



Written by [Dave Bohon](#) on October 31, 2011

“Gay” Military Personnel Sue for End to DOMA

A group of homosexual activists comprised of both active and retired military personnel is suing the federal government to overturn the 1996 Defense of Marriage Act (DOMA), which defines marriage for federal purposes as only between a man and a woman. The group wants the law changed so that homosexual “married” couples can receive the same benefits as traditional married couples serving in the military.



Under DOMA, reported the [Associated Press](#), the Pentagon is required to ignore same-sex marriages, which are legal in six states and Washington D.C. and were legal for a time in California. That denial of spousal benefits, gay groups argue, is in direct conflict with the lifting last month of Don't Ask, Don't Tell the law that barred homosexuals from serving in the armed forces. With full access to military service, homosexuals now want unrestricted freedom to pursue their lifestyle including full access to all the rights and privileges enjoyed by normal military couples and their families.

The [Servicemembers Legal Defense Network](#) (SLDN), a homosexual activist group whose specific focus is the U.S. military, filed the lawsuit on behalf of eight service members and their same-sex partners. The group's director, Aubrey Sarvis, said that the suit was about one thing, plain and simple justice for gay and lesbian service members and their families in our armed forces rendering the same military service, making the same sacrifices, and taking the same risks to keep our nation secure at home and abroad.

The plaintiffs in the lawsuit argue that denial of benefits represents a threat to national security, noting that given the extreme mental and physical demands of warfare, the Pentagon has recognized that service members who are distracted by thoughts that their loved ones are not being cared for may render the service members less effective combatants.

While the repeal of [don't ask, don't tell] was an important first step in the military's march for equality, the lawsuit reads, it is time to take the next step and provide equal benefits for equal work.

Among the benefits the eight homosexual soldiers are seeking, according to the SLDN, are housing, health care, and surviving spouse benefits, as well as special programs that address the morale, welfare, and recreational needs of homosexual military personnel.

Among the plaintiffs in the case is Charlie Morgan (pictured above), a female member of the New Hampshire National Guard, who wants health and dental insurance for her homosexual partner and the



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four-year-old girl the two claim as their daughter. She also wants her partner to be issued a military ID so that she can have access to military facilities.

As plaintiffs, we are fighting to receive the same benefits and opportunities as our married heterosexual counterparts, said Morgan in a statement issued by SLDN. This discrimination causes undue financial and emotional hardship for our families. Additionally, Morgan said she recently had a recurrence of cancer and worries every day that my health may take a turn for the worse, and Karen [her partner] would be unable to receive the survivors benefits to help take care of our daughter. We are only asking for fair and equitable treatment as a recognized family.

The suits lead plaintiff, Massachusetts National Guard Major Shannon McLaughlin, is seeking an extension of benefits to her lesbian partner, Casey, and the twin children they claim together. Declared McLaughlin: Weve been serving our country too long, working too hard, and sacrificing too much to see our families denied the same recognition, support, and benefits as our straight, married counterparts.

As reported by AP, Pentagon spokesman Capt. John Kirby said officials will evaluate the complaint and consult with the Justice Department, while continuing to follow the law. He noted that military personnel are already free to designate some benefits to anyone they choose. Explained Kirby in a Pentagon statement: In connection with the Dont Ask, Dont Tell repeal, the Defense Department is engaged in a careful and deliberate review of the possibility of extending eligibility for benefits, when legally permitted, to other individuals including same-sex partners.

But Peter Sprigg of the [Family Research Council](#), one of the lead organizations that opposed the overturning of Dont Ask, Dont Tell, noted that the plaintiffs in the case by tradition and culture are not spouses. The federal government has the right to set its own standards for what it will recognize as a marriage and Congress did that in 1996 in an overwhelming, bipartisan fashion.

As reported by [The New American](#), in early October the Department of Defense gave military chaplains the go-ahead to perform same-sex marriage ceremonies, a move that Elaine Donnelly, president of the Center for Military Readiness, told the [Christian Post](#) appeared to be a calculated move by the Obama Administration to open the door to the type of lawsuit the Pentagon now faces. She argued that the Administration wants to eliminate DOMA using the military as a battering ram.

Photo: Charlie Morgan attends the OutServe Armed Forces Leadership Summit on Saturday, Oct. 15, 2011, in Las Vegas: AP Images



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