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112TH CONGRESS
1ST SESSION

H. R. 1116

To repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2011

Mr. NADLER (for himself, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. POLIS, Mr. CICILLINE, Mr. CONYERS, Ms. PELOSI, Mr. HOYER, Mr. LARSON of Connecticut, Mr. ACKERMAN, Ms. BASS of California, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Mr. CAPUANO, Ms. CASTOR of Florida, Ms. CLARKE of New York, Ms. CHU, Mr. CLEAVER, Mr. CONNOLLY of Virginia, Mr. COURTNEY, Mr. CROWLEY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GARAMENDI, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. HIGGINS, Mr. HIMES, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. KUCINICH, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. PALLONE, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PETERS, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Ms. SPEIER, Mr. STARK, Mr. TIERNEY, Mr. TONKO, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WEINER, Mr. WELCH, Ms. WOOLSEY, Mr. WU, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Respect for Marriage Act''.

SEC. 2. REPEAL OF SECTION ADDED TO TITLE 28, UNITED STATES CODE, BY SECTION 2 OF THE DEFENSE OF MARRIAGE ACT.

Section 1738C of title 28, United States Code, is repealed, and the table of sections at the beginning of chapter 115 of title 28, United States Code, is amended by striking the item relating to that section.

SEC. 3. MARRIAGE RECOGNITION.

Section 7 of title 1, United States Code, is amended to read as follows:

''§ 7. Marriage

''(a) For the purposes of any Federal law in which marital status is a factor, an individual shall be considered married if that individual's marriage is valid in the State where the marriage was entered into or, in the case of a marriage entered into outside any State, if the marriage

is valid in the place where entered into and the marriage could have been entered into in a State.

''(b) In this section, the term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States.''.

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