

**Congress of the United States**  
Washington, DC 20515

September 30, 2013

The Honorable Chuck Hagel  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

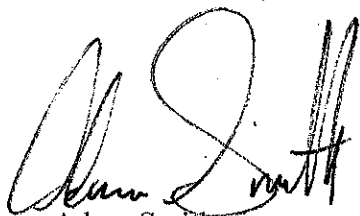
Re: Delay in Processing of Military Benefits to Same-Sex Spouses of Members of the National Guard

Dear Secretary Hagel:

We write to express our deep concern over the unwillingness of the National Guards of Texas, Mississippi, Louisiana, and Oklahoma to support applications for military benefits for same-sex spouses of military members. Following the Supreme Court's June ruling in *U.S. v. Windsor*, which struck down section 3 of the Defense of Marriage Act, you issued a memorandum stating that the Department of Defense would work to make the same benefits available to all military spouses.

Recently, the states of Texas, Mississippi, Louisiana, and Oklahoma have refused to issue or have stopped issuing ID cards in state facilities to same-sex spouses of service members. Citing statewide bans on marriage for same-sex couples, local policymakers have forced these spouses to travel to federal military installations to apply for their military benefits. For example, when Texas National Guard member and Iraq veteran Judith Cedville and her wife Alicia Butler visited their local National Guard office in Austin to file for benefits, the office denied their request and advised them to travel to the nearest federal facility in Fort Hood, about 90 miles away, to receive the benefits that were owed and promised to them.

We urge you to issue further guidance on this matter, reaffirming that all married military couples must be treated equally, and clarifying that state National Guards, because they are funded in large part by federal tax dollars, cannot choose to ignore this order by denying some lawfully married military couples equal access to the federal benefits to which they are entitled.



Adam Smith  
Ranking Member  
House Armed Services Committee

Sincerely,



Carl Levin  
Chairman  
Senate Armed Service Committee