

1 [http://www.thedailybeast.com/articles/2013/02/28/the-pro-freedom-republicans-are-coming-131-sign-](http://www.thedailybeast.com/articles/2013/02/28/the-pro-freedom-republicans-are-coming-131-sign-gay-marriage-brief.html)
2 [gay-marriage-brief.html](http://www.thedailybeast.com/articles/2013/02/28/the-pro-freedom-republicans-are-coming-131-sign-gay-marriage-brief.html)



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5 The Pro-Freedom Republicans Are 6 Coming: 131 Sign Gay-Marriage Brief

7 Nearly 60 new Republican notables have signed an amicus brief filed to the Supreme Court today in
8 support of the freedom to marry. John Avlon on who's joined the movement—and its significance.

9 One hundred thirty-one Republicans signed an amicus brief submitted to the Supreme Court on
10 Thursday **arguing that marriage is a fundamental right that should not be denied to gay and**
11 **lesbian Americans.**

12 That is nearly double the number of Republicans who had [publicly signed on to the amicus brief](#)
13 [earlier this week](#), indicating a growing groundswell of support among conservatives who
14 recognize the philosophic consistency of supporting the freedom to marry. **Call them pro-**
15 **freedom Republicans.**

1 The coalition includes 12 current and former members of Congress, including New York's
2 Richard Hanna, California's Mary Bono Mack, and Florida's Ileana Ros-Lehtinen; 7 former
3 governors, including Utah's Jon Huntsman, New Mexico's Gary Johnson, and Massachusetts's
4 William Weld; and 7 current state legislators. **They join the 206 Republican state legislators who**
5 **have supported the freedom to marry on a state basis to date.**

6 The amicus brief carves out a clear distinction between social conservatives and the center right,
7 a coalition that includes libertarians, neoconservatives, and former GOP administration leaders.
8 Among the Bush-administration alumni signing the brief are Ken Mehlman, former chairman of
9 the Republican National Committee; former Homeland Security adviser Frances Townsend;
10 Bush chief speechwriter Mark Gerson; former Commerce secretary Carlos Gutierrez; former
11 national-security adviser Stephen Hadley; former Environmental Protection Agency
12 administrator Christine Todd Whitman; and former deputy secretary of Defense Paul Wolfowitz.
13 **This is compassionate conservatism.**

14 Also interesting is the number of former Romney campaign honchos who signed on to the brief,
15 including campaign manager Beth Myers, general counsel Katie Biber, and national counsel Ben
16 Ginsberg. The Romney campaign, like the Bush 2004 campaign before it, supported a Federal
17 Marriage Amendment to the Constitution, but it appears that there must have been internal
18 dissension in the ranks on this issue.

19 Influential party donors such as Cliff Asness, Lew Eisenberg, and Dan Loeb decided to add their
20 names, as did policy leaders such as Doug Holtz-Eakin, Greg Mankiw, and Nancy Pfotenhauer,
21 and strategists and media figures such as Alex Castellanos, Margaret Hoover (full disclosure, my
22 bride), Nicolle Wallace, Steve Schmidt, S.E. Cupp, Ana Navarro, and The Daily Beast's own
23 [David Frum](#) and Mark McKinnon. Demographic of one Clint Eastwood even decided to sign on.

24 Bottom line, this is an impressive list of influencers that indicates the shifting tides on this issue,
25 even within the Republican Party. Cynics will say the list shows only limited support against the
26 total number of elected officials inside the GOP, but this fight matters precisely because it
27 represents a vital front in the GOP civil war that is willing to engage in one of the **great civil-**
28 **rights debates of our time.** And contrary to social-conservative stereotypes, there is an active
29 debate on this issue

30 Backing the argument made in the Prop 8 case led by Reagan solicitor general Ted Olson and David
31 Boies, pro-freedom Republicans argue that marriage is a fundamental individual right and a conservative
32 virtue because it is societally stabilizing, creating a safety net that doesn't rely on the state. In the
33 process, they are attempting to resolve some of the contradictions between the rhetoric of individual
34 freedom and social-conservative policies. **Economic freedom cannot be the sole issue that libertarians**
35 **care about if they claim to be consistent, and reconciling this policy contradiction is crucial if the GOP**
36 **does indeed want to stop being "the stupid party."**

37 This is a fight worth watching, playing out in the Supreme Court as well as in the GOP.
38 Presidential aspirants and sitting senators are notably absent from the amicus brief—joining this
39 list still carries considerable political risk. **Faith-based conservatives will oppose this policy on**
40 **religious grounds,** even as gay conservative groups like GOProud and the Log Cabin

1 Republicans are banned from attending CPAC alongside the likes of Chris Christie. There is still
2 a long way to go before the big tent is rebuilt after having been purposefully burned down in
3 recent years.

