



Congress of the United States
House of Representatives
Washington, DC 20515

November 2, 2011

The Honorable Harry Reid
Senate Majority Leader
S-321 The Capitol Building
Washington, DC 20515

The Honorable Mitch McConnell
Senate Minority Leader
S-230 The Capitol Building
Washington, DC 20515

Dear Majority Leader Harry Reid and Senate Minority Leader Mitch McConnell,

As you know, the Defense of Marriage Act (DOMA) was passed by Congress with bipartisan support and signed into law by President Clinton in 1996. The law of the land is that the federal government defines marriage as between one man and one woman. Unfortunately, the Department of Defense seems intent on circumventing this law.

In April, a memo from the Navy Chief of Chaplains issued new guidance to ignore federal law, which was temporarily suspended. On September 30, 2011 the General Counsel of the Department of Defense (DoD) released a second memorandum stating that in connection with the repeal of “Don’t Ask Don’t Tell” (DADT), the “use of DoD real property and facilities for private functions, including religious and other ceremonies, should be made on a sexual-orientation neutral basis.” This statement is nothing more than a reissuing of the original April guidance. Rather than using the term “marriage,” the Department of Defense has merely written the guidance broadly in an attempt to avoid questions about whether its policy is in violation of DOMA. The application, however, of this new policy will undoubtedly violate DOMA.

This clear and deliberate violation of established U.S. law sets a dangerous precedent. DOMA makes clear that for purposes of the federal government, marriage is defined as between one man and one woman. The use of federal property or federal employees to perform anything but opposite-sex ceremonies is a clear contravention of the law.

When the House of Representatives passed the 2012 National Defense Authorization Act (NDAA) in April, the Akin and Hartzler amendments were adopted which clarify that federal employees and federal property can only be used to support marriages in a manner consistent with DOMA.

We recognize that the National Defense Authorization Act is well underway and needed funds for our troops should be expedited without delay. However, we respectfully request that an

amendment similar to that passed by the House be included to ensure that this administration follow the law as written and comply with DOMA. It is not the place of any citizen of this country to pick and choose which laws will be obeyed. We expect citizens sworn to defend those laws to set the example in their application.

Sincerely,

2 J. Goodwin

Vicky Hartzler

Di Jack

Joe Pitts

Jeff Ann SC 03

Mitt Romney

Mitt Mcal

Wally Herger

Bill Johnson

Conrad Hentz

Rodney Alexander

William R. Keating

Austin Scott

Marsha Blackburn

Henry Huddy

T. Mettler (M-11)

Scott Garrett

Spencer Beech

Virginia Joss

Paul Mangel

Joe Wilson

Ken Burton

Walter B. Jones

Ray A. Miller

Chris Smith

Ralph M. Hall

Paul

Jeff Miller

K. Milt Long

Steven Dean

Nicholas Bachmann Steve Seelie

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A. Conner TX-23

Alan Nunnelee

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Gene Schmidt

Tom Lambert

John Kline

Judy Forke

Kent Starks

Raymond

Ann

Pat Rojas

Thrup L. Funt

Lawrence Sanders

Markus Peltz

John Fleming

David P. Poe

Joe Walsh

Doug Lambert

Steve Castro

Chil Minguay

Steve

Sam Taylor

Chuck Fleisher

Mr. Mark

Steve King

Tom Graves

Sam Johnson

Bill Hinzaga

Mike Coffman

Tim Giffi

Trey Gowdy

Robert J. Withers

John E. ...

Rick Crawford

Clayton ...

Randy Neugebauer

David J. ...

Russ B. ...

Diane Black

Thomas ...

Nancy G. ...

Allen B. West

Blair ...

...

Mike ...

Tim ...

Gregg Harper

Mike Kelly

Shepherd

Tom Huelkamp

Paul Ben

Quinn
