

**Congress of the United States**  
**Washington, DC 20515**

April 4, 2011

The Honorable John A. Boehner  
Speaker of the House  
H-232, The Capitol  
Washington, D.C. 20515

Dear Mr. Speaker,

On March 9, 2011, the House Bipartisan Legal Advisory Group directed the House General Counsel to take steps to defend the "Defense of Marriage Act" (DOMA) in court proceedings challenging the law's constitutionality. The Minority members of the BLAG voted against involving the House in the defense of the statute that they, and many others, believe to be unconstitutional.

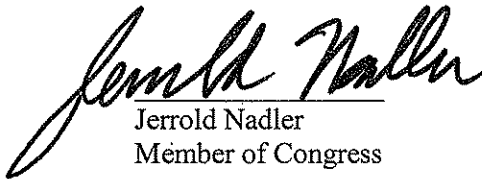
As Members of Congress who have long agreed that DOMA is unconstitutional, we do not support the continued defense of this law in the courts. Just last week, we reintroduced our bill to repeal DOMA – H.R. 1116, the *Respect for Marriage Act* – and sincerely hope that you will work with us to repeal the law rather than prolong it through litigation. As of now, however, you have signaled your intent to defend DOMA in the courts rather than reconsider it in the Congress.

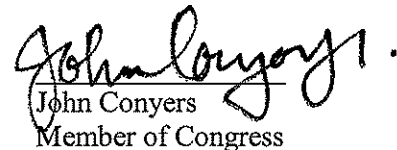
It is our understanding that deadlines for Congressional action are fast approaching and that House General Counsel or outside counsel retained to represent the House must appear and move to intervene or otherwise participate, if it chooses to do so, in at least one case, *Windsor v. United States of America*, on or before April 18, 2011.

We therefore ask that you brief all interested Members before April 18, 2011 regarding the course of action with regard to the *Windsor* case and any other proceedings where the House intends to defend DOMA. Among other things, we are interested in a status report on who will be representing the House, estimates regarding the cost and length of proposed litigation efforts, the anticipated role of the House in litigation (i.e., intervenor or amicus curiae), and your assessment regarding the likelihood of success on the merits. If you or House General Counsel already have arranged for representation by outside counsel, we would welcome and appreciate their participation in this briefing.

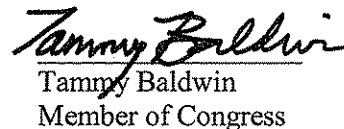
Thank you for your assistance with this matter, and we look forward to your prompt reply.

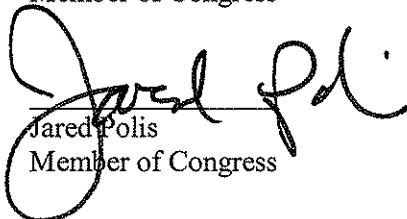
Best regards,

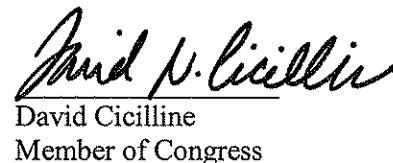
  
Jerrold Nadler  
Member of Congress

  
John Conyers  
Member of Congress

  
Barney Frank  
Member of Congress

  
Tammy Baldwin  
Member of Congress

  
Jared Polis  
Member of Congress

  
David Cicilline  
Member of Congress