

# Obergefell & Our Troops

*How Rolling Back the  
Supreme Court's Marriage Equality Decision  
Could Cost Billions and  
Harm National Security*

a report by



## *Acknowledgments*

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We would also like to credit and thank Brandon Lorenz as our consulting editor who guided this project to its final form. His diligence and expertise are unmatched.

And finally, we would like to recognize the men and women in uniform who fought and gave everything for this country and yet continue to find their rights at risk again and again. IAVA will always have your back.

## *About Iraq and Afghanistan Veterans of America*

IAVA's mission is to connect, unite, and empower post-9/11 veterans. We are the leading voice of the post-9/11 generation of veterans, and we believe the dynamic men and women of our community represent America's future – our next greatest generation. They are our true north, and IAVA's work is designed to elevate them, shed light on their concerns, center their stories, and foster their leadership.

IAVA increases awareness in the media, on Capitol Hill, and among the public, leading the charge to change the landscape for veterans today. **We represent the more than 3.5 million veterans who have served since 9/11.** At a time when our veterans continue to lead and set an example of what it means to serve, we must ensure their leadership is seen, heard, and felt by those who are desperately seeking more from their leaders.

## *Introduction*

Having served in the military during Don't Ask, Don't Tell (DADT) and now as the first openly gay individual to lead a major U.S. veterans organization, I have spent a lot of time thinking about the intersection of complex issues like LGBTQ+ equality, national security and military readiness.

Since the repeal of DADT, our country has seen enormous progress on LGBTQ+ equality, most notably in the landmark Supreme Court decision making marriage equality the law of the land, *Obergefell v. Hodges*.

While it is true that polling for the issue of marriage equality has remained high since the ruling, trouble is brewing. A June 2023 poll from Gallup reported that 71 percent of Americans supported marriage equality. Elsewhere in the survey, when asked to rate whether various issues should be morally acceptable, the issue of "gay and lesbian relations" declined seven points to 64 percent – the largest decline of 19 topic areas in the survey. The decline was largely driven by increased polarization around the issue of LGBTQ+ equality, with support among Republicans dropping by 15 points.

Much of this decline in support is not happening by accident, but in an environment where opponents of LGBTQ+ equality are ramping up their attacks and looking for opportunities to chip away at or even repeal marriage equality entirely.

In the Supreme Court's ruling reversing *Roe v. Wade*, Justice Clarence Thomas mused in a concurring opinion that as a logical next step, the court should reconsider decisions that led to marriage equality and even a court ruling allowing the right to contraception.

Supreme Court Justices do not write things by accident, especially this one, who, according to a series of media reports last year, has an unusually close relationship with a billionaire benefactor who has sought to "turn back the clock to a time before the U.S. Supreme Court routinely expanded the government's authority and endorsed new rights such as abortion and same-sex marriage."

I've lived and served in the military before marriage equality. We can't go back. Progress on LGBTQ+ rights – from the end of DADT to marriage equality – has been a benefit not just for our society overall but for national security.

This report shows that if we do go back, there will be enormous costs – from national security to financial impacts. Let's all work to make sure that never happens.



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## ***Executive Summary: More than 11,000 Troops Could Leave Active-Duty Service if Marriage Equality is Repealed; It Would Cost \$950 Million to Recruit Replacements***

Given the current state of play, if opponents of LGBTQ+ equality are successful at repealing *Obergefell*, a patchwork of existing state marriage bans would essentially snap back into place. While existing marriages would be recognized, these states would not be obligated to issue new marriage licenses to same-sex couples. *TIME* magazine's Phil Elliot summarized the potential fallout:

If the red-blue divide in this country that emerged for abortion rights is any guide, we would likely to see a similar geographical split on access to same-sex marriage in a post-*Obergefell* legal environment. But that would just be the start. Many Republican-controlled states would likely take steps to not just ditch marriage licenses for same-sex couples, but also ignore scores of anti-discrimination rules and regulations that federal agencies promulgated based on rights some say are justified through *Obergefell*. The ripple effects would be massive and, for potentially millions of members of the LGBTQ community, heart-wrenching.<sup>1</sup>

As of February 1, 2024, about 85 percent of active-duty military personnel live in states that have some kind of marriage equality ban still on the books. A repeal of *Obergefell* would be an enormously disruptive change, both for active-duty service members and overall military readiness.

Many know the shameful history of how Don't Ask, Don't Tell forced qualified LGBTQ+ service members from the military with dishonorable discharges. What is less known is that it also drove qualified LGBTQ+ service members out because they declined to re-enlist while serving in a hostile political climate. Fortunately, the Williams Institute conducted a contemporaneous survey that can help inform what might happen if marriage equality were seriously threatened.

The numbers are stark. Just as the military struggles with recruiting and the number of active-duty service members is hitting historic lows, the potential repeal of marriage equality could push more than 11,760 active-duty LGBTQ+ service members from the military.

The downstream impacts could also be significant. The military's 2021 demographic report indicates that some 35.4 percent of active-duty service members have children.<sup>2</sup> It is harder to predict how many active-duty service members would choose to leave or seek a new assignment because they did not want to raise their LGBTQ+ children in a hostile environment. A minimum low-end estimate is that another 838 service members would leave. Parents are often willing to accept some degree of additional sacrifice for themselves than they would ask from their children, meaning the actual number could be much higher.

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<sup>1</sup> The Fight for Same-Sex Marriage Isn't Over. Far From It. *TIME*, March 14, 2024  
<https://time.com/6899864/same-sex-marriage-supreme-court-biden-trump/>

<sup>2</sup> "2021 Demographics Profile of the Military Community," Department of Defense, 2021,  
<https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>

Together, between LGBTQ+ service members departing and those with children who would not re-enlist, it would cost at least \$950.6 million to recruit and train new active-duty service members to replace those who left. This estimate is based on applying the experience of what happened during DADT and using an inflation-adjusted cost estimate developed by the Government Accountability Office.

## ***Situational Awareness: Threats to Marriage Equality and Relevant Supreme Court Rulings***

Before diving into the political fight around marriage equality and military readiness, it is instructive to review recent history around abortion. Many legal scholars have observed the reasoning used to overturn *Roe v. Wade* could be applied to rulings that allow the right to contraception, the right to same-sex activity and the right to marriage equality.<sup>3</sup> And many of the same activists and organizations that worked to overturn *Roe v. Wade* have a long history of anti-equality activism.

