

113TH CONGRESS
2D SESSION

H. R. 3829

To amend chapter 1 of title 1, United States Code, with regard to the definition of “marriage” and “spouse” for Federal purposes and to ensure respect for State regulation of marriage.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2014

Mr. WEBER of Texas (for himself, Mr. HARRIS, Mr. RICE of South Carolina, Mr. LAMALFA, Mr. GOHMERT, Mr. HALL, Mr. CARTER, Mr. YOHO, Mr. FLORES, Mr. WOLF, Mr. LATTA, Mr. BISHOP of Utah, Mr. PITTENGER, Mr. CONAWAY, Mrs. BACHMANN, Mr. FLEMING, Mr. LANKFORD, Mr. BRIDENSTINE, Mr. JORDAN, Mr. PITTS, Mr. POMPEO, Mr. NEUGEBAUER, Mr. CULBERSON, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. OLSON, and Mr. WEBSTER of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 1 of title 1, United States Code, with regard to the definition of “marriage” and “spouse” for Federal purposes and to 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 “State Marriage De-
5 fense Act of 2014”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Congress affirms the States' legitimate and
4 proper public policy interests in regulating domestic
5 relations and in defining marriage for the residents
6 of their States.

7 (2) Despite striking down section 3 of the De-
8 fense of Marriage Act, the Supreme Court ruling in
9 United States v. Windsor did not institute a new
10 Federal definition of marriage that includes same
11 sex marriage. Instead, United States v. Windsor spe-
12 cifically required the Federal Government to defer to
13 "state sovereign choices about who may be married"
14 in determining marital status for Federal purposes.

15 (3) United States v. Windsor reaffirmed that
16 the "historic and essential authority to define the
17 marital relation" rests with the States and criticized
18 Federal actions that "put a thumb on the scales and
19 influence a state's decision as to how to shape its
20 own marriage laws".

21 (4) Congress recognizes that current actions by
22 the Federal Government to afford benefits to certain
23 relationships not recognized as marriages by a per-
24 son's State of residence go beyond the Supreme
25 Court's ruling in United States v. Windsor. These
26 Federal actions create "two contradictory marriage

1 regimes within the same State,” in direct contradic-
2 tion of United States v. Windsor.

3 (5) Actions taken by the Federal Government
4 to grant recognition of marital status for persons
5 not recognized as married in their State of domicile
6 undermine a State’s legitimate authority to define
7 marriage for its residents.

8 **SEC. 3. AMENDMENT TO DEFINITION OF MARRIAGE FOR**
9 **FEDERAL PURPOSES.**

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

12 **“§ 7. Definition of ‘Marriage’ and ‘Spouse’**

13 “In determining the meaning of any Act of Congress,
14 or of any ruling, regulation, or interpretation of the var-
15 ious administrative bureaus and agencies of the United
16 States, as applied with respect to individuals domiciled in
17 a State or in any other territory or possession of the
18 United States the term ‘marriage’ shall not include any
19 relationship which that State, territory, or possession does
20 not recognize as a marriage, and the term ‘spouse’ shall
21 not include an individual who is a party to a relationship
22 that is not recognized as a marriage by that State, terri-
23 tory, or possession.”.

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