One Hundred Fourth Congress
of the
United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Wednesday,
the third day of January, one thousand nine hundred and ninety-six

An Act

To define and protect the institution 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 “Defense of Marriage Act”.

SEC. 2. POWERS RESERVED TO THE STATES.

(a) In general.—Chapter 115 of title 28, United States Code,
is amended by adding after section 1738B the following:

“§ 1738C. Certain acts, records, and proceedings and the
effect thereof

“No State, territory, or possession of the United States, or
Indian tribe, shall be required to give effect to any public act,
record, or judicial proceeding of any other State, territory, posses-
sion, or tribe respecting a relationship between persons of the
same sex that is treated as a marriage under the laws of such
other State, territory, possession, or tribe, or a right or claim
arising from such relationship.”

(b) Clerical Amendment.—The table of sections at the begin-
ing of chapter 115 of title 28, United States Code, is amended
by inserting after the item relating to section 1738B the following
new item:

“1738C. Certain acts, records, and proceedings and the effect thereof.”

SEC. 3. DEFINITION OF MARRIAGE.

(a) In general.—Chapter 1 of title 1, United States Code,
is amended by adding at the end the following:

“§ 7. Definition of ‘marriage’ and ‘spouse’

“In determining the meaning of any Act of Congress, or of
any ruling, regulation, or interpretation of the various administra-
tive bureaus and agencies of the United States, the word ‘marriage’
means only a legal union between one man and one woman as
husband and wife, and the word ‘spouse’ refers only to a person
of the opposite sex who is a husband or a wife.”
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, United States Code, is amended by inserting after the item relating to section 6 the following new item:

"7. Definition of 'marriage' and 'spouse'."

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.