The majority of justices in the Supreme Court’s decision that overturned *Roe v. Wade* wrote that nothing in the decision should “cast doubt on precedents that do not concern abortion.” But that doesn’t mean the justices aren’t thinking about such questions. Supreme Court Justice Clarence Thomas wrote:

In future cases, we should reconsider all of this Court’s substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*. Because any substantive due process decision is “demonstrably erroneous,” we have a duty to “correct the error” established in those precedents.<sup>4</sup>

There is reason to take the majority’s so-called insistence that *Obergefell v. Hodges* and other decisions are not at risk with a grain of salt. To begin, the court has made this kind of declaration before, as some legal scholars have noted, most notably with the issue of gun rights. In *District of Columbia v. Heller*, the court overturned a longstanding precedent to rule that the Second Amendment applies to individuals. Justice Antonin Scalia said the decision would not affect other gun safety regulations. But “that promise didn’t last,” the *New York Times* reported in looking at the legal landscape after *Roe v. Wade* was repealed.<sup>5</sup>

The other reason to be skeptical that the Supreme Court won’t take further action rolling back or limiting fundamental rights is that – as we detail later in this report – there is a well-organized campaign to push the court to take further action.

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<sup>3</sup> Kenji Yoshino, “Is the Right to Same-Sex Marriage Next?” *The New York Times*, June 30, 2022, <https://www.nytimes.com/2022/06/30/opinion/same-sex-marriage-supreme-court.html>

<sup>4</sup> Justin Tasolides, “In abortion opinion, Justice Thomas says court should reconsider same-sex marriage, contraception decisions,” *Spectrum News*, June 24, 2022, <https://ny1.com/nyc/all-boroughs/news/2022/06/24/clarence-thomas-roe-v-wade-abortion-same-sex-marriage-contraception#:~:text=%22In%20future%20cases%2C%20we%20should,%27%20established%20in%20those%20precedents.>

<sup>5</sup> Sheryl Gay Stolberg, “Thomas’s concurring opinion raises questions about what rights might be next,” *The New York Times*, June 24, 2022, <https://www.nytimes.com/2022/06/24/us/clarence-thomas-roe-griswold-lawrence-obergefell.html>

But first, some good news: LGBTQ+ advocates are not standing still. In reaction to the opinion from Justice Thomas, advocates went to work and passed the Respect for Marriage Act. The law, which passed on a bipartisan basis, repeals the discriminatory Defense of Marriage Act (DOMA) and requires the federal government to respect the marriages of same-sex couples that are already on the books.

Even advocates admit, however, that this does not entirely solve the problem. “If the Supreme Court overturns *Obergefell v. Hodges*, which established that the fundamental right to marry covers same-sex couples, the Respect for Marriage Act would not stop any state from once again refusing to issue marriage licenses to same-sex couples,” wrote [James Esseks](#), Director, of the ACLU’s LGBTQ & HIV Project.<sup>6</sup>

What this would mean in practice is we cannot yet rule out a future where some states would allow marriage licenses to be issued to same-sex couples, while others would not.

Whether that theoretical possibility becomes a reality is up to a variety of different groups of actors. But one thing that shouldn’t be overlooked is that those looking to roll back the clock have a playbook, and they’ve had success with it.

One group, the Alliance Defending Freedom, wrote a blog post after *Roe v. Wade* was overturned, taking credit for the ruling. “Alliance Defending Freedom attorneys and staff were proud to be involved from the very beginning, all the way back in 2017,” the group wrote in a blog post with the headline, “How ADF Helped Overturn *Roe v. Wade*.”<sup>7</sup> On the issue of marriage, ADF says, “In this society, marriage is defined as the lifelong union between a man and a woman, placing the needs of others, especially children, first.” ADF has opposed the Respect for Marriage Act and has gone to work with a series of court filings seeking to make it easier for businesses to discriminate and refuse services to same-sex couples.

“Starting in 2014, ADF filed preemptive lawsuits in nine states on behalf of Christian vendors who objected to same-sex marriage, which was on its way to becoming legal across the country,” the *Washington Post* wrote, looking at how ADF has created a series of cases that culminated in a ruling from the Supreme Court allowing businesses to refuse services to same-sex couples.<sup>8</sup>

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<sup>6</sup> James Esseks, “Here’s What You Need to Know About the Respect for Marriage Act,” American Civil Liberties Union, July 21, 2022, <https://www.aclu.org/news/lgbtq-rights/what-you-need-to-know-about-the-respect-for-marriage-act>

<sup>7</sup> Alliance Defending Freedom, “What You May Not Know: How ADF Helped Overturn *Roe v. Wade*,” Alliance Defending Freedom, May 3, 2023, <https://adflegal.org/article/what-you-may-not-know-how-adf-helped-overturn-roe-v-wade>

<sup>8</sup> Jon Swaine, Beth Reinhard, “Inside the tactics that won Christian vendors the right to reject gay weddings,” The Washington Post, September 28, 2023, <https://www.washingtonpost.com/investigations/2023/09/24/alliance-defending-freedom-wedding-lawsuit/>

“To many in the pro-life movement, the idea of *Roe v. Wade* being overturned seemed like a nearly impossible goal. But in 2018, that all began to change,” ADF wrote in May 2023.<sup>9</sup> The upshot is clear: Supreme Court rulings are not permanent, no matter what the subject.

## ***National Security: How Marriage Equality, National Security and Military Readiness Go Hand in Hand***

The history of Don’t Ask, Don’t Tell (DADT) provides evidence that LGBTQ+ equality has a positive impact on national security. DADT also provides some important precedents that show how repealing marriage equality would hurt military readiness.

The U.S. Military’s DADT policy was issued on December 21, 1993. This policy, a reworded compromise on the military’s World War II-era ban on LGBTQ+ service members, was put in place under the false assumption that LGBTQ+ individuals openly serving in the military would undermine the ability of service members to carry out their duties. DADT only protected service members from harassment who were not openly out. Any openly LGBTQ+ individuals were at the same time barred from military service.<sup>10</sup>

Since the second world war an estimated 114,000 service members were discharged because of their sexual orientation. 13,500 were discharged for nothing other than being themselves during the 17 years of the military’s DADT policy. Due to the U.S. Military’s discriminatory policies, many of these veterans left the service with General, Other than Honorable, or Dishonorable discharges. Even if some service members were discharged under Honorable conditions, they were given paperwork that read “Homosexual Conduct,” “Homosexual Act” or “Homosexual Marriage.”

The consequences of these dismissals have been profound. A veteran’s character of service (discharge status) determines their eligibility for VA benefits including the VA home loan, education benefits through the GI Bill, disability pay and healthcare benefits. Lacking access to these benefits is a serious barrier that prevents many veterans from succeeding in civilian life. These discharges also had a significant negative impact on national security and military readiness through loss of critical skills and qualified personnel, lower retention and recruitment, reduced unit cohesion, loss of privacy and decreased morale.

In 2013, IAVA submitted an amicus brief arguing for the overturning of the Defense of Marriage Act (DOMA). IAVA argued that DOMA was not only morally wrong and unconstitutional, but it also impeded the readiness of our armed forces and negatively impacted unit cohesion and morale by forcing the Department of Defense to treat some service members and their families differently from others. “By

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<sup>9</sup> Alliance Defending Freedom, “What You May Not Know: How ADF Helped Overturn *Roe v. Wade*,” Alliance Defending Freedom, May 3, 2023, <https://adflegal.org/article/what-you-may-not-know-how-adf-helped-overturn-roe-v-wade>

<sup>10</sup> Ali Rogin, “How Don’t Ask, Don’t Tell has affected LGBTQ service members, 10 years after repeal,” PBS News Hour, December 22, 2020, <https://www.pbs.org/newshour/nation/how-dont-ask-dont-tell-has-affected-lgbtq-service-members-10-years-after-repeal>

requiring the military to discriminate against certain service members, DOMA undermines national security and is contrary to the military's core values.”

