



JOINT STATEMENT

VA PROVIDES GUIDANCE TO SAME-SEX MARRIED COUPLES SEEKING BENEFITS

Friday, the Department of Veterans Affairs (VA) released guidance to same-sex married couples seeking benefits to which they are entitled to under current laws and regulations. The announcement was made after working closely with the Department of Justice (DOJ) following the *Windsor* decision at the Supreme Court.

Another provision of the law governing VA – 38 U.S.C. § 103(c) – requires that same-sex married couples must reside in a state that recognizes same-sex marriages. This means that same-sex married couples applying for their earned VA benefits will now be processed – provided the couple lives in a marriage equality state. Legally married same-sex couples residing in a non-marriage equality state will not have their applications processed at this time. For the full press release from the VA, please [click here](#).

The Military Partners and Families Coalition, alongside OutServe-Servicemembers Legal Defense Network (OS-SLDN) and American Veterans for Equal Rights, Inc. (AVER), applaud the VA administration on their step forward in equality for all.

“The released guidance is an exciting step forward by the VA and we acknowledge their commitment to the equal treatment of all Veterans and their families,” said Military Partners and Families Coalition President and Co-Founder, Ariana Bostian-Kentes. “While we celebrate this victory for equality, we remain well aware of the work we have ahead.”

“This is a great step towards equality for all of our lesbian, gay and bisexual veterans. They deserve to be treated fairly and equally for the service they gave to our country. Anything less would not live up to the President’s demand that we take care of our veterans,” says OS-SLDN’s Co-Chairman of the Board, Jeff Mueller. “We still have work to do to bring equality to all of our lesbian, gay, bisexual and transgender veterans and servicemembers and we will continue to work, alongside partner organizations, to gain this equality.”

"For 25 years American Veterans for Equal Rights has worked to secure equal treatment for the Lesbian, Gay, Bisexual, and Transgender service members who defend our nation's freedom," said AVER President, Lt. Col. Steve Loomis, USA(ret). "With the repeal of Don't Ask, Don't Tell and the extension of benefits by the Department of Defense to the same-sex spouses and children of active duty gay and lesbian Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen, our nation's leadership has demonstrated its commitment to ensuring equality to all the men and women who stand on guard to defend our liberty. As a Veterans Service Organization, AVER strongly believes this commitment must not stop with those who serve on active duty, but be extended to the honored veterans from World War II to Afghanistan who deserve no less for the sacred duty they have performed on behalf of our nation, regardless of where they live or who they love. AVER calls upon all Veterans Service Organizations to support full equal benefits for our nation's veterans regardless of diversity. Honor all veterans, all the time."

OutServe-SLDN provides free legal counseling to service members with legal issues stemming from or relating to the previous DADT law banning military service by lesbian, gay, and bisexual persons, the regulations governing military service by HIV+ people, and the regulations addressing military service by transgender persons. For more information, please visit [the OS-SLDN legal page](#).

The VA calls on Congress to take legislative action to ensure all Veterans and their families are treated equally. "We will work with lawmakers to address the changes that are necessary to allow all veterans and their families to access the benefits they have earned and deserve," said Acting Secretary of Veterans Affairs Sloan D. Gibson.

AVER, MPFC, and OS-SLDN are committed to working together to bring full equality for lesbian, gay, bisexual and transgender veterans and servicemembers. There is still work to be done to ensure everyone in all states has access to the benefits they have earned.

ABOUT AMERICAN VETERANS FOR EQUAL RIGHTS: AVER is a 501(c)(3) non-profit, chapter-based Veterans Service Organization of active, reserve, and veteran service members dedicated to full and equal rights and equitable treatment for all present and former members of the U.S. Armed Forces and their families. For more information visit www.aver.us.

ABOUT MILITARY PARTNERS AND FAMILIES COALITION: MPFC is the leading national organization founded by partners of active duty service members focused on support, education, resource, and advocacy for partners, children, and families of LGBT service members. MPFC is a private non-profit, non-partisan organization based in Washington, D.C. For more information, visit www.milpfc.org.

ABOUT OUTSERVE-SLDN: OutServe-SLDN is the heir to the legacy of providing legal services to service members and veterans since 1993. From representing over

12,000 service members during the era of DADT, leading the fight to repeal DADT, through winning the federal lawsuit, *McLaughlin v. Hagel*, that provided benefits to same sex partners of military members, OutServe-SLDN has been on the frontlines for over 20 years. For more information, visit www.outserve-sldn.org.