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Interfaith Group Urges Speaker of the House to Defend DOMA Legislation in Court

Administration's decision to abandon DOMA was 'lapse in judgment' House must join litigation fully to 'defend true meaning of marriage'

WASHINGTON (March 4, 2011)—Leaders of Catholic, Protestant and Sikh communities of faith—together representing tens of millions of adherents—joined together to urge the U.S. House of Representatives to fight for the Defense of Marriage Act (DOMA) in federal courts, in a March 3 letter to Rep. John Boehner (R-Ohio), Speaker of the House of Representatives.

Signers included Archbishop Wilton Gregory of Atlanta, chairman of the U.S. bishops' Committee on Ecumenical and Interreligious Affairs; Bishop Salvatore Cordileone of Oakland, California, chairman of the bishops' Ad Hoc Committee on Defense of Marriage; Leith Anderson, president, National Association of Evangelicals; Dr. Glenn C. Burris, Jr., president, International Church of the Foursquare Gospel; Most Rev. Robert Duncan, Archbishop, Anglican Church in North America; Richard Land, president of the Southern Baptist Ethics and Religious Liberty Commission; and Dr. Tarunjit Singh (Butalia), secretary general, World Sikh Council-America Region.

These religious leaders agreed they were "very troubled" by the decisions of the Obama Administration and U.S. Justice Department to "no longer protect the traditional definition of marriage and defend existing law."

They specifically asked that "the House intervene as a party in all cases where DOMA is challenged, not merely to file *amicus curiae* briefs," noting that, although intervention "would be unusual, it would be both lawful and warranted under our current legal system and political context."

The letter explained that "By choosing to no longer defend DOMA in federal court because it believes the law to be unconstitutional, the Obama Administration has undermined the rule of law and the separation of powers. The House has the authority to rectify this lapse in judgment." It concluded by imploring the Speaker "to lead the House to take the important, necessary step to protect American law, American families, and American values by defending DOMA and protecting the true meaning of marriage."

The full letter follows.

Dear Speaker Boehner:

We write to express our grave concern over the Department of Justice's decision to no longer defend Section 3 of the Defense of Marriage Act (DOMA) against legal challenges. We are very troubled by the Obama Administration's decision to no longer protect the traditional definition of marriage and defend existing law. Because DOMA is so crucial to our society, by protecting its cornerstone institution, we urge the House of Representatives to take leadership in defending DOMA in the federal courts. Specifically, we ask that the House intervene as a party in all cases where DOMA is challenged, not merely to file *amicus curiae* briefs. Though such action would be unusual, it would be both lawful and warranted under our current legal system and political context.

As you are surely aware, DOMA was passed in 1996 by strong, bipartisan majorities. The law is crucial because it gives states the authority to make their own decisions regarding the recognition of marriages, and defines marriage at

the federal level as “a legal union between one man and one woman,” preventing the federal government from recognizing same-sex “marriages.” While the traditional definition of marriage has faced legal and popular challenges of late, a clear majority of Americans oppose same-sex “marriage” and have expressed their support of marriage as the union of one man and one woman in all 31 state referenda and initiatives where the issue has been raised. The definition of marriage is one of the central questions facing our society today. The American people do not want their wishes being overruled by the judiciary—or the executive.

By choosing to no longer defend DOMA in federal court because it believes the law to be unconstitutional, the Obama Administration has undermined the rule of law and the separation of powers. The House has the authority to rectify this lapse in judgment. We implore you to lead the House to take the important, necessary step to protect American law, American families, and American values by defending DOMA and protecting the true meaning of marriage.

Keywords: Defense of Marriage Act, DOMA, John Boehner, Speaker, U.S. House of Representatives, ecumenical, interreligious, Archbishop Wilton Gregory, Bishop Salvatore Cordileone, Department of Justice, Obama administration, National Association of Evangelicals, Sikhs, International Church of the Foursquare Gospel, United States Conference of Catholic Bishops, USCCB, U.S. bishops, Defense of Marriage

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