

Thank you for allowing me to speak today. My name is Jim Obergefell, and I am the named plaintiff from Obergefell v. Hodges, the case that made marriage equality the law of the land.

The Declaration of Independence declared that all are created equal, endowed with the rights to life, liberty, and the pursuit of happiness. Our nation's guiding document, the Constitution, begins with the words "We the People."

I am part of We the People, and I am endowed with those rights to life, liberty, and the pursuit of happiness. All people are, and that includes LGBTQ+ people.

I felt joy as a lawfully wedded man. Nine years after my husband's death, I still find comfort as his widower.

Marriage changes you. When John and I said "I do", everything changed. We felt different. We felt better. We felt more complete.

But the state we called home – Ohio – ignored our lawful Maryland marriage. And make no mistake, Ohio harmed us.

John was dying of ALS, Lou Gehrig's Disease. Even with our marriage license in hand, doctors, hospitals, hospice providers, paramedics, and others could refuse to serve us. They could bar me from John's room, from making decisions on his behalf.

They had the right to ignore a dying man's most fundamental and important relationship, to ignore any request or decision John and I made as lawfully wedded husbands.

Is that moral? Is that just? Is that right?

We were not equal in life, even at the most vulnerable time imaginable - dealing with a terminal illness.

And after death we would still not be equal.

John's death certificate – his last official record as a person – would be wrong because Ohio would say he was unmarried, and my name would not be listed as his surviving spouse.

In the future, we could not be memorialized or interred together in John's family cemetery plot because the deed

states that only direct descendants of John's grandparents, and their spouses, were allowed.

The cemetery would not allow us to be together in death because, in their eyes, as well as Ohio's, I did not exist as John's spouse. I was a stranger.

But I was no stranger.

John and I had been a couple for more than 20 years. We shared everything with each other.

We had laughed, loved, and disagreed.

We dreamed together, we struggled together, we built a world together.

I became his full-time caregiver as John lost every bit of physical ability due to ALS. Nothing was easy about that, but when you love someone, you care for them no matter what.

If that was not marriage, I have no idea what is.

We shared our vows and commitments in a lawful marriage ceremony.

Yet none of that mattered to Ohio. Our marriage did not exist. We were treated as less than full American citizens.

In Ohio, we were still considered separate. Yes, we could go to the expense of securing every legal document and solution available to us, but that is a burden unfairly placed on same-sex couples when opposite-sex couples immediately receive those rights, responsibilities, and protections by simply saying "I do."

And it could never provide John the dignity of dying a married man with an accurate death certificate.

And families are harmed when states ignore their marriages.

Birth certificates would not have both parents' names. What happens to a child if the parent listed on the birth certificate dies?

Will that child end up in the child welfare system instead of at home with the only other parent they have known?

Will a parent be able to see their child in a hospital, be in the room with them, and make decisions for them? Hold

their child's hand through the pain, or worst of all, as their child takes their last breath?

How is any of this pro-family or in the best interests of a child?

No couple, no family, should be forced to go to great financial expense and legal effort to gain a pale approximation of the rights and protections that come automatically with marriage.

That is not marriage, and it sets our relationships and families apart as something less worthy.

That solution is suggested by others who are uncomfortable with our relationships, our marriages, our families.

Discomfort or distaste is not a justifiable reason to deny another person their human and civil rights, or to harm our families.

If you do not protect marriage equality, you are saying that we, and our families, do not belong in We the People. You are telling us that we do not deserve life,

liberty, and the pursuit of happiness – the happiness we find in love and family.

It is shameful for any member of Congress to believe that.

No person or relationship has been harmed because two men, two women, or two non-binary people committed to each other as spouses.

But those couples gain so much – rights, protections, dignity, and respect.

We are one United States, and states should not be allowed to deny or ignore our marriages.

To argue that it is ok for our marriages – our families – to vanish by crossing a state border – a border *within our very own nation* – is appalling. It is harmful. It is un-American.

Will you tell our nation's LGBTQ+ military members that their marriages, their families, should cease to exist when they are deployed to a different state?

Is that how you thank them for their service? How you show them respect?

People's futures became brighter with Obergefell v. Hodges because they were no longer excluded from marriage and family.

Parents felt joy and hope for their children's futures.

That day, many of us felt like an equal American for the first time in our lives.

A young woman in Tennessee told me that if not for Obergefell v. Hodges, she would not be here today.

Because of marriage equality, and the hope it gave her, she did not kill herself.

Let that sink in.

How many other lives were saved that day?

How many will be lost, what damage will be done to our families, if our right to marriage is taken away?

We are a better nation because of marriage equality.

Our understanding of humanity and society should not be stuck more than 200 years in the past as of the writing of the Constitution, nor should our rights. That will not make the United States a more perfect union.

What it will do is deny many of us our rights to life, liberty, and the pursuit of happiness. It will deny us our rightful place in We the People.

Do the right thing and protect the right to marry. Protect and respect our families.

Thank you.