



Congress of the United States

House of Representatives

Washington, DC 20515

May 6, 2011

The Honorable Ray Mabus
Secretary of the Navy
2000 Navy Pentagon
Washington, D.C. 20350-2000

Dear Mr. Secretary:

As you know the federal Defense of Marriage Act (DOMA) was enacted in 1996 by large bipartisan majorities in both houses of Congress and signed into law by President Bill Clinton. It ensured that states would not have to recognize same-sex marriages from other states, and that the federal government would recognize only the union of one man and one woman as "marriage."

In a memorandum signed on April 13, 2011 by Chief of Chaplains, Rear Admiral Mark Tidd, it appears that the United States Navy is preparing and training its chaplains to defy federal statute and ignore the provisions placed within the Defense of Marriage Act. This memorandum, which we have attached, states that in the case of same-sex marriage federal property, as all military base facilities are, may be used to perform a ceremony that is not recognized as a lawful marriage under DOMA:

"If the base is located in a state where same-sex marriage is legal, then base facilities may normally be used to celebrate the marriage."

We find it difficult to understand how the military is somehow exempt from abiding by federal law. Not only does this document imply recognition and support of same-sex marriage in opposition to DOMA, but it also implies that the Navy will now perform these marriages so long as they do not violate state statutes.

Offering up federal facilities and federal employees for same-sex marriages violates DOMA, which is still the law of the land and binds our military, including chaplains. The Administration and various states may be operating as if DOMA doesn't exist, but the Navy and Marine Corps and all the Armed Services are sworn to obey the law, which this new instruction violates.

Therefore Mr. Secretary we find it unconscionable that the United States Navy, a federal entity sworn to "preserve and protect the Constitution of the United States" believes it is their place alone to train and direct servicemembers to violate federal law. The Defense of Marriage Act protects the sanctity of the bond specifically between a man and a woman, and as defenders of the institution of marriage we agree with the vast majority of the American people that the preservation of marriage is critical to society's stability and is in the best interest of American families. Our concern is over the failure of the Navy to support the law of the land, without prejudice.

We respectfully request you to direct the service for which you are responsible to follow and defend the Constitution and federal law as the oath you swore requires. It is not the place of any citizen of this country to pick and choose which laws they are going to obey. We expect citizens sworn to defend those laws to set the example in their application.

Sincerely,

W. Coalson

Jefferson

Bob

Tim Huelskamp

Bill Shuster

Mig Romo

Anna Henth

Bill Johnson

Wally Herger

Lot Rife

John Carter

Steve Palazzo

Doug Lamborn

Dr. Fife

David P. Roe

Austin Scott

Chris Pinyan

Wicky Hartzler

Stephen Fincher

Steve King

Mike Coffman

Virginia Fox

Bob S. Jones

Don Amundson

Clayton

Bob S. Jones

Scott Marnett

Wan Burton

Chris Smith

Lynette

K. Michael

Ken Stank

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Deane Black

John A. [Signature]

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John Rooney Kirk Crawford

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Mr. Chaffin

B. A. S.

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Signers

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Coffman, Mike	CO-06	Rooney, Tom	FL-16
Conaway, Michael	TX-11	Scott, Austin	GA-08
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Duncan, Jeff	SC-03	Southerland, Steve	FL-02
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Franks, Trent	AZ-02		
Garrett, Scott	NJ-05		
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Gohmert, Louie	TX-01		
Griffin, Tim	AR-02		
Harper, Gregg	MS-03		
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Jones, Walter	NC-03		
Jordan, Jim	OH-04		
King, Steve	IA-05		
Kline, John	MN-02		
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OFFICE OF THE CHIEF OF NAVY CHAPLAINS

FOB 2 NAVY ANNEX
WASHINGTON, D.C. 20370

IN REPLY REFER TO

5500
Ser N097A/207063
13 Apr 11

From: Chief of Chaplains (OPNAV N097)
To: Chaplains and Religious Program Specialists
Subj: REVISION OF CHAPLAIN CORPS TIER 1 TRAINING

1. Chaplain Corps Tier 1 DADT repeal training has been revised. The current version, dated 11 April 2011, has been posted on the Navy and Marine Corps DADT repeal websites. This revised version supersedes all previous versions and should be reviewed in its entirety.

2. During the initial stages of curriculum development, several policy questions were raised related to same-sex marriages. Those questions were forwarded for legal counsel and approval was secured to commence Tier 1 training while awaiting further guidance. Additional legal review concluded that the curriculum did require modification of content related to same-sex marriage issues as found in Vignette 1 and FAQ 5.

a. Regarding the use of base facilities for same-sex marriages, legal counsel has concluded that generally speaking, base facility use is sexual orientation neutral. If the base is located in a state where same-sex marriage is legal, then base facilities may normally be used to celebrate the marriage. This is true for purely religious services (e.g., a chaplain blessing a union) or a traditional wedding (e.g., a chaplain both blessing and conducting the ceremony). Facility usage is determined by local policies and the Region Legal Service Office (RLSO) should be consulted to ensure compliance with existing laws and regulations. This is a change to previous training that stated same-sex marriages are not authorized on federal property.

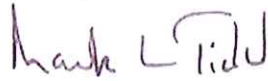
b. Regarding chaplain participation, consistent with the tenets of his or her religious organization, a chaplain may officiate a same-sex, civil marriage: if it is conducted in accordance with the laws of a state which permits same-sex marriages or union; and if the chaplain is, according to applicable state and local laws, otherwise fully certified to officiate that state's marriages. While this is not a change,

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it is a clearer, more concise and up to date articulation. Again, consult the Region Legal Service Office (RLSO) to ensure compliance with existing laws and regulations.

3. The revised Chaplain Corps Tier 1 training is posted on the Navy and Marine Corps DADT websites. Those websites are found at: Navy - <http://www.dadtrepal.navy.mil>; Marine Corps - https://www.manpower.usmc.mil/portal/page/portal/M_RA_HOME/DADT. All prior versions of the curriculum should be replaced by the current 11 April 2011 version.

4. If you have any questions or require additional information please contact Chaplain Doyle Dunn at (703) 614-4437 / doyle.dunn@navy.mil or Chaplain Michael Gore at (703) 614-5556 / michael.w.gore@navy.mil.



M. L. Tidd
Rear Admiral, CHC, U.S. Navy