;

Obtain the protections of the estate tax when one spouse passes and wants to leave his or her possessions to another.

“There are tens of thousands of legally married same-sex couples in the United States, and more than 18,000 in my home state of California alone,” said Senator Dianne Feinstein. “These couples live their lives like all married people; they share the bills, they raise children together, and they care for each other in good times and bad, in sickness and in health, until death do they part. But because of DOMA, they have been denied federal protections. It is time to right this wrong. This bill will ensure that all married couples in the United States enjoy equal protection of our laws.”

“The time has come for the federal government to recognize that every American family deserves all of the legal protections afforded to couples who are married under state law,” **said Senator Patrick Leahy.** “I am proud to say that Vermont has led the nation in marriage equality. I do not want Vermonters, or people in any other state where same-sex marriage is recognized, to be harmed by the continuing effect of DOMA. This is a question of

basic civil rights.”

“Every loving, committed couple deserves the basic human right to get married, start a family, and have access to all the same rights and privileges that my husband and I enjoy,” **Senator Kirsten Gillibrand said**. “I look forward to the day when all states accept this basic principle of fairness. I will work with my Senate colleagues to end the discrimination currently enshrined into US law and make marriage equality a reality for all.”

Senator Barbara Boxer said, “The Defense of Marriage Act has nothing to do with defending marriage - all it does is discriminate against millions of Americans by denying them equal treatment under the law. It is long past time that we repealed this unjust law and started treating all our families with the dignity and respect they deserve.”

“Repealing DOMA is imperative to basic rights for our families, friends, and neighbors. DOMA is an unjust, discriminatory law that denies millions of Americans full federal benefits and protections,” **said Senator Richard Blumenthal**.

“As residents of states across our country gain marriage equality without regard to sexual orientation, our federal government continues to treat their marriages as invalid. It’s long past time we end federal discrimination against state-recognized marriages between same-sex couples,” **said Senator Chris Coons**. “Passing the Respect for Marriage Act now – in this Congress – respects states’ rights, respects civil rights, and for the first time allows same-sex couples to experience true marriage equality in states that recognize it.”

“I’m proud to stand with Senator Feinstein, Members of the Senate and families around the country as we fight to repeal the Defense of Marriage Act,” **Senator Dick Durbin said**. “This law discriminates against loving families in every state in the union and it’s long past time we correct the mistake Congress made by passing this law more than a decade ago. I hope my colleagues join us as we fight to ensure all families are not only treated fairly but with dignity and respect.”

“DOMA was wrong and unconstitutional when I voted against it fifteen years ago, in 1996, and it’s equally wrong and unconstitutional today. This discriminatory law treats loving, committed same-sex couples like second-class citizens by denying them thousands of federal benefits. It’s overdue for Congress to ease the pain that Congress caused in the first place,” **Senator John Kerry said**. “America has undergone a transformation on these issues since 1996, and the law should reflect the reality of where we are now as a country. We need to put an end to this discrimination by putting an end to the Defense of Marriage Act.”

“Equality under the law is a bedrock American principle,” **said Senator Jeff Merkley**. “It is long past time to end this destructive law that says one class of Americans is not deserving of the same rights as others. From the abolition of slavery to women’s suffrage, from tearing down ‘No Irish Need Apply’ signs to the ADA, our history has been marked by efforts to live up to our Constitution’s ideals of equality. This bill is a critical step in that journey.”

“I am proud to stand with so many of my colleagues as we fight to end this fourteen-year-old policy and make sure all married couples are treated equally in the eyes of the federal government,” **said Senator Patty Murray**. “I strongly supported President Obama’s decision to stop defending DOMA in court. And now it’s time that we take another step forward and fully repeal this law.”

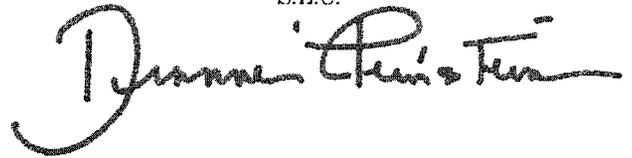
Senator Sheldon Whitehouse said, “DOMA is a hurtful and unjust law that should be repealed. For thousands of hardworking citizens like Pat Baker, a Rhode Islander who is battling not only lung cancer, but a system that denies her the right to pass her survivor benefits to her wife, it is time for this policy to end.”

“For far too long, Minnesota’s same-sex couples have lived without many of the basic rights afforded to opposite-sex married couples,” **said Senator Al Franken**. “The Defense of Marriage Act is discriminatory and unconstitutional, and it’s important that we repeal it.”

“As I have long said, if you don’t like gay marriage, don’t get one,” **said Senator Ron Wyden.** “I believe Americans are going to look back at the Defense of Marriage Act with universal embarrassment as every day that we deny citizens equal rights in this country is a day that diminishes all Americans. I’m proud to be part of an effort that puts this Congress on the right side of history.”

Senator Frank Lautenberg said, “The Defense of Marriage Act has become indefensible and must be repealed. The Respect for Marriage Act would get rid of this outdated law and allow all couples to receive the same benefits and protections from the federal government when they marry.”

Joining Senator Dianne Feinstein (D-Calif.) are co-sponsors: Patrick Leahy (D-Vt.), Kirsten Gillibrand (D-N.Y.), John Kerry (D-Mass.), Barbara Boxer (D-Calif.), Chris Coons (D-Del.), Ron Wyden (D-Ore.), Frank R. Lautenberg (D-N.J.), Richard Blumenthal (D-Conn.), Jeff Merkley (D-Ore.), Dick Durbin (D-Ill.), Al Franken (D-Minn.), Patty Murray (D-Wash.), Sheldon Whitehouse (D-R.I.), Charles Schumer (D-N.Y.), Mark Udall (D-Colo.), Jeanne Shaheen (D-N.H.), Dan Inouye (D-Hawaii), and Daniel Akaka (D-Hawaii).



112TH CONGRESS
1ST SESSION

S. _____

To repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

IN THE SENATE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. INOUE, Mr. KERRY, Mr. LAUTENBERG, Mrs. MURRAY, Mr. MERKLEY, Mr. SCHUMER, Mrs. SHAHREN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, and Mr. WYDEN) introduced the following bill, which was read twice and referred to the Committee on _____

A BILL

To repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Respect for Marriage
5 Act of 2011".

1 **SEC. 2. REPEAL OF SECTION ADDED TO TITLE 28, UNITED**
2 **STATES CODE, BY SECTION 2 OF THE DE-**
3 **FENSE OF MARRIAGE ACT.**

4 Section 1738C of title 28, United States Code, is re-
5 pealed, and the table of sections at the beginning of chap-
6 ter 115 of title 28, United States Code, is amended by
7 striking the item relating to that section.

8 **SEC. 3. MARRIAGE RECOGNITION.**

9 Section 7 of title 1, United States Code, is amended
10 to read as follows:

11 **“§ 7. Marriage**

12 “(a) For the purposes of any Federal law in which
13 marital status is a factor, an individual shall be considered
14 married if that individual’s marriage is valid in the State
15 where the marriage was entered into or, in the case of
16 a marriage entered into outside any State, if the marriage
17 is valid in the place where entered into and the marriage
18 could have been entered into in a State.

19 “(b) In this section, the term ‘State’ means a State,
20 the District of Columbia, the Commonwealth of Puerto
21 Rico, or any other territory or possession of the United
22 States.”.