

PROVIDING FOR THE CONSIDERATION OF H.R. 3396,
DEFENSE OF MARRIAGE ACT

JULY 10, 1996.—Referred to the House Calendar and ordered to be printed

Mr. MCINNIS, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 474]

The Committee on Rules, having had under consideration House Resolution 474, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3396, the “Defense of Marriage Act” under a modified closed rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on the Judiciary.

The rule waives clause 2(1)(6) of rule XI (3 day availability requirement for committee reports) against consideration of the bill. The rule makes in order only the amendments printed in the report accompanying the rule, to be offered only in the order printed, by the Member specified, and debatable for the time specified in the report. The amendments are considered as read and are not subject to amendment or subject to a demand for a division of the question. All points of order are waived against the amendments.

Finally, the rule provides for one motion to recommit with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER TO H.R. 3396, THE
DEFENSE OF MARRIAGE ACT

(1) Frank (MA)—An amendment to strike Section 3 of the legislation, which defines for Federal purposes marriage (and spouse) as a legal union between a man and woman as husband and wife. (75 minutes)

(2) Frank (MA)—An amendment to suspend the federal definition of marriage when a state, through its normal democratic procedures, determines a definition different than that which is provided here. (15 minutes)

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANK OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 75 MINUTES

Strike section 3 (page 3, line 9 and all that follows through the matter following line 24).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FRANK OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 15 MINUTES

Page 3, after line 20, insert:

(b) APPLICATION.—

(1) Subsection (a) shall not apply if the State in which the persons affected by such application of subsection (a) has determined that the definition of “marriage” or “spouse”, or both, shall be different than that in subsection (a), provided such State determination is in the form of—

(A) legislation; or

(B) citizen initiative or referendum.

(2) In the case where such a determination is made by judicial decision interpreting a State constitution, subsection (a) shall cease to apply if the minimum time necessary in that State for an amendment to the State constitution elapses and the State’s determination remains in effect.

(3) In the case where such a determination is made by judicial decision interpreting a State statute, subsection (a) shall cease to apply with the adjournment of the next session of the State legislature.

Page 3, line 21, strike “(b)” and insert “(c)”.