Section 3 of DOMA prevented the military from extending benefits programs to the same-sex spouses of service members and veterans.<sup>11</sup> As a result, same-sex spouses were denied nearly 100 military benefits that were freely available to different-sex spouses, including health care and housing allowances. Survivor benefits remained unavailable to same-sex partners until 2022 when the VA changed its benefits policy.

***“Diversity is a force multiplier for our armed forces as well as for our nation. Equality and inclusion are good for our national security.” said Paul Rieckhoff, Army Veteran and Founder and Former CEO of IAVA<sup>12</sup>***

Uniformity is a well-established pillar of military culture and a necessary component of an effective, well-prepared national defense.<sup>13</sup> Uniformity can only be established if the military builds a culture that discourages discrimination and focuses on the commonalities between soldiers. The unequal treatment of same-sex and opposite-sex married military couples undermines the well-established principle of uniformity, which lies at the heart of military unit cohesion and morale.

To promote uniformity and preserve high morale, the military must discourage all inequities and distinctions among its members. Marriage equality and cultural acceptance of the LGBTQ+ community are vital for uniformity and military preparedness.

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<sup>11</sup> Andrew Miller, Katie Miller, “The Battles that Remain: Military Service and LGBT Equality,” Center for American Progress, September 26, 2013, <https://www.americanprogress.org/article/the-battles-that-remain-military-service-and-lgbt-equality/>

<sup>12</sup> Pride Month Celebrated by Veterans Who Fight for Equality - IAVA, 2022 [https://iava.org/press\\_releases/pride-month-celebrated-by-veterans-who-fight-for-equality/](https://iava.org/press_releases/pride-month-celebrated-by-veterans-who-fight-for-equality/)

<sup>13</sup> Hartmann v. Stone, 68 F.3d 973, 984-85 6th Cir. 1995, <https://casetext.com/case/hartmann-v-stone>



***There is also the practical side of the equation. Military recruiting has struggled in recent years. The Pentagon called 2023, “the toughest recruitment year for the military services since the inception of the all-volunteer force,” with the Army and U.S. Navy missing recruitment targets by significant margins.<sup>14</sup>***

Not only are younger Americans more likely to self-identify as LGBTQ+ than their counterparts of decades ago, but younger Americans are also more likely to be pro-equality than any other generation. A Pew Research study found in 2023, “A new national survey finds that much of the shift is attributable to the arrival of a large cohort of young adults – the Millennial generation – who are far more open to gay rights than previous generations.”<sup>15</sup>

In other words, today’s pool of military recruits is more likely to self-identify as LGBTQ+ and more pro-equality than at any time in history. A post-*Obergefell* environment would make recruiting more complicated and more expensive – and as the report shows next, almost certainly would lead to a drain of active-duty service members when the nation can least afford it.

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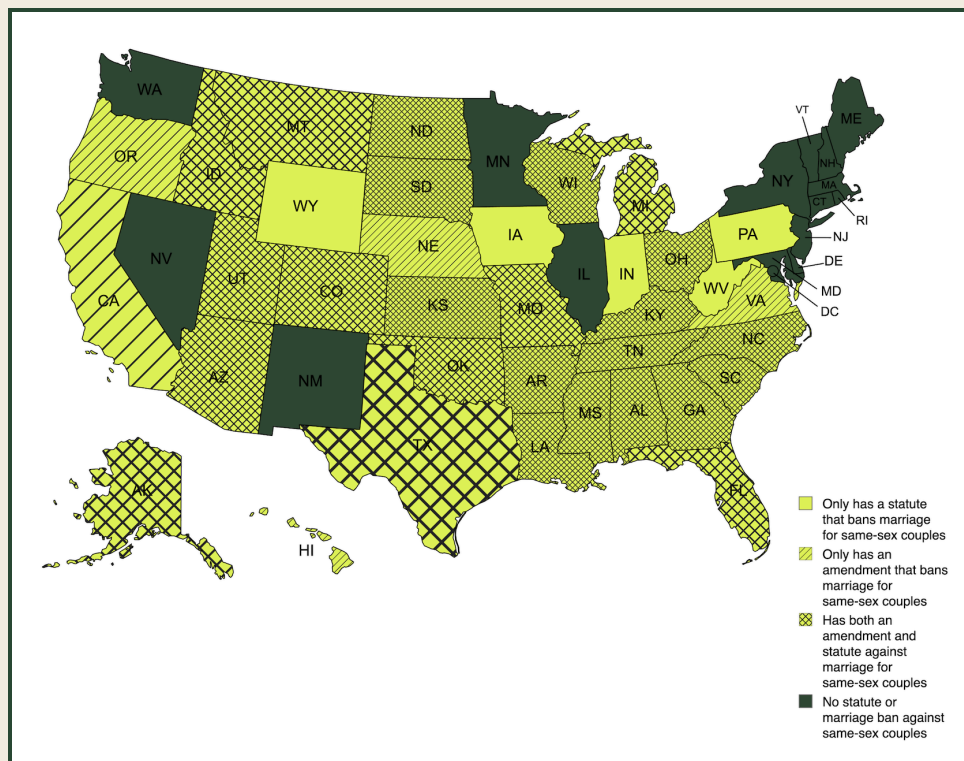
<sup>14</sup> Rachel S. Cohen, “Air Force recruiting rebounds while Army, Navy still struggle,” Air Force Times, February 16, 2023, <https://www.airforcetimes.com/news/your-air-force/2024/02/17/air-force-recruiting-rebounds-while-army-navy-still-struggle/>

<sup>15</sup> Pew Research Center, “Growing Support for Gay Marriage: Changed Minds and Changing Demographics,” Pew Research Center, March 20, 2013, <https://www.pewresearch.org/politics/2013/03/20/growing-support-for-gay-marriage-changed-minds-and-changing-demographics/>

## *A Billion Dollar Problem: How Repealing Marriage Equality Will Disrupt Military Readiness*

**Cross-referencing the population of active-duty personnel with states that have bans still on the books, some 85 percent of active-duty military personnel live in states that have some kind of marriage equality ban still on the books. This creates an enormous risk for disruption if marriage equality were repealed and left “up to the states” to decide.**

As of 2022, some 35 states still have unenforceable constitutional amendments and/or statutes banning same-sex marriage that snap back into effect if *Obergefell* were repealed (see map below). In reality, this massively understates the potential for disruption to military readiness if the Supreme Court’s marriage equality ruling were reversed.



