

Senators Johnson, Warren, Whitmer, Smith, Anderson, Hopgood, Bieda and Ananich offered the following resolution:

Senate Resolution No. 64.

A resolution to urge the Congress of the United States to support marriage equality and repeal the Defense of Marriage Act.

Whereas, The Defense of Marriage Act (DOMA) forbids the federal government from recognizing same-sex marriages. The act specifically defines marriage as "a legal union between one man and one woman as husband and wife." All federal departments must adhere to this definition; and

Whereas, The Defense of Marriage Act is an unprecedented encroachment on state authority. Throughout our country's history, the right to marry has been an aspect of family and marital law within the control of the states. Twelve states and the District of Columbia have legalized same-sex marriages. In addition, some Native American tribes also permit or recognize such marriages. The deference traditionally accorded to state determinations of marital status should be reinstated and state laws respected, as required by the principles of federalism enshrined in the U.S. Constitution; and

Whereas, It is unfair and unconstitutional to deny certain married couples the rights, privileges, and benefits afforded other married couples. The Fourteenth Amendment of the U.S. Constitution guarantees every American equal protection under the law. Yet the Defense of Marriage Act withholds more than 1,000 rights and protections from same-sex married couples, such as parenting rights, medical decision-making power, protections for binational couples, Social Security benefits, and tax exemptions upon the death of a spouse; and

Whereas, The majority of Americans favor the recognition of same-sex marriages. A recent Gallup poll indicated that 53 percent of Americans now support same-sex married couples having the same rights as other married couples. In Michigan, recent polling indicates that same-sex marriage is now supported by 57 percent of voters, cutting across party lines. Support nationally and in Michigan has doubled over a little more than a decade and is projected to grow even more; and

Whereas, The time has come to recognize marriage equality for all Americans. Married couples, whether of the same sex or opposite sex, share the same love and commitment to each other. They have the same needs for the legal rights and protections provided under federal law. In a country built on the pillars of liberty and justice for all, it is intolerable that our federal government continues to discriminate against one class of married couples; now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to support marriage equality and repeal the Defense of Marriage Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.