



HUMAN
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MILITARY SPOUSES EQUAL TREATMENT ACT

The Problem

With the repeal of “Don’t Ask, Don’t Tell,” lesbian and gay service members are at long last able to serve their country openly and honestly. However, repeal did not address a significant inequity still facing these brave men and women: namely, that their families are not treated equally by the federal government.

Because of the Defense of Marriage Act, same-sex military spouses do not have access to important benefits which are available to other military families. Similarly, the same-sex spouses of veterans are denied important benefits. These benefits are central to caring for our service members and the families who provide critical support on the home front, as well as to honoring our veterans for their service to our country. Under current law, lesbian and gay service members and veterans do not receive the same pay and support for their service and sacrifice.

What is the Military Spouses Equal Treatment Act?

The Military Spouses Equal Treatment Act (MSETA) would provide the same family benefits to lawfully-married lesbian and gay service members and veterans as are already provided to service members and veterans with different-sex spouses. The bill includes lesbian and gay military spouses in the definition of “spouse” for the purposes of Titles 10, 32, 37 and 38 of the United State Code.

Spouse is defined as any individual who is married in a U.S. state that recognizes that marriage as valid. The definition of spouse also includes any individual who is married outside the U.S. if the marriage is valid in the place in which the marriage was entered into and the marriage could have been entered into in a U.S. state.

Equal Benefits for All Service Members

MSETA would provide lesbian and gay service members and veterans with equal access to basic but vital family benefits. Such benefits include health care, family leave, housing allowances, travel and transportation allowances, and the right to be buried beside the one you love. These benefits, along with dozens of others, are critical to ensure that lesbian and gay service members are able to focus on serving the country instead of worrying about the health, security and stability of their families.

What is the Current Status of the Bill?

MSETA was reintroduced in the 113th Congress in the House by Rep. Adam Smith (D-WA) on February 14, 2013.