



Nancy Pelosi  
Democratic Leader

January 15, 2013

The Honorable John Boehner  
Speaker  
United States House of Representatives  
Washington, D.C. 20515

Dear Speaker Boehner:

As the two Democratic Members of the Bipartisan Legal Advisory Group (BLAG), we wish to strongly reaffirm our objections to the repeated actions by the Republican leadership to secretly and dramatically increase the contract between the House and outside counsel in arguing to uphold the discriminatory Defense of Marriage Act (DOMA) in more than a dozen cases. This is not the first time that House Republicans have made a unilateral decision to raise the ceiling on expenditures for this wasteful litigation that supports a discriminatory statute, without any public discussion or advance notice to Democratic members of the BLAG, Members of the House, or the public. This clandestine commitment of taxpayer funds is highly irregular and objectionable, and it must end now.

Let us be clear: these steps do not reflect the will of the House or the consensus of the BLAG. Democrats do not support any decisions to invest taxpayer funds in defense of an indefensible law. We remain united in our opposition to any effort to preserve, protect, and defend discrimination in our country.

From the start, the Republican-led campaign to defend DOMA has been a practice in futility and a waste of Americans' hard-earned tax dollars. The Republican-appointed, taxpayer-funded legal team has lost in every case. Courts across the nation have stood on the side of justice and equality for all Americans. DOMA is on its way into the dustbin of history.

It would be bad enough if Republicans were losing in court and accepting the result. Yet it is the height of hypocrisy for House Republicans to waste public funds in one breath then claim the mantle of fiscal responsibility in the next. With Republicans willing to take our economy and our country to the brink of default in the name of deficit reduction, there is simply no excuse for any Member of Congress to commit taxpayer dollars to an unnecessary – and futile – legal battle.

Until Republicans decide to abandon this effort once and for all, we ask you to make your legal plans clear; to make public every contract signed with outside counsel in this case in a timely manner; to declare the total cost of this case to the taxpayers; and to abide by the highest standards of transparency and accountability.

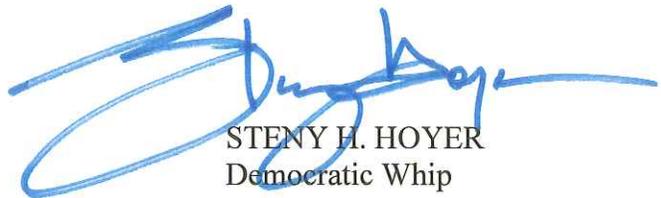
The Defense of Marriage Act now sits before the Supreme Court. We believe it is only a matter of time before this offensive law is a discarded relic of a bygone era. We look forward to the day when this measure is declared unconstitutional by the highest court in the land and when all of America's families can know the blessings of equal protection under the law.

Thank you for your attention to this matter.

best regards,



NANCY PELOSI  
Democratic Leader



STENY H. HOYER  
Democratic Whip