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REMARKS AS PREPARED FOR DELIVERY BY ATTORNEY GENERAL ERIC HOLDER

AT THE HUMAN RIGHTS CAMPAIGN GREATER NEW YORK GALA

NEW YORK

Thank you, Chad [Griffin], for those kind words; for your visionary leadership of this organization; and for the indelible – and truly historic – role that you and your colleagues have played in advancing the fight for civil rights and LGBT equality – in our courts, on our city streets, and in the halls of Congress.

It's a privilege to share the stage with you today. It's a pleasure – as always – to be back home in New York City. And it's a tremendous honor to be among so many dedicated leaders, passionate advocates, strong allies, and committed public servants – including state legislators, city officials, and members of New York's outstanding Congressional delegation.

Since the founding of the Human Rights Campaign more than three decades ago, this organization has brought people together to make a profound, positive difference in the lives of millions of Americans. Especially in recent years, your committed efforts – and the hard work of countless allies across this country – have helped to bring about remarkable, once-unimaginable progress. Thanks to leaders and activists in, and far beyond, this room, our nation has made great strides on the road to LGBT equality – a cause that, I believe, is a defining civil rights challenge of our time.

You've stepped to the forefront of our national discourse, helping to mobilize millions to raise awareness about issues of concern to the LGBT community. You've spoken out for the rights and opportunities that have too often been denied to lesbian, gay, bisexual, and transgender individuals. You're calling for policies that stabilize families and expand individual liberty. And you're

doing it all in a manner that is enduring; that is predicated on an understanding of our common humanity; and that is founded on the singular ideal that has defined this country since its earliest days: the notion that all are created equal – and that all are entitled to opportunity and equal justice under law.

For President Obama, for me, and for our colleagues at every level of the Administration, this work is a top priority. And I'm pleased to note that – together – we have brought about historic, meaningful, lasting change.

We can all be proud that, today, those who courageously serve their country in uniform – those who sacrifice so that we can all enjoy the freedoms we cherish – need no longer hide their sexual orientation. With the repeal of the "Don't Ask, Don't Tell" law in 2010 – an achievement that the Human Rights Campaign helped make possible – we celebrated the beginning of a new era for many brave servicemen and women. And we ensured that, here at home and around the world, lesbian, gay, and bisexual Americans can serve proudly, honestly, and openly – without fear of being fired for who they are.

We also can be encouraged that the newly-reauthorized Violence Against Women Act includes robust new provisions that ensure LGBT survivors of domestic abuse can access the same services as other survivors of partner violence. This will empower them to seek the help that they desperately need. And it will enable more and more Americans to find hope and healing in moments of great difficulty.

And we can be invigorated by the Justice Department's efforts to enforce critical civil rights protections – including the landmark Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act – which the Human Rights Campaign helped to pass, and which President Obama signed in 2009. Under this important law, we are strengthening the Department's ability to achieve justice on behalf of those who are victimized simply because of their sexual orientation or gender identity. Today, we are more prepared – and better equipped – than ever before to pursue allegations of federal hate crimes wherever they arise; to bring charges whenever they are warranted; and to support our state and local law enforcement partners in enforcing their own hate crimes laws. And I pledge to you tonight that we will never stop working to ensure that equality under the law is protected by the law.

After all, this is the principle that drove the President and me to decide – in early 2011 – that Justice Department attorneys would no longer defend the constitutionality of Section 3 of the Defense of Marriage Act. We shared a strong belief that all measures that distinguish among people based on their sexual orientation must be subjected to a higher standard of scrutiny – and therefore that this measure was unconstitutional discrimination. And as a result, last summer – on an extraordinary day that was made possible by so many of this organization's members – the Supreme Court issued a historic decision striking down the federal government's ban on recognizing gay and lesbian couples who are legally married.

This marked a critical step forward. And it constituted a resounding victory for committed and loving couples throughout the country who fought for equal treatment under the law; for children whose parents had been denied the recognition that they deserved; and for millions of family, friends, and supporters who wanted to see their loved ones treated fairly, and who worked tirelessly to make that a reality.

