To define and protect the institution of marriage.

IN THE SENATE OF THE UNITED STATES

JULY 29, 1996

Mr. Nickles (for himself and Mr. Byrd, Mr. Helms, Mr. Coats, Mr. Faircloth, Mr. Inhofe, Mr. Lott, Mr. McConnell, Mr. Santorum, Mr. Shelby, Mr. Smith, Mr. Thurmond, Mr. Warner, Mr. Ashcroft, Mr. Bennett, Mr. Frist, Mr. Gregg, Mr. Kyl, Mr. Burns, Mr. Gramm, Mr. Stevens, and Mr. Gorton) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To define and protect the institution of marriage.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Defense of Marriage
Act”.

SEC. 2. POWERS RESERVED TO THE STATES.

(a) In General.—Chapter 115 of title 28, United
States Code, is amended by adding after section 1738B
the following:
§ 1738C. Certain acts, records, and proceedings and the effect thereof

“No State, territory, or possession of the United States, or Indian tribe, shall be required to give effect to any public act, record, or judicial proceeding of any other State, territory, possession, or tribe respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State, territory, possession, or tribe, or a right or claim arising from such relationship.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 115 of title 28, United States Code, is amended by inserting after the time relating to section 1738B the following new item:

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

SEC. 3. DEFINITION OF MARRIAGE.

(a) In General.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

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

“In determining the meaning of any Act of Congress, or of any ruling, regulations, or interpretation of the various administrative bureaus and agencies of the United States, the word ‘marriage’ means only a legal union between one man and one woman as husband and wife, and
the word ‘spouse’ refers only to a person of the opposite
sex who is a husband or a wife.”.

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

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