Source: The Movement Advancement Project (MAP)<sup>16</sup>

<sup>16</sup> MAP Report: The National Patchwork of Marriage Laws Underneath *Obergefell*, March 2022  
<https://www.lgbtmap.org/news/Marriage-Report-March-2022>

The military's 2021 demographic report contains an important set of data about military personnel and their families that helps to quantify the risk of disruption. According to the report, approximately 1.1 million active-duty personnel are based in the United States. Cross-referencing the population of active-duty personnel with states that have bans still on the books, as of February 1, 2024, about 85 percent of active-duty military personnel live in states that have some kind of marriage equality ban still on the books.

A 2018 study estimated that about 6.1 percent of service members identify as LGBTQ+<sup>17</sup>, which amounts to about 60,000 LGBTQ+ service members stationed in states that would have bans on marriage equality if *Obergefell* were to fall. In the near term, service members in those states would again need to travel to marry, which costs the military valuable paid leave days.

The longer-term impact will be even more costly. We cannot overlook how the potential repeal of marriage equality would land in an environment where LGBTQ+ hate is on the rise. At least 510 anti-LGBTQ+ bills were introduced in state legislatures in 2023 according to the ACLU, a record high.<sup>18</sup> Nearly half of states passed some type of anti-LGBTQ+ legislation into law. While many anti-LGBTQ+ bills were introduced in areas like education and health care, the number of anti-LGBTQ+ civil rights bills more than doubled.

To put it bluntly, just because active-duty LGBTQ+ service members are currently serving in some states with a hostile political climate does not mean they will be willing to do so forever.

Drawing on the past of "Don't Ask, Don't Tell," we know that some 13,500 service members were discharged.<sup>19</sup> A study from the Williams Institute found that the policy also drove thousands of qualified LGBTQ+ service members from the service because they refused to continue working in a hostile environment. A survey of LGBTQ+ veterans found 19.6 percent left the service because they could not be open about their sexual orientation.<sup>20</sup>

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<sup>17</sup> Lindsay Mahowald, "LGBTQ+ Military Members and Veterans Face Economic, Housing, and Health Insecurities," Center for American Progress, April 28, 2022, <https://www.americanprogress.org/article/lgbtq-military-members-and-veterans-face-economic-housing-and-health-insecurities/>

<sup>18</sup> American Civil Liberties Union, "In 2023, the ACLU tracked 510 anti-LGBTQ bills in the U.S.," American Civil Liberties Union, December 21, 2023, <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2023>

<sup>19</sup> The Williams Institute on Sexual Orientation and Gender Identity Law and Public Policy at UCLA School of Law, Discharges Under the Don't Ask/Don't Tell Policy: Women and Racial/Ethnic Minorities, The Williams Institute, September, 2010, <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Discharges-DADT-Women-Race-Sep-2010.pdf>

<sup>20</sup> Gary J. Gates, "Effects of 'Don't Ask, Don't Tell' on Retention among Lesbian, Gay, and Bisexual Military Personnel," The Williams Institute, March, 2007, <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Military-DADT-Mar-2007.pdf>

***At a time when the number of active-duty service members is hitting historic lows, the potential repeal of marriage equality could push more than 11,760 active-duty LGBTQ+ service members from the military. The costs to replace these service members would be enormous. It would cost an estimated \$770 million to recruit and train new active-duty service members to replace those who declined to re-enlist.***

This estimate is based on applying the experience of what happened during DADT and using an inflation-adjusted cost estimate developed by the Government Accountability Office. (See the tables in Appendices A and B).

Of course, service members do not live and work in a vacuum and it's not just active-duty service members themselves who would find their lives disrupted by a potential reversal of marriage equality. The military's 2021 demographic report indicates that some 35.4 percent of active-duty service members have children.<sup>21</sup> (The percentage of reserve and Guard families with children is even higher). A separate 2021 report from the Centers for Disease Control found that 24.5 percent of high school-age students identify as LGBTQ+.<sup>22</sup>

LGBTQ+ children with military parents face unique challenges and stress, especially compared to their heterosexual peers. A 2022 survey of LGBTQ+ youth from the Trevor Project found that having a parent currently in the military was associated with 17 percent higher odds of anxiety symptoms and nearly 40 percent higher odds of attempting suicide within the past year.<sup>23</sup>

It is difficult to know exactly what the environment would look like if marriage equality were repealed. But there are some indications that states that have passed anti-LGBTQ+ laws such as Florida's "Don't Say Gay" law (Florida has also passed a ban on transgender health care) or Texas, which has passed a ban on transgender health care for children, have had the impact of making LGBTQ+ residents feel less safe. In some states, the repeal of marriage equality combined with anti-LGBTQ laws already on the books could create a compounding effect in making LGBTQ+ populations feel less welcome, including those in the military and among young LGBTQ+ children whose parents serve in the military.

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<sup>21</sup> "2021 Demographics Profile of the Military Community," Department of Defense, 2021, <https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>

<sup>22</sup> Lexi Lonas, "1 in 4 high school students identifies as LGBTQ," The Hill, April 27, 2023, <https://thehill.com/homenews/education/3975959-one-in-four-high-school-students-identify-as-lgbtq/#:~:text=Aon%20high%20school%20students%2C%2012.2,to%2026%20percent%20in%202021>

<sup>23</sup> "2022 National Survey on LGBTQ Youth Mental Health," The Trevor Project, 2022, <https://www.thetrevorproject.org/survey-2022/>

A survey of Florida parents by the Williams Institute found early indications of deep concern. Some 40 percent of Florida parents cited the state's new anti-LGBTQ+ laws and said they want to move out of Florida, with 20 percent reporting a strong interest in leaving.<sup>24</sup> This is consistent with what is happening on the ground. For example, while Florida's population has continued to grow, the growth is being driven by retirees – and is expected to slow in the coming years. "When it comes to domestic migration, we have relied heavily on the older population, especially ages 50 to 70," a representative of the Florida governor's office recently told the media.<sup>25</sup>

Meanwhile, the Department of Defense is struggling to catch up to the wave of anti-LGBTQ+ state laws on the books and how these laws are impacting service members with LGBTQ+ children. A 2021 survey of LGBTQ+ service members found 62.5 percent reported that military family support resources were not trained to meet the needs of LGBTQ+ families.<sup>26</sup> Technically, the Exceptional Family Member program, or EFMP, exists. According to the Army, the program (which is available to active-duty service members in all branches) is meant to "(H)elp Families accompany the Service member to the right duty locations, not to exclude them." The program provides additional support for those who have family members that have "physical, emotional, developmental, or intellectual disorder requiring specialized services."<sup>27</sup>

Parents with transgender children are unlikely to access it because it is not confidential and they need to appear before a committee. Others fear that applying to the program (which has long wait times) can hurt their career prospects.

All of this means that service members with LGBTQ+ children may be a significant, though difficult to quantify pain point for military retention and recruitment – especially if service members with LGBTQ+ children come to the conclusion that civilian prospects offer a better life for their children than serving in the military in states hostile to LGBTQ+ equality.