Thanks to the opinions handed down on that day – and the efforts of this organization and many others – there's no question that this country stands at a new frontier in the fight for civil rights. And I am pleased to report that the dedicated men and women of the Justice Department – under the outstanding leadership of Assistant Attorney General for the Civil Division Stuart Delery, who is here with us tonight – are leading national efforts to implement, and make real, the full promise of the Supreme Court's ruling in the Windsor case.

Already, my colleagues and I have announced the extension of significant benefits to Americans in same-sex marriages – including health insurance and other key benefits for federal employees and their families; a uniform policy ensuring that all same-sex married couples are recognized for federal tax purposes; and a policy dictating that – for purposes of immigration law – same-sex and opposite-sex marriages are treated exactly the same.

We also worked with the Department of Defense to determine that members of the military who are in same-sex marriages will receive the same benefits available to opposite-sex married couples. Just last month, the Justice Department affirmed that – for purposes of federal law – same-sex marriages performed in the State of Utah will be recognized as lawful and considered eligible for all relevant federal benefits. These marriages were valid when they were celebrated, and the federal government will acknowledge them as such. And we will continue to coordinate with others across the government to ensure that those in lawful same-sex marriages across the country will receive every benefit to which they are entitled.

These initial changes will positively impact the lives of so many throughout the nation. All of these steps forward are worth celebrating. But I also want to make one thing very clear: for my colleagues, for me – and I know for all of you – they are only the beginning.

This is no time to rest on our laurels. This is no time to back down, to give up, or to give in to the unjust and unequal status quo. Neither tradition nor fear of change can absolve us of the obligation we share to combat discrimination in all its forms. And, despite everything that's been achieved, each of us has much more work to do.

We come together this evening at an exciting moment in history – one that is defined by challenge as well as opportunity. As President Obama has said, "The laws of our land are catching up to the fundamental truth that millions of Americans hold in our hearts: that when all Americans are treated as equal…we are all more free."

Tonight, I am proud to announce that the Justice Department is taking additional steps to further advance this "fundamental truth" – and to give real meaning to the Windsor decision. On Monday, I will issue a new policy memorandum that will – for the first time in history – formally instruct all Justice Department employees to give lawful same-sex marriages full and equal recognition, to the greatest extent possible under the law.

This means that, in every courthouse, in every proceeding, and in every place where a member of the Department of Justice stands on behalf of the United States – they will strive to ensure that same-sex marriages receive the same privileges, protections, and rights as opposite-sex marriages under federal law. And this policy has important, real-world implications for same-sex married couples that interact with the criminal justice system. For instance, as a result of this policy:

- The Department will recognize that same-sex spouses of individuals involved in civil and criminal cases should have the same legal rights as all other married couples – including the right to decline to give testimony that might violate the marital privilege. Under this policy, even in states where same-sex marriages are not recognized, the federal government will not use state views as a basis to object to someone in a same-sex marriage invoking this right.

- In bankruptcy cases, the United States Trustee Program will take the position that same-sex married couples should be treated in the same manner as opposite-sex married couples. This means that, among other things, same-sex married couples should be eligible to file for bankruptcy jointly, that certain debts to same-sex spouses or former spouses should be excepted from discharge, and that domestic support obligations should include debts, such as alimony, owed to a former same-sex spouse.

- Federal inmates in same-sex marriages will also be entitled to the same rights and privileges as inmates in opposite-sex marriages. This includes visitation by a spouse, inmate furloughs to be present during a crisis involving a spouse, escorted trips to attend a spouse's funeral, correspondence with a spouse, and compassionate release or reduction in sentence based on the incapacitation of an inmate's spouse.

Beyond this, the Department will equally recognize same-sex couples for the purposes of a number of key benefits programs it administers, such as the Radiation Exposure Compensation Program and the September 11th Victim Compensation Fund.

