

Congressman Rothman Announces Support for Respect for Marriage Act

Bill Provides Certainty of Federal Obligations and Benefits for All Married Couples

(Washington, DC) — Congressman Steve Rothman (D — NJ), announced his support for the Respect for Marriage Act of 2009 (H.R. 3567). This bill would repeal the Defense of Marriage Act (DOMA) of 1996 and provide certainty, in terms of Federal obligations and benefits, for all married couples.

“Last year I announced that I’d changed my position on marriage equality for same sex couples,” said Rothman. “I said that civil unions were not enough, not fair and not equal. And that there was no good or sensible reason to deny same sex couples the right to marry. The Respect for Marriage Act of 2009 would repeal the Defense of Marriage Act of 1996 and grant equal rights and benefits to same sex couples.”

The Federal Government provides critical obligations and benefits to individuals based on marital status. Yet for the same sex couples legally married in six states (California, Massachusetts, Connecticut, Vermont, Iowa, and Maine), as well as legally recognized in New York and the District of Columbia, the Defense of Marriage Act of 1996 excludes same sex couples from all Federal statutes, regulations and rulings applicable to all other married people. As a result, married same sex couples and their families from across the country are not provided equal treatment under law.

The Respect for Marriage Act honors President Obama’s pledge to repeal DOMA and would end DOMA’s injustice by repealing it in its entirety. For purposes of Federal law, the Respect for Marriage Act repeals Section 3 of DOMA and requires respect for marriages valid under the law of the state where performed, ensuring a uniform national policy of stability by removing the risk, and resulting chaos, of having eligibility for federal protections and obligations hinge on a couple’s state of residence at any given time. This provides critically important certainty for families, allowing couples to plan for a future of mutual obligation and support with confidence that their access to Federal responsibilities and rights will not be taken away by a move to another state.

The bill also would repeal Section 2 of DOMA, which purports to allow one state to refuse to recognize a marriage performed in another state. By repealing Section 2 of DOMA, the Respect for Marriage Act would restore the approach historically taken by the states to determine, governed by principles of comity and the Full Faith and Credit Clause of the Constitution, whether to recognize a marriage for purposes of that state’s law. Nothing in the Respect for Marriage Act forces a state to recognize a valid marriage performed by a sister state, and nothing in the Act obligates any person, religious organization, locality, or state to celebrate or license a marriage between two persons of the same sex.

On February 28, 2009, Rothman received the 2009 “Legend” Award from Garden State Equality in New Jersey. Rothman was also inducted in to the New Jersey Equality Hall of Fame.

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FOR IMMEDIATE RELEASE: September 16, 2009

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