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<sup>24</sup> Abbie E. Goldberg, "Perspectives of Florida Parents on HB 1557, the Parental Rights in Education Act," Williams Institute at UCLA School of Law and Clark University, August, 2023, <https://williamsinstitute.law.ucla.edu/publications/parents-perspectives-fl-hb1557/>

<sup>25</sup> "Expert on Florida population growth: 'It's the highest number it's ever been,'" CBS News Miami, December 7, 2023, <https://www.cbsnews.com/miami/news/expert-its-the-highest-number-its-ever-been-as-florida-population-growth-continues/>

<sup>26</sup> "Perceptions of family acceptance into the military community among U.S. LGBT service members: A mixed-methods study," Journal of Military, Veteran and Family Health, Volume 7 Issue s1, September 2021, pp. 90-101, <https://jmvfh.utpjournals.press/doi/10.3138/jmvfh-2021-0019>

<sup>27</sup> MyArmyBenefits, "The Official military benefits website of the U.S. Army," accessed April 20, 2024 [https://myarmybenefits.us.army.mil/Benefit-Library/Federal-Benefits/Exceptional-Family-Member-Program-\(EFMP\)-?serv=122](https://myarmybenefits.us.army.mil/Benefit-Library/Federal-Benefits/Exceptional-Family-Member-Program-(EFMP)-?serv=122)

***“I think families are going to be discouraged. The more laws that are passed, the fewer places we're going to feel safe living. That's going to cause people to leave the military,” one Air Force spouse living in San Antonio with a transgender daughter said to a reporter from the American Homefront Project.<sup>28</sup>***

The Palm Center conducted a detailed look at the cost of DADT between 1994 and 2003, from the training and recruitment of enlisted personnel and officers. The report found it cost at least \$363.7 million to implement DADT.<sup>29</sup> The Government Accountability Office (GAO) has looked at similar issues several times. A 2011 GAO study found 3,664 service members were discharged under the policy during a five-year period (2004-2009) and that it cost the Department of Defense \$52,800 per service member in 2009 dollars.<sup>30</sup> Adjusted only for inflation, that would amount to more than \$76,000 today. Additionally, about 40 percent of those discharged due to DADT held what GAO determined were critical occupations or had important foreign language skills.

The following table shows the cost to replace and train new service members by state.

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<sup>28</sup> Carson Frame, “The military is offering to transfer troops affected by anti-LGBTQ laws, but the process isn't easy,” The American Homefront Project, June, 30, 2022, <https://americanhomefront.wunc.org/news/2022-06-30/the-military-is-offering-to-transfer-troops-affected-by-anti-lgbtq-laws-but-the-process-isnt-easy>

<sup>29</sup> “Financial Analysis of “Don’t Ask, Don’t Tell”: How much does the gay ban cost? Blue Ribbon Commission Report,” The Palm Center, February 2006, <https://palmcenterlegacy.org/wp-content/uploads/2019/03/2006-FebBlueRibbonFinalRpt-1.pdf>

<sup>30</sup> “Personnel and Cost Data Associated with Implementing DOD’s Homosexual Conduct Policy,” Government Accountability Office, January 2011, <https://www.gao.gov/assets/gao-11-170.pdf>



## COST OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	LOW TOTAL SERVICE MEMBERS LOST	LOW-END COST ESTIMATE	HIGH TOTAL SERVICE MEMBERS LOST	HIGH-END COST ESTIMATE
TOTAL IN AT RISK STATES	12,392.63	\$950,601,428.72	36,205.72	\$2,777,232,230.76
AK Alaska	242.81	\$18,625,164.19	685.76	\$52,602,600.81
AL Alabama	99.84	\$7,658,596.69	344.28	\$26,409,042.47
AR Arkansas	48.96	\$3,755,525.58	150.21	\$11,521,802.51
AZ Arizona	243.89	\$18,707,789.69	712.93	\$54,686,953.47
CA California	2,021.45	\$155,059,533.04	5,531.68	\$424,318,264.21
CO Colorado	487.73	\$37,412,628.47	1,518.96	\$116,514,863.69
FL Florida	824.77	\$63,265,556.40	2,453.32	\$188,186,776.45
GA Georgia	889.82	\$68,255,546.26	2,613.85	\$200,500,299.52
HI Hawaii	519.84	\$39,875,655.20	1,482.65	\$113,729,697.58
IA Iowa	2.96	\$227,220.12	11.18	\$857,606.00
ID Idaho	46.27	\$3,548,961.84	132.11	\$10,133,801.62
IN Indiana	13.18	\$1,011,178.71	51.34	\$3,938,043.97
KS Kansas	277.79	\$21,308,525.58	846.63	\$64,942,565.19
KY Kentucky	449.64	\$34,490,243.32	1,382.08	\$106,015,041.29
LA Louisiana	184.37	\$14,142,730.96	551.26	\$42,285,530.58
MI Michigan	12.43	\$953,144.13	49.01	\$3,759,094.79
MO Missouri	199.66	\$15,315,226.11	564.70	\$43,316,753.57
MS Mississippi	146.78	\$11,258,707.65	415.83	\$31,896,918.15



## COST OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	LOW TOTAL SERVICE MEMBERS LOST	LOW-END COST ESTIMATE	HIGH TOTAL SERVICE MEMBERS LOST	HIGH-END COST ESTIMATE
MT Montana	43.02	\$3,300,101.71	123.21	\$9,450,912.94
NC North Carolina	1,271.24	\$97,512,841.41	3,661.83	\$280,887,774.34
ND North Dakota	96.35	\$7,391,047.46	265.75	\$20,384,627.45
NE Nebraska	81.58	\$6,257,897.79	250.67	\$19,228,425.83
OH Ohio	84.70	\$6,496,921.55	286.27	\$21,958,855.95
OK Oklahoma	274.74	\$21,074,420.01	792.99	\$60,828,215.11
OR Oregon	11.36	\$871,502.27	34.86	\$2,674,377.29
PA Pennsylvania	28.31	\$2,171,870.22	108.67	\$8,336,120.10
SC South Carolina	480.45	\$36,853,922.72	1,267.31	\$97,211,400.31
SD South Dakota	44.73	\$3,430,925.41	127.61	\$9,788,439.08
TN Tennessee	30.11	\$2,309,579.38	111.88	\$8,582,170.08
TX Texas	1,499.94	\$115,056,005.05	4,433.71	\$340,096,780.52
UT Utah	59.50	\$4,564,075.09	184.39	\$14,143,771.73
VA Virginia	1,622.52	\$124,458,589.92	4,896.45	\$375,591,706.11
WI Wisconsin	9.58	\$734,776.74	37.25	\$2,857,651.36
WV West Virginia	1.58	\$120,987.34	5.52	\$423,556.59
WY Wyoming	40.73	\$3,124,030.71	119.57	\$9,171,790.09



## *Military Recruiting in a Post-Obergefell World*

The military faces significant reputational risk in a post-Obergefell environment. To begin with, it will be challenging for the Pentagon to pivot its footprint at the speed that would be truly necessary to ensure the safety and wellbeing of LGBTQ+ service members and their families in an increasingly hostile environment in the states.