4 But this list of pro-freedom Republicans is an important step in that direction, planting a flag in
5 what could be one of the most important Supreme Court cases in a generation. After all, as Dick
6 Cheney once famously said, “Freedom means freedom for everyone.”

7 The full list:

8 **AMICI CURIAE**

9 **Kenneth B. Mehlman**, chairman, Republican National Committee, 2005–07

10 **Tim Adams**, undersecretary of the Treasury for international affairs, 2005–2007

11 **Cliff S. Asness**, businessman, philanthropist, and author

12 **David D. Aufhauser**, general counsel, Department of the Treasury, 2001–03

13 **Charles Bass**, member of Congress, 1995–2007 and 2011–13

14 **John B. Bellinger III**, legal adviser to the Department of State, 2005–09

15 **Katie Biber**, general counsel, Romney for President, 2007–08 and 2011–12

16 **Mary Bono Mack**, member of Congress, 1998–2013

17 **William A. Burck**, deputy staff secretary, special counsel, and deputy counsel to the president,
18 2005–09

19 **Alex Castellanos**, Republican media adviser

20 **Paul Cellucci**, governor of Massachusetts, 1997–2001, and ambassador to Canada, 2001–05

21 **David C. Chavern**, business association executive

22 **Mary Cheney**, director of vice-presidential operations, Bush-Cheney 2004

23 **Thomas J. Christensen**, deputy assistant secretary of State for East Asian and Pacific affairs,
24 2006–08

25 **Jim Cicconi**, assistant to the president and deputy to the chief of staff, 1989–90

26 **James B. Comey**, U.S. deputy attorney general, 2003–05

- 1 **Jeff Cook-McCormac**, senior adviser, American Unity PAC
- 2 **R. Clarke Cooper**, U.S. alternative representative, United Nations Security Council, 2007–09
- 3 **Julie Cram**, deputy assistant to the president and director, White House Office of Public
4 Liaison, 2007–09
- 5 **S.E. Cupp**, author and political commentator
- 6 **Michele Davis**, assistant secretary for public affairs and director of policy planning, Department
7 of the Treasury, 2006–09
- 8 **Tyler Deaton**, secretary, New Hampshire Young Republicans, 2011–present
- 9 **Alicia Davis Downs**, associate political director, White House, 2001–03
- 10 **Kenneth M. Duberstein**, White House chief of staff and assistant to the president, 1981–84 and
11 1987–89
- 12 **Janet Duprey**, New York state assemblywoman, 2007–present
- 13 **Clint Eastwood**, producer, director, actor, and mayor of Carmel, California, 1986–88
- 14 **Christian J. Edwards**, special assistant to the president and director of Press Advance, 2005–07
- 15 **Lew Eisenberg**, finance chairman, Republican National Committee, 2002–04
- 16 **Mark J. Ellis**, state chairman, Maine Republican Party, 2005–06 and 2007–09
- 17 **Elizabeth Noyer Feld**, public-affairs specialist, White House Office of Management and
18 Budget, 1984–87
- 19 **Charles Freeman**, assistant U.S. trade representative for China affairs, 2002–05
- 20 **David Frum**, author and special assistant to the president, 2001–02
- 21 **Reed Galen**, director of scheduling and advance, Bush-Cheney 2004
- 22 **Richard Galen**, communications director, speaker’s political office, 1996–97
- 23 **Mark Gerson**, chairman, Gerson Lehrman Group, and author of *The Neoconservative Vision:*
24 *From the Cold War to the Culture Wars* and *In the Classroom: Dispatches from an Inner-City*
25 *School that Works*
- 26 **Benjamin Ginsberg**, national counsel, Bush-Cheney 2000 and 2004

