



September 19, 2014

The Honorable Eric Holder
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Holder,

On behalf of the Respect for Marriage Coalition, a partnership of more than 100 civil rights, faith, health, labor, business, legal, LGBT, student, and women's organizations, we urge your office to quickly ensure that committed, loving couples who were legally married in the states of Arkansas, Indiana, and Wisconsin have their marriages respected by the federal government.

We are truly grateful for the actions of your office in the wake of the U.S. Supreme Court ruling in *Windsor v. United States*. By swiftly extending federal benefits to gay and lesbian couples in legally-conferred marriages, your office provided critical protection to these families. Recently, the Department helped to ensure that same-sex couples married in Michigan and Utah were also granted federal benefits and protections. Now, married couples in Arkansas, Indiana and Wisconsin need you to act.

Within the past five months, nearly 2,000 same-sex couples have legally married in states with ongoing court cases. In Arkansas, on May 6th, Pulaski County Circuit Court Judge Chris Piazza found the state's constitutional marriage ban for same-sex couples violated the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution. In a state of joy and celebration, marriages began with over 450 same-sex couples receiving marriage licenses. On May 16th, the Arkansas Supreme Court issued a stay on the lower court's decision pending appeal to the Arkansas Supreme Court, effectively halting marriages for same-sex couples.

Just a month after the lower court's decision in Arkansas, U.S. District Court Judge Barbara Crabb overturned Wisconsin's marriage ban, stating that same-sex couples "are entitled to the same treatment as any heterosexual couple." After an estimated 550 Wisconsin couples wed, and just a week after striking down the ban, Judge Crabb issued a stay on her decision pending appeal.

On June 25, 2014, U.S. District Court Judge Richard Young struck down Indiana's marriage ban for same-sex couples, declaring that the law violates the U.S. Constitution's guarantee of equal protection and due process. The ruling took effect immediately, and same-sex couples were able to marry for several days before the ruling was stayed pending appeal. Statewide estimates vary, but approximately 550 couples married in Marion County, Indiana alone.

There is no legal reason to question the validity of these nearly 2,000 marriages. Each was legally performed by a clerk representing the states of Arkansas, Indiana and Wisconsin, in accordance with each state's statutes and constitution and by judicial order. There is simply no reason for the federal government not to respect these couples' marriages and extend federal benefits.

These validly married same-sex spouses are currently in legal limbo. Please ensure these nearly 2,000 couples can:

- File their federal taxes jointly
- Receive spousal, mother's and father's, or surviving spouse benefits under Social Security
- Take unpaid leave to care for a sick or injured spouse
- Sponsor a foreign national spouse for immigration into the United States
- Receive employer-provided family health benefits without paying an additional tax
- Receive the same family health and retirement/pension benefits as fellow married employees
- Be protected by the safe harbor provisions in bankruptcy law, Medicaid rules and other federal statutes that secure some resources and the family home when debts of one spouse threaten to leave both financially responsible spouses destitute.

Legally married same-sex couples should be extended full protection of the law provided that their marriages were validly entered into. We accordingly request that the Department of Justice promptly announce that same-sex couples legally married in Arkansas, Indiana and Wisconsin will be treated as married for purposes of federal law. Thank you in advance for your consideration.

Respectfully,

The Respect for Marriage Coalition

Freedom to Marry

Human Rights Campaign

American Civil Liberties Union

American Federation of Government Employees, AFL-CIO

American Federation of State, County and Municipal Employees, AFL-CIO

Americans for Action (ADA)

American Humanist Association

American Military Partner Association

Association of Flight Attendants – CWA

BiNet USA

Bisexual Resource Center

Campaign for Southern Equality

Center for Inquiry

CenterLink: The Community of LGBT Centers

Coalition of Labor Union Women

Communication Workers of America, AFL-CIO

Equality California

Equality Federation

Equality Texas

Family Equality Council

GLAAD

Gay & Lesbian Advocates & Defenders (GLAD)

Gay, Lesbian & Straight Education Network (GLSEN)

GetEQUAL VA
Immigration Equality
Interfaith Alliance
International Union, United Automobile, Aerospace & Agricultural Implement Workers of America
(UAW)
Lambda Legal
Latino Equality Alliance
Marriage Equality USA
National Black Justice Coalition (NBJC)
National Center for Lesbian Rights
National Council of Jewish Women
National Gay & Lesbian Chamber of Commerce
National Gay and Lesbian Task Force
National Organization for Women
National Women's Law Center
One Iowa
People for the American Way
PFLAG
Pride at Work, AFL-CIO
Services and Advocacy for GLBT Elders (SAGE)
Swish/Swish Ally Fund
The Equality Campaign, Inc.
The Leadership Conference on Civil and Human Rights
Third Way
Transgender Law Center
True Colors Fund
Truth Wins Out
Unitarian Universalist Association
Union for Reform Judaism
United Food and Commercial Workers International Union
Unite Here
Virginia Integrity Project