

Union Calendar No. 339

104TH CONGRESS
2^D Session

H. R. 3396

[Report No. 104-664]

A BILL

To define and protect the institution of marriage.

JULY 9, 1996

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

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104TH CONGRESS
2^D SESSION

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IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1996

Mr. BARR of Georgia (for himself, Mr. LARGENT, Mr. SENSENBRENNER, Mrs. MYRICK, Mr. VOLKMER, Mr. SKELTON, Mr. BRYANT of Tennessee, and Mr. EMERSON) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 9, 1996

Additional sponsors: Mr. ISTOOK, Mr. DORNAN, Mr. STOCKMAN, Mr. DEAL of Georgia, Mr. BURTON of Indiana, Mr. PETRI, Mr. COLLINS of Georgia, Mr. NEY, Mr. COOLEY of Oregon, Mr. HILLEARY, Mr. FUNDERBURK, Mr. NORWOOD, Mr. COBURN, Mr. GRAHAM, Mr. BACHUS, Mr. BARTON of Texas, Mr. SOUDER, Mr. HEFLEY, Mr. HANCOCK, Mr. WELDON of Florida, Mr. INGLIS of South Carolina, Mr. BARTLETT of Maryland, Mr. SMITH of New Jersey, Mr. BARRETT of Nebraska, Mr. WATTS of Oklahoma, Mr. TAYLOR of North Carolina, Mr. ROHRABACHER, Mr. ENGLISH of Pennsylvania, Mrs. SMITH OF Washington, Mr. MANZULLO, Mr. STEARNS, Mr. LUCAS of Oklahoma, Mr. HOSTETTLER, Mr. CRANE, Mr. SMITH of Michigan, Mr. BONO, Mr. MILLER of Florida, Mr. BUYER, Mr. SOLOMON, Mr. CHRYSLER, Mrs. CHENOWETH, Mr. SPENCE, Mr. LIPINSKI, Mr. HASTERT, Mr. HAYWORTH, Mr. SAM JOHNSON of Texas, Mr. RAHALL, Mr. TALENT, Mr. HASTINGS of Washington, Mr. HUNTER, Mr. WICKER, Mr. TIAHRT, Mr. MONTGOMERY, Mr. HALL of Ohio, Mr. SMITH of Texas, Mr. MCINNIS, Mr. HUTCHINSON, Mr. CHRISTENSEN, Mr. SCARBOROUGH, Mr. BROWNBACK, Mr. BAKER of California, Mr. CHAMBLISS, Mr. YOUNG of Alaska, Mr. METCALF, Mr. GUTKNECHT, Mr. HEINEMAN, Mr. HOEKSTRA, Mr. JONES, Mr. WAMP, Mr. LEWIS of Kentucky, Ms. GREENE of Utah, Mrs. SEASTRAND, Mr. HOKE, Mr. KIM, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. PETERSON of Minnesota, Mr. WOLF, Mr. PARKER, Mr. ZELIFF, Mr. LINDER, Mr. CHABOT, Mr. TATE, Mr. DICKEY, Mr. TAYLOR of Mississippi, Mr. MCINTOSH, Mr. BALLENGER,

Mr. SKEEN, Mr. CANADY of Florida, Mr. HAYES, Mr. RADANOVICH, Mr. BLILEY, Mr. WHITFIELD, Mrs. VUCANOVICH, Mr. BILIRAKIS, Mr. HANSEN, Mr. CALLAHAN, Mr. PACKARD, Mr. PORTMAN, Mr. STENHOLM, Mr. PETE GEREN of Texas, Mr. ALLARD, Mr. LAHOOD, Ms. DANNER, Mr. FIELDS of Texas, Mr. KNOLLENBERG, Mr. COMBEST, Mr. RIGGS, Mr. BUNNING of Kentucky, and Mr. PAXON

Deleted sponsor: Mr. HASTINGS of Florida (added May 16, 1996; deleted May 22, 1996)

JULY 9, 1996

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A BILL

To define and protect the institution 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 “Defense of Marriage
5 Act”.

6 **SEC. 2. POWERS RESERVED TO THE STATES.**

7 (a) IN GENERAL.—Chapter 115 of title 28, United
8 States Code, is amended by adding after section 1738B
9 the following:

10 **“§ 1738C. Certain acts, records, and proceedings and**
11 **the effect thereof**

12 “No State, territory, or possession of the United
13 States, or Indian tribe, shall be required to give effect to
14 any public act, record, or judicial proceeding of any other
15 State, territory, possession, or tribe respecting a relation-

1 ship between persons of the same sex that is treated as
2 a marriage under the laws of such other State, territory,
3 possession, or tribe, or a right or claim arising from such
4 relationship.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of chapter 115 of title 28, United States
7 Code, is amended by inserting after the item relating to
8 section 1738B the following new item:

“1738C. Certain acts, records, and proceedings and the effect thereof.”.

9 **SEC. 3. DEFINITION OF MARRIAGE.**

10 (a) IN GENERAL.—Chapter 1 of title 1, United
11 States Code, is amended by adding at the end the follow-
12 ing:

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

14 “In determining the meaning of any Act of Congress,
15 or of any ruling, regulation, or interpretation of the var-
16 ious administrative bureaus and agencies of the United
17 States, the word ‘marriage’ means only a legal union be-
18 tween one man and one woman as husband and wife, and
19 the word ‘spouse’ refers only to a person of the opposite
20 sex who is a husband or a wife.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of chapter 1 of title 1, United States
23 Code, is amended by inserting after the item relating to
24 section 6 the following new item:

“7. Definition of ‘marriage’ and ‘spouse’.”.