Meanwhile the general population – and the recruiting pool – looks much different today than it did during the time of DADT. According to Gallup, the percent of Americans who self-identify as something other than heterosexual has more than doubled to 7.2 percent since 2012. Looking at how younger generations self identify, we can see that number will only continue to increase. For Gen Z, 19.7 percent identify as something other than heterosexual.<sup>31</sup>

Given these demographic changes, it becomes critical that the military maintain and communicate a clear, strong commitment to LGBTQ equality, from marriage to gender identity. Failure to do so would make an already challenging recruitment environment for the military even more difficult.

While the armed services do compete with the private sector in recruiting and retaining qualified employees, many studies have shown that the military's struggles with recruitment and retention can be better attributed to increasing distrust of the military and serving.<sup>32</sup>

A recent report from RAND found that the Army and Coast Guard, for example, missed recruiting goals by significant margins in 2022, with the Army, Air Force and Navy expected to fail to meet their goals in FY23. According to the study, “A large part of the military recruiting effort involves converting youth who are negatively propensed to join the military into actual enlistment.”<sup>33</sup> This challenge would only become magnified in a post-*Obergefell* environment.

All of these challenges can be further magnified in the kind of media environment that comes during a period of change and disruption. Last year's decision about the location of the Space Force Headquarters is a vivid example.

As IAVA CEO Allison Jaslow wrote after *Roe v. Wade* was overturned in June 2022, more than 240,000 active-duty service members found themselves living in states that severely restricted abortion access.<sup>34</sup>

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<sup>31</sup> Jeffery M. Jones, “U.S. LGBT Identification Steady at 7.2%,” Gallup, February 22, 2023, <https://news.gallup.com/poll/470708/lgbt-identification-steady.aspx>

<sup>32</sup> Roxana Tiron, “US Military Faces Biggest Recruiting Hurdles in 50 Years (1),” Bloomberg Government, September 21, 2022, <https://about.bgov.com/news/us-military-services-face-biggest-recruiting-hurdles-in-50-years/#:~:text=Despite%20reducing%20its%20recruiting%20goals,policy%20and%20defend%20strategic%20interests>.

<sup>33</sup> Beth J. Asch, “Addressing the Recruiting Crisis in the Armed Services,” May 11, 2023, <https://www.rand.org/pubs/testimonies/CTA2740-1.html>

<sup>34</sup> Allison Jaslow, “Thousands of Troops Have Lost Access to Abortion. Biden Should Act to Protect the Rest,” Defense One, September 25, 2022,

In late July 2023, the Biden Administration made it official that plans made under the Trump administration to build a headquarters for the new Space Force branch in Huntsville, Alabama would be scrapped in favor of Colorado Springs.<sup>35</sup>

The impact was clear. The 1,400 personnel<sup>36</sup> expected to be part of the headquarters would no longer be forced to choose between their career and living in a state without access to reproductive health care. Alabama missed out on a project projected to generate \$1 billion in annual local economic impact.<sup>37</sup>

That was of course only the start. Congressional Republicans from Alabama pushed to have the decision overturned. Rep. Mike Rogers (R-Ala.), chairman of the House Armed Services Committee, requested documents from the administration about the decision and said he would subpoena the administration if the information was not made available.<sup>38</sup> As late as Dec. 2023, Rogers was pushing to obstruct the construction of the headquarters in Colorado through a future defense policy bill.<sup>39</sup> Meanwhile, investigations are pending from the Pentagon Inspector General and the Government Accountability Office regarding the decision.

The decision to keep the headquarters in Colorado was by all accounts, a good one for both the personnel and taxpayers, and according to the Biden administration, transitioning to Alabama would have taken until the mid-2030s.<sup>40</sup> Regardless, congressional sour grapes have the prospect of prolonging the dispute for months – if not years – to come.

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<https://www.defenseone.com/ideas/2022/09/thousands-troops-have-lost-access-abortion-biden-should-act-protect-res-t/377618/>

<sup>35</sup> Courtney Kube, Carol E. Lee, “Biden administration may halt plans to move Space Command to Alabama over state’s abortion law, officials say,” NBC News, May 15, 2023, <https://www.nbcnews.com/news/military/biden-admin-may-halt-move-space-command-alabama-abortion-law-rcna84336>

<sup>36</sup> Courtney Kube “Space Command’s leader is building out his Colorado HQ even as Congress tries to force the HQ to move to Alabama,” NBC News, June 16, 2023, <https://www.nbcnews.com/politics/national-security/space-command-builds-colorado-hq-congress-tries-force-alabama-move-rcna89504>

<sup>37</sup> Brad Dress, “Alabama readies for battle over Space Command HQ,” The Hill, August 6, 2023, <https://thehill.com/policy/defense/4138484-alabama-readies-for-battle-over-space-command-hq/>

<sup>38</sup> Brad Dress, “Alabama readies for battle over Space Command HQ,” The Hill, August 6, 2023, <https://thehill.com/policy/defense/4138484-alabama-readies-for-battle-over-space-command-hq/>

<sup>39</sup> Connor O’Brien, “Alabama lawmakers vow to keep fighting on Space Command, and it could involve Trump,” Politico, December 27, 2023, <https://www.politico.com/news/2023/12/27/space-command-alabama-00133200>

<sup>40</sup> Mark Satter, “Space Command stays in Colorado, infuriating Alabama delegation,” Roll Call, July 31, 2023, <https://rollcall.com/2023/07/31/space-command-stays-in-colorado-infuriating-alabama-delegation/>

## *Conclusion*

From the fallout of Don't Ask, Don't Tell, to the recent decision over the Space Force Headquarters, we have ample evidence that a post-*Obergefell* world would be enormously costly to the military and would undermine military readiness by making it harder for the military to recruit and by pushing LGBTQ+ service members to decline to re-enlist.

The downstream impacts are harder to estimate, but potentially even more costly. If even a small fraction of the more than 35 percent of active-duty service members who have children decide to relocate or decline to re-enlist over concerns that their duty stations are hostile to LGBTQ+ people, the impact would be significant.

A final lesson from the Space Force Headquarters is that the fallout can generate enormous media coverage, and the military can struggle to respond at the pace required by today's media environment, creating reputational risk. The Pentagon will be challenged to move quickly enough to make clear that it will act to support and protect LGBTQ+ service members and their families. A search of coverage using a media database found the debate around the Space Force decision generated nearly 4,000 stories nationwide in 2023, worth an estimated \$174.5 million.

The good news is that the risks and costs described in this report are still hypothetical. And while the Respect for Marriage Act is not a complete solution, it is an important example of bipartisan support for LGBTQ+ equality in an increasingly polarized political environment. There is still time for civilian leaders to keep our country on the path to LGBTQ+ equality and avoid what would be a massive disruption to our military readiness. They should take the opportunity.