- 1 **Josh Ginsberg**, national field director, Romney for President, 2007–08
- 2 **Juleanna Glover**, press secretary to the vice president, 2001–02
- 3 **John Goodwin**, chief of staff to Raul Labrador, member of Congress, 2011–13
- 4 **Adrian Gray**, director of strategy, Republican National Committee, 2005–07
- 5 **Richard Grenell**, spokesman, U.S. ambassadors to the United Nations, 2001–08
- 6 **Mark Grisanti**, New York state senator, 2011–present
- 7 **Patrick Guerriero**, mayor of Melrose, Massachusetts, and member of the Massachusetts House
8 of Representatives, 1993–2001
- 9 **Carlos Gutierrez**, secretary of Commerce, 2005–09
- 10 **Stephen Hadley**, assistant to the president and national security adviser, 2005–09
- 11 **Richard Hanna**, member of Congress, 2011–present
- 12 **Jill Hazelbaker**, communications director, John McCain for President, 2007–08
- 13 **Israel Hernandez**, assistant secretary of Commerce for international trade, 2005–09
- 14 **Douglas Holtz-Eakin**, director, Congressional Budget Office, 2003–05
- 15 **Margaret Hoover**, adviser to the deputy secretary of Homeland Security, 2005–06
- 16 **Michael Huffington**, member of Congress, 1993–95
- 17 **Jon Huntsman**, governor of Utah, 2005–09, and ambassador to China, 2009–11
- 18 **David A. Javdan**, general counsel, U.S. Small Business Administration, 2002–06
- 19 **Reuben Jeffery**, undersecretary of State for economic, energy, and agricultural Affairs, 2007–09
- 20 **Greg Jenkins**, deputy assistant to the president and director of presidential advance, 2003–04
- 21 **Coddy Johnson**, national field director, Bush-Cheney 2004
- 22 **Gary Johnson**, governor of New Mexico, 1995–03, and Libertarian Party nominee for president,
23 2012
- 24 **Nancy L. Johnson**, member of Congress, 1983–2007

- 1 **Robert Kabel**, special assistant to the president for legislative affairs, 1982–85
- 2 **Neel Kashkari**, assistant secretary of the Treasury, 2008–09
- 3 **Theodore W. Kassinger**, deputy secretary of Commerce, 2004–05
- 4 **Jonathan Kislak**, deputy undersecretary of Agriculture for small community and rural
5 development, 1989–91
- 6 **David Kochel**, senior Iowa adviser, Mitt Romney for President, 2007–08 and 2011–12
- 7 **James Kolbe**, member of Congress, 1985–2007
- 8 **Cyrus Krohn**, e-campaign director, Republican National Committee, 2007–09
- 9 **Jeffrey Kupfer**, chief of staff and acting deputy secretary, Department of Energy, 2006–09
- 10 **Ed Kutler**, assistant to the speaker of the House, 1995–97
- 11 **Kathryn Lehman**, chief of staff, House Republican Conference, 2003–05
- 12 **Thomas A. Little**, Vermont state representative, 1992–2002, and chairman of the House
13 Judiciary Committee, 1999–2002
- 14 **Daniel S. Loeb**, businessman and philanthropist
- 15 **Alex Lundry**, director of data science, Romney for President, 2012
- 16 **Greg Mankiw**, chairman, Council of Economic Advisers, 2003–05
- 17 **Catherine Martin**, deputy assistant to the president and deputy communications director for
18 policy and planning, 2005–07
- 19 **Kevin Martin**, chairman, Federal Communications Commission, 2005–09
- 20 **David McCormick**, undersecretary of the Treasury for international affairs, 2007–09
- 21 **Mark McKinnon**, Republican media adviser
- 22 **Aaron McLear**, press secretary to Gov. Arnold Schwarzenegger, 2007–11
- 23 **Bruce P. Mehlman**, assistant secretary of Commerce, 2001–03
- 24 **Susan Molinari**, member of Congress, 1990–97