Another key program is the Public Safety Officers' Benefits Program. It provides death benefits and educational benefits to surviving spouses of public safety officers, such as law enforcement officers and firefighters, who suffer catastrophic or fatal injuries in the line-of-duty. This program is one way that we, as a country, stand by the families of those who put themselves in harm's way to keep our communities safe, and we must never do so selectively. When any law enforcement officer falls in the line of duty or is gravely injured, the federal government should stand by that hero's spouse – no matter whether that spouse is straight or gay. Our policy memo on Monday will reflect this principle.

After all, this nation was built – and it continues to be improved – by patriotic men and women with abiding faith in the bedrock principle of equality. From the suffragettes to the Freedom Riders – from Birmingham to Stonewall – America's course has been determined, and our future defined, by those who act on the recognition that all are created equal. By those who understand that this country's diversity has always been one of its greatest strengths. And by those who prove every day that we – as a people – are made greater, and wiser, and stronger when we value the contributions of every citizen – gay and straight, bisexual and transgender. Black and white. Young and old – whether they live in Washington or Wyoming; Massachusetts or Missouri. Whether they work in schools or restaurants – on Wall Street or Main Street. And whether they contribute to our nation as doctors or service members; as businesspeople or public servants; as scientists or as Olympic athletes.

In this great country, we move faster, we reach farther, and we climb higher whenever we stand together as one. That's why this Administration, this Department of Justice – and this Attorney General – will never stop fighting to ensure equal protection. We will never rest in our efforts to safeguard the civil rights to which everyone in this country is entitled. And we will never waver in our determination to build on the progress we've seen – and bring about the changes our citizens deserve. But you must be our partners in this effort. Everyone in this room, and everyone in the LGBT community, must be committed to ending all discrimination – discrimination based not only on sexual orientation, but also on race, gender, ethnicity, and national origin. You must be active in those areas of the struggle as well.

We are, right now, in the middle of marking a number of 50-year anniversaries of key milestones in the Civil Rights Movement – from Dr. Martin Luther King, Jr.'s "I Have a Dream" speech, in 1963, to this summer's anniversary of the passage of the Civil Rights Act of 1964. The gains made during that period continue to be a source of great pride – not just for our country, but also for the building where I work. At

critical points along the way, the Justice Department played a leadership role in advancing that historic movement. This was never more evident than when Attorney General Robert F. Kennedy sent his top deputy, Nick Katzenbach – whose portrait hangs in my personal office – to literally stare down racial discrimination in the schoolhouse door in order to enforce the integration of the University of Alabama. It was my late sister-in-law, Vivian Malone, who walked through that University's doors that day. Without the bravery shown by her – and so many others like her – during the Civil Rights movement, I would not be standing before you today as the nation's first African-American Attorney General.

And yet, as all-important as the fight against racial discrimination was then, and remains today, know this: my commitment to confronting discrimination based on sexual orientation or gender identity runs just as deep. Just as was true during the civil rights movement of the 1960s, the stakes involved in this generation's struggle for LGBT equality could not be higher. Then, as now, nothing less than our country's founding commitment to the notion of equal protection under the law was at stake. And so the Justice Department's role in confronting discrimination must be as aggressive today as it was in Robert Kennedy's time. As Attorney General, I will never let this Department be simply a bystander during this important moment in history. We will act.

As we keep moving forward together, we will continue to rely on the passion, the expertise, and the steadfast commitment of groups like this one – and dedicated advocates like all of you. Important, life-changing work remains before us, and we know from our history that the road ahead will be anything but easy. Always remember that progress is not inevitable and that positive change occurs only through commitment and through struggle.

But as I look around this crowd tonight – at so many leaders who are helping to build, and taking part in, a movement that is truly historic – I cannot help but feel confident in our ability to keep moving forward together. And I am profoundly optimistic about the country – and the world – that we will imagine; that we will plan for; and that each of us will surely help to create. I welcome the opportunity to work with you in this endeavor.

Thank you.

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