## *Notes and Methodology*

### **Methodology on LGBTQ+ Service Members**

The estimates on the loss of LGBTQ+ active-duty service members were created by reviewing the Movement Advancement Project's data on states with various forms of marriage equality bans. The Department of Defense's 2021 Demographics Profile of the Military Community was then used to create a table of the number of active-duty service members in each state. Using RAND's estimate that 6.1 percent of active-duty service members identify as LGBTQ+, values were created for an estimate of the number of LGBTQ+ service members by state. From there, it was estimated that 19.6 percent of LGBTQ+ service members would decline to re-enlist, based on the experience of Don't Ask, Don't Tell. The cost to recruit replacements was estimated at \$70,000 per service member, again based on DADT data, but adjusted for inflation.

### **Methodology On Service Members with LGBTQ+ Children**

The estimates on the loss of active-duty service members who have LGBTQ+ children were created by reviewing the Movement Advancement Project's data on states with various forms of marriage equality bans. The Department of Defense's 2021 Demographics Profile of the Military Community was then used

to create a table of the number of active-duty service members in each state. The same report showed that more than 35 percent of service members have children. A low and high-end estimate was then created to show the range of costs for service members who may decline to re-enlist or seek other duty stations because of threats to their children in anti-equality states. A low-end estimate of 1 percent was used, with a high-end estimate created based on a survey published in the Journal of Military Veteran and Family Health in which 13.5 percent of LGBTQ+ service members reported they did feel their duty station was safe for friends and family.<sup>41</sup> The cost to recruit replacements was estimated at \$70,000 per service member, again based on DADT, but adjusted for inflation.

### **Methodology for Media Search of Space Force Headquarters**

A search was made using the Meltwater media database of terms involving “Space Force Headquarters” and the states of “Alabama” and “Colorado” in the year 2023. The database found some 3,900 articles from United States-based media outlets, with an “ad value equivalent” of \$174.5 million. The “ad value equivalent” is a figure that represents how much it would cost to purchase equivalent space in the publications where articles originally ran.

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<sup>41</sup> “Perceptions of family acceptance into the military community among U.S. LGBT service members: A mixed-methods study,” Journal of Military, Veteran and Family Health, September 2021, <https://jmvfh.utpjournals.press/doi/10.3138/jmvfh-2021-0019>



## Appendix A

### *Low Cost Estimate Breakdown of Repealing Marriage Equality on Our Military By State*

#### LOW COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	LOW ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	LOW COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL LOW-END COST ESTIMATE
AK ALASKA	18935	226.39	\$17,365,456.87	16.42	\$1,259,707.32	\$18,625,164.19
AL ALABAMA	7786	93.09	\$7,140,609.83	6.75	\$517,986.86	\$7,658,596.69
AR ARKANSAS	3818	45.65	\$3,501,521.75	3.31	\$254,003.83	\$3,755,525.58
AZ ARIZONA	19019	227.39	\$17,442,494.02	16.50	\$1,265,295.67	\$18,707,789.69
CA CALIFORNIA	157639	1,884.73	\$144,572,128.63	136.72	\$10,487,404.41	\$155,059,533.04
CO COLORADO	38035	454.75	\$34,882,236.71	32.99	\$2,530,391.76	\$37,412,628.47
FL FLORIDA	64318	768.99	\$58,986,609.72	55.78	\$4,278,946.69	\$63,265,556.40
GA GEORGIA	69391	829.64	\$63,639,103.12	60.18	\$4,616,443.14	\$68,255,546.26
HI HAWAII	40539	484.68	\$37,178,677.37	35.16	\$2,696,977.83	\$39,875,655.20
IA IOWA	231	2.76	\$211,852.15	0.20	\$15,367.96	\$227,220.12
ID IDAHO	3608	43.14	\$3,308,928.88	3.13	\$240,032.96	\$3,548,961.84
IN INDIANA	1028	12.29	\$942,787.94	0.89	\$68,390.76	\$1,011,178.71
KS KANSAS	21663	259.00	\$19,867,329.93	18.79	\$1,441,195.65	\$21,308,525.58
KY KENTUCKY	35064	419.23	\$32,157,506.19	30.41	\$2,332,737.13	\$34,490,243.32



## LOW COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	LOW ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	LOW COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL LOW-END COST ESTIMATE
LA LOUISIANA	14378	171.90	\$13,186,191.65	12.47	\$956,539.31	\$14,142,730.96
MI MICHIGAN	969	11.59	\$888,678.52	0.84	\$64,465.61	\$953,144.13
MO MISSOURI	15570	186.15	\$14,279,385.45	13.50	\$1,035,840.67	\$15,315,226.11
MS MISSISSIPPI	11446	136.85	\$10,497,228.38	9.93	\$761,479.27	\$11,258,707.65
MT MONTANA	3355	40.11	\$3,076,900.33	2.91	\$223,201.38	\$3,300,101.71
NC NORTH CAROLINA	99135	1,185.26	\$90,917,590.01	85.98	\$6,595,251.41	\$97,512,841.41
ND NORTH DAKOTA	7514	89.84	\$6,891,156.21	6.52	\$499,891.25	\$7,391,047.46
NE NEBRASKA	6362	76.06	\$5,834,646.77	5.52	\$423,251.02	\$6,257,897.79
OH OHIO	6605	78.97	\$6,057,504.23	5.73	\$439,417.32	\$6,496,921.55
OK OKLAHOMA	21425	256.16	\$19,649,058.01	18.58	\$1,425,362.00	\$21,074,420.01
OR OREGON	886	10.59	\$812,558.48	0.77	\$58,943.79	\$871,502.27
PA PENNSYLVANIA	2208	26.40	\$2,024,976.43	1.91	\$146,893.78	\$2,171,870.22
SC SOUTH CAROLINA	37467	447.96	\$34,361,318.86	32.50	\$2,492,603.87	\$36,853,922.72
SD SOUTH DAKOTA	3488	41.70	\$3,198,875.82	3.03	\$232,049.60	\$3,430,925.41



## LOW COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	LOW ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	LOW COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL LOW-END COST ESTIMATE
TN TENNESSEE	2348	28.07	\$2,153,371.68	2.04	\$156,207.70	\$2,309,579.38
TX TEXAS	116970	1,398.49	\$107,274,227.10	101.45	\$7,781,777.95	\$115,056,005.05
UT UTAH	4640	55.48	\$4,255,385.26	4.02	\$308,689.83	\$4,564,075.09
VA VIRGINIA	126529	1,512.78	\$116,040,871.00	109.74	\$8,417,718.92	\$124,458,589.92
WI WISCONSIN	747	8.93	\$685,080.34	0.65	\$49,696.40	\$734,776.74
WV WEST VIRGINIA	123	1.47	\$112,804.39	0.11	\$8,182.94	\$120,987.34
WY WYOMING	3176	37.97	\$2,912,737.84	2.75	\$211,292.87	\$3,124,030.71
<b>TOTAL ESTIMATED COST</b>		<b>11,554.46</b>		<b>838.17</b>		<b>\$950,601,428.72</b>

Number of Active Duty Service Members: "2021 Demographics Report: Profile of the Military Community." Military One Source, 2022. <https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>.

