AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

112TH CONGRESS
1ST SESSION

H. CON. RES. 25

Expressing the sense of Congress with respect to the Obama administration's discontinuing to defend the Defense of Marriage Act.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2011

Mrs. HARTZLER submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

---

CONCURRENT RESOLUTION

Expressing the sense of Congress with respect to the Obama administration's discontinuing to defend the Defense of Marriage Act.

Whereas on February 23, 2011, President Barack Obama ordered the Justice Department to drop its defense of a central part of the 1996 law that bars the Federal Government from recognizing same-sex unions, the Defense of Marriage Act, and both President Obama and Attorney General Eric Holder concluded the law is unconstitutional;

Whereas President Obama himself has said that marriage is something sanctified between a man and a woman;

Whereas passed by significant majorities in both chambers of Congress and signed into law by President Bill Clinton, the Defense of Marriage Act has never been overturned

in any Federal lawsuit challenging its constitutionality by a Federal Court, yet the Department of Justice has decided not to defend this act in Federal court;

Whereas on the contrary, the Department of Justice is vigorously defending in numerous Federal courts across the country President Obama's signature health care reform law, the Patient Protection and Affordable Care Act (Public Law 111–148), and the related Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), after these bills barely passed both chambers of Congress on party line votes, and whose critical Individual Mandate provision has been declared unconstitutional by, separate Federal district courts in the cases of Florida v. Department of Health and Human Services, Case No.: 3:10–cv–91–RV/EMT (N.D. Fla., Jan. 31, 2011), and Virginia ex rel. Cuccinelli v. Sebelius, No. 3:10cv188–HEH (E.D. Va., filed Dec. 13, 2010); and

Whereas the vast majority of Americans believe that marriage should continue to be what it always has been—the legal and spiritual union between one man and one woman: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) condemns the Obama administration's direction that the Department of Justice should discontinue defending the Defense of Marriage Act; and

(2) demands that the Department of Justice continue to defend the Defense of Marriage Act in all instances.

○