- 1 **Connie Morella**, member of Congress, 1987–2003, and U.S. ambassador to the Organization for
2 Economic Cooperation and Development, 2003–07
- 3 **Michael E. Murphy**, Republican political consultant
- 4 **Beth Myers**, Romney for President campaign manager, 2007–08, and senior adviser, 2011–12
- 5 **Michael Napolitano**, White House Office of Political Affairs, 2001–03
- 6 **Ana Navarro**, national Hispanic co-chair, John McCain for President, 2008
- 7 **Noam Neusner**, special assistant to the president for economic speechwriting, 2002–2005
- 8 **B.J. Nikkel**, Colorado state representative and majority whip, 2009–12, and district director for
9 Congresswoman Marilyn Musgrave, 2002–06
- 10 **Susan Neely**, special assistant to the president, 2001–02
- 11 **Meghan O’Sullivan**, deputy national-security adviser for Iraq and Afghanistan, 2005–07
- 12 **Richard Painter**, associate counsel to the president, 2005–07
- 13 **Ruth Ann Petroff**, Wyoming state representative, 2011–present
- 14 **Nancy Pfoenhauer**, economist, presidential transition team, 1988, and President’s Council on
15 Competitiveness, 1990
- 16 **Gregg Pitts**, director, White House Travel Office, 2006–09
- 17 **J. Stanley Pottinger**, assistant U.S. attorney general (Civil Rights Division), 1973–77
- 18 **Michael Powell**, chairman, Federal Communications Commission, 2001–05
- 19 **Larry Pressler**, U.S. senator from South Dakota, 1979–97, and member of Congress, 1975–79
- 20 **Deborah Pryce**, member of Congress, 1993–2009
- 21 **John Reagan**, New Hampshire state senator, 2012–present
- 22 **Luis Reyes**, special assistant to the president and deputy assistant to the president, 2006–09
- 23 **Tom Ridge**, governor of Pennsylvania, 1995–2001, and secretary of Homeland Security, 2003–
24 05
- 25 **Kelley Robertson**, chief of staff, Republican National Committee, 2005–07

- 1 **Mark A. Robbins**, general counsel, U.S. Office of Personnel Management, 2001–06
- 2 **Brian Roerkasse**, director of public affairs, Department of Justice, 2007–09
- 3 **Ileana Ros-Lehtinen**, member of Congress, 1989–present
- 4 **Harvey S. Rosen**, member and chairman, Council of Economic Advisers, 2003–05
- 5 **Lee Rudofsky**, deputy general counsel, Romney for President, 2012
- 6 **Patrick Ruffini**, e-campaign director, Republican National Committee, 2005–07
- 7 **Corry Schiermeyer**, director for global communications, National Security Council, 2005–07
- 8 **Steve Schmidt**, deputy assistant to the president and counselor to the vice president, 2004–06,
9 and senior adviser, John McCain for President, 2008
- 10 **Adam Schrodter**, New Hampshire state representative, 2010–present
- 11 **Christopher Shays**, member of Congress, 1987–2009
- 12 **Faryar Shirzad**, deputy assistant to the president and deputy national-security adviser for
13 international economic affairs, 2004–06
- 14 **Ken Spain**, communications director, National Republican Congressional Committee, 2009–10
- 15 **Robert Steel**, undersecretary of the Treasury for domestic finance, 2006–08
- 16 **Nancy Stiles**, New Hampshire state senator, 2010–present
- 17 **David Stockman**, director, Office of Management and Budget, 1981–85
- 18 **Jane Swift**, governor of Massachusetts, 2001–03
- 19 **Richard Tisei**, Massachusetts state senator, 1991–2011, and Senate minority leader, 2007–11
- 20 **Michael E. Toner**, chairman and commissioner, Federal Election Commission, 2002–07
- 21 **Frances Fragos Townsend**, Homeland Security adviser to the president, 2004–08
- 22 **Michael Turk**, e-campaign director for Bush-Cheney 2004
- 23 **John Ulyot**, communications director, U.S. Senate Armed Services Committee, 2003–07
- 24 **Sally A. Vastola**, executive director, National Republican Congressional Committee, 2003–06

- 1 **Jacob P. Wagner**, chairman, New Hampshire Federation of College Republicans, 2012–present
- 2 **Mark Wallace**, U.S. ambassador to the United Nations, representative for U.N. management and
3 reform, 2006–08
- 4 **Nicolle Wallace**, assistant to the president and White House communications director, 2005–08
- 5 **William F. Weld**, governor of Massachusetts, 1991–97, and assistant U.S. attorney general
6 (criminal division), 1986–88
- 7 **Christine Todd Whitman**, governor of New Jersey, 1994–2001, and administrator of the EPA,
8 2001–03
- 9 **Meg Whitman**, Republican nominee for governor of California, 2010
- 10 **Robert Wickers**, Republican political consultant
- 11 **Paul Wolfowitz**, deputy secretary of Defense, 2001–05, and president of the World Bank Group,
12 2005–07
- 13 **Dan Zwonitzer**, Wyoming state representative, 2005–present