

# Calendar No. 308

113TH CONGRESS  
2D SESSION

# S. 2024

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2014

Mr. CRUZ (for himself, Mr. LEE, Mr. VITTER, and Mr. ROBERTS) introduced the following bill; which was read the first time

FEBRUARY 24, 2014

Read the second time and placed on the calendar

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## 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*, 133 S. Ct. 2675 (2013)  
10 did not institute a new Federal definition of mar-  
11 riage that includes same sex marriage. Instead,  
12 *United States v. Windsor* specifically required the  
13 Federal Government to defer to “state sovereign  
14 choices about who may be married” in determining  
15 marital status for Federal purposes.

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

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

1 Federal actions create “two contradictory marriage  
2 regimes within the same State,” in direct contradic-  
3 tion of *United States v. Windsor*.

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

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

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

13 **“§ 7. Definition of ‘marriage’ and ‘spouse’**

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

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