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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

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August 22, 2013

The Honorable Charles T. Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Hagel:

I was very disappointed by the recent Department of Defense announcement that it intends to extend benefits to same-sex couples that are not equally afforded to opposite-sex couples. I write this letter to express my great concern to policy issued on August 13, 2013, especially the intent to extend special uncharged leave benefits to same-sex partners and not to all military couples. Further, I am unaware of any legal authority to grant uncharged leave to couples seeking to be married.

I appreciate that the Department is reevaluating its policies in light of the recent Supreme Court decision declaring section 3 of the Defense of Marriage Act unconstitutional. However, the Department of Defense has failed to notify Congress of its intentions, and I remind the Department of its obligation to keep Congress advised as it relates to plans to modify rights and benefits of our armed forces. It is necessary that the Senate must first consider the implication of such a policy before the Department of Defense implements a modification of Department of Defense Instruction 1327.06 "Leave and Liberty Policy and Procedures."

Mr. Secretary, I firmly support the Department of Defense's stated commitment to ensuring that all men and women who serve our country and their families should be treated fairly and equally. However, this change in policy will create disparate treatment between same-sex and opposite-sex couples in our armed forces contrary to the Department's stated policy. I look forward to hearing from you on this important matter.

Sincerely,



James M. Inhofe
Ranking Member