



# THE AMERICAN MILITARY PARTNER ASSOCIATION

## Top 5 Needs of LGBT Military Families

### **1. Representation of LGBT Military Families Among the DoD Family Readiness Council**

While each of the services are represented among the DoD Family Readiness Council, there is no specific representation for our LGBT military families, who face a number of challenges in terms of access to support, resources and benefits. While the recent Supreme Court ruling found Section 3 of the Defense of Marriage Act unconstitutional, this only affects LGBT military families' benefits tied to **federal** programs. Many states still have prohibitive laws posing significant barriers for our LGBT military families given their state's lack of recognition of same-sex marriage. Our service members and their families assigned to duty stations within these states are left with little support or guidance, and need specific representation within the council to ensure their families are not being left behind or excluded from important DoD Family Readiness Council discussions. We, at The American Military Partner Association, are happy to volunteer to participate in the council to provide representation for our families and are best equipped to do so given our families are among those affected. Please contact our Director of Educational Affairs, Dr. Lori Hensic, to explore this collaboration ([lori@militarypartners.org](mailto:lori@militarypartners.org)).

***What is the DoD Family Readiness Council doing NOW to support our LGBT military families?***

***How are these families being integrated into current programs and organizations?***

### **2. Clear Communication to LGBT Military Families Regarding DoD plans for Implementation of Benefits**

On Wednesday, June 26<sup>th</sup> 2013, the Supreme Court ruled the Defense of Marriage Act (DOMA) unconstitutional. However, since the ruling was released over 6 weeks ago, there has been unclear and inconsistent information or guidance communicated to our LGBT families in terms of exactly **when** or **how** they can expect to receive equal benefits. Numerous military bases have been providing different and often conflicting information to our families, and most families are unable to find any guidance or information from base contacts. Along with the delay of the implementation of benefits, this lack of clear communication is negatively affecting our LGBT military families – especially those with children who are in need of medical coverage, service members PCSing, and families financially strained due to lack of “dependent-rate” pay and allowances. We need help from the DoD Family Readiness Council to work to create a clear channel of communication to our LGBT military families with reliable, timely and accurate information regarding equal benefits recently granted to them by the Supreme Court ruling.

***What is the DoD Family Readiness Council doing to communicate reliable, timely and accurate information regarding implementation of benefits to our LGBT military families?***

### **3. Help from the Council to Expedite Implementation of Benefits for LGBT Military Families**

Similar to the above stated need of a clear channel of communication for our LGBT military families, we need support and advocacy on behalf of the DoD Family Readiness Council to push for expedited implementation of benefits for LGBT military families. We need the council to appropriately represent **ALL** military families – including LGBT military families – by advocating for the swift implementation of benefits, including (but not limited to):

- Medical Care
- Dependent-rate Allowances and Relocation Assistance
- Command Sponsorship & Joint Duty Assignments
- Emergency Notification/Primary Next of Kin, Survivor & Social Security Benefits

***What is the DoD Family Readiness Council doing to expedite and ensure appropriate implementation of benefits for LGBT military families?***

#### **4. Uncertainty For Our Families Stationed in Non-Marriage Equality States**

While the Supreme Court ruled Section 3 of the Defense of Marriage Act (DOMA) unconstitutional on a federal level, individual states are still permitted to choose whether or not they will recognize same-sex marriage on a state level. Our LGBT military families are stationed all over the United States, many in states that **DO NOT** recognize their marriage, or allow them to get married. Aside from this causing our LGBT military families extra expenses incurred from traveling to a marriage equality state to become married so they can receive due federal benefits (i.e., TRICARE, with dependent-rate pay/allowances, etc.), this has far reaching implications including, but not limited to differences in laws regarding:

- Adoption to same-sex couples
  - Not all states allow this
- In-state tuition/education costs
  - LGBT military families may not be afforded in-state tuition rates, causing financial hardship
- Qualification for various state public programs
- State taxes and joint filing
- Statutory Restrictions on the VA because of Title 38
  - Unlike the DoD recognition of marriage based upon the place of celebration, VA recognition of marriage is based upon the place of residency. This leaves much uncertainty for our veteran families living in non-equality states when it comes to VA benefits.

***What is the DoD Family Readiness Council doing to ensure our LGBT military families living in non-marriage equality states are still able to have the same benefits as heterosexual military families?***

#### **5. Non-Discrimination Policy Based on Sexual Orientation for Uniformed Service Members (as is in place for DoD Civilians)**

LGBT military families are not protected from discrimination given sexual orientation is not currently included in the “non-discrimination policy” for uniformed service members. This greatly impacts our families, many of which express a fear of exclusion due to this lack of protection – even more so in states that do not recognize, or have a ban against, same-sex marriage. Our service members, their spouses and their children deserve the same protection from discrimination as others. This lack of safety prohibits our LGBT military families from fully integrating and accessing benefits and services available to them, as well as protection within their careers – but can easily be afforded by policy changes. We are calling on the DoD Family Readiness Council to advocate for such policy changes.

***What is the DoD Family Readiness Council doing to protect our LGBT military families from discrimination based on sexual orientation?***

**Contact:**

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