Estimate on Loss of LGBTQ Service Members=[Active duty service members] X 6.1 percent LGBTQ service members X 19.6 percent (LGBTQ veterans who did not re-enlist under DADT)

Cost to Replace Lost LGBTQ Service Members=[Active duty service members] X 6.1 percent LGBTQ service members X 19.6 percent (LGBTQ veterans who did not re-enlist under DADT) X \$76,707 (2009 GAO number adjusted for inflation)

LOW Estimates on Loss of Service Members with LGBTQ Children=[Active duty service members] X 35.4 percent of active duty service members have children X 24.5 percent of children are LGBTQ X [low end 1 percent]

LOW Cost to Replace Service Members with LGBTQ Children=[Active duty service members] X 35.4 percent of active duty service members have children X 24.5 percent of children are LGBTQ X [low end 1 percent] X \$76,707

Total LOW-End Cost Estimate=[COST OF LOST LGBTQ SERVICE MEMS] + [COST OF LOST SERVICE MEMBERS WITH LGBT SERVICE MEMBERS]



## Appendix B

### *High Cost Estimate Breakdown of Repealing Marriage Equality on Our Military By State*

#### HIGH COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	HIGH ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	HIGH COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL HIGH-END COST ESTIMATE
AK ALASKA	18935	226.39	\$17,365,456.87	459.37	\$35,237,143.94	\$52,602,600.81
AL ALABAMA	7786	93.09	\$7,140,609.83	251.20	\$19,268,432.64	\$26,409,042.47
AR ARKANSAS	3818	45.65	\$3,501,521.75	104.56	\$8,020,280.76	\$11,521,802.51
AZ ARIZONA	19019	227.39	\$17,442,494.02	485.54	\$37,244,459.45	\$54,686,953.47
CA CALIFORNIA	157639	1,884.73	\$144,572,128.63	3,646.94	\$279,746,135.58	\$424,318,264.21
CO COLORADO	38035	454.75	\$34,882,236.71	1,064.21	\$81,632,626.98	\$116,514,863.69
FL FLORIDA	64318	768.99	\$58,986,609.72	1,684.33	\$129,200,166.74	\$188,186,776.45
GA GEORGIA	69391	829.64	\$63,639,103.12	1,784.21	\$136,861,196.40	\$200,500,299.52
HI HAWAII	40539	484.68	\$37,178,677.37	997.97	\$76,551,020.20	\$113,729,697.58
IA IOWA	231	2.76	\$211,852.15	8.42	\$645,753.85	\$857,606.00
ID IDAHO	3608	43.14	\$3,308,928.88	88.97	\$6,824,872.73	\$10,133,801.62
IN INDIANA	1028	12.29	\$942,787.94	39.05	\$2,995,256.03	\$3,938,043.97
KS KANSAS	21663	259.00	\$19,867,329.93	587.63	\$45,075,235.26	\$64,942,565.19
KY KENTUCKY	35064	419.23	\$32,157,506.19	962.85	\$73,857,535.10	\$106,015,041.29





## HIGH COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	HIGH ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	HIGH COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL HIGH-END COST ESTIMATE
LA LOUISIANA	14378	171.90	\$13,186,191.65	379.36	\$29,099,338.93	\$42,285,530.58
MI MICHIGAN	969	11.59	\$888,678.52	37.42	\$2,870,416.27	\$3,759,094.79
MO MISSOURI	15570	186.15	\$14,279,385.45	378.55	\$29,037,368.12	\$43,316,753.57
MS MISSISSIPPI	11446	136.85	\$10,497,228.38	278.98	\$21,399,689.78	\$31,896,918.15
MT MONTANA	3355	40.11	\$3,076,900.33	83.10	\$6,374,012.61	\$9,450,912.94
NC NORTH CAROLINA	99135	1,185.26	\$90,917,590.01	2,476.57	\$189,970,184.34	\$280,887,774.34
ND NORTH DAKOTA	7514	89.84	\$6,891,156.21	175.91	\$13,493,471.24	\$20,384,627.45
NE NEBRASKA	6362	76.06	\$5,834,646.77	174.61	\$13,393,779.06	\$19,228,425.83
OH OHIO	6605	78.97	\$6,057,504.23	207.30	\$15,901,351.72	\$21,958,855.95
OK OKLAHOMA	21425	256.16	\$19,649,058.01	536.84	\$41,179,157.10	\$60,828,215.11
OR OREGON	886	10.59	\$812,558.48	24.27	\$1,861,818.82	\$2,674,377.29
PA PENNSYLVANIA	2208	26.40	\$2,024,976.43	82.28	\$6,311,143.66	\$8,336,120.10
SC SOUTH CAROLINA	37467	447.96	\$34,361,318.86	819.35	\$62,850,081.46	\$97,211,400.31
SD SOUTH DAKOTA	3488	41.70	\$3,198,875.82	85.91	\$6,589,563.26	\$9,788,439.08



## HIGH COST ESTIMATE BREAKDOWN OF REPEALING MARRIAGE EQUALITY ON OUR MILITARY BY STATE

STATE	NUMBER OF ACTIVE DUTY SERVICE MEMBERS	ESTIMATE ON LOSS OF LGBTQ+ SERVICE MEMBERS	COST TO REPLACE LOST LGBTQ+ SERVICE MEMBERS	HIGH ESTIMATES ON LOSS OF SERVICE MEMBERS WITH LGBTQ+ CHILDREN	HIGH COST TO REPLACE SERVICE MEMBERS WITH LGBTQ+ CHILDREN	TOTAL HIGH-END COST ESTIMATE
TN TENNESSEE	2348	28.07	\$2,153,371.68	83.81	\$6,428,798.40	\$8,582,170.08
TX TEXAS	116970	1,398.49	\$107,274,227.10	3,035.22	\$232,822,553.43	\$340,096,780.52
UT UTAH	4640	55.48	\$4,255,385.26	128.91	\$9,888,386.47	\$14,143,771.73
VA VIRGINIA	126529	1,512.78	\$116,040,871.00	3,383.67	\$259,550,835.11	\$375,591,706.11
WI WISCONSIN	747	8.93	\$685,080.34	28.32	\$2,172,571.01	\$2,857,651.36
WV WEST VIRGINIA	123	1.47	\$112,804.39	4.05	\$310,752.20	\$423,556.59
WY WYOMING	3176	37.97	\$2,912,737.84	81.60	\$6,259,052.25	\$9,171,790.09
<b>TOTAL ESTIMATED COST</b>		<b>11,554.46</b>		<b>24,651.26</b>		<b>\$2,777,232,230.76</b>

Number of Active Duty Service Members: "2021 Demographics Report: Profile of the Military Community." Military One Source, 2022. <https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf>.

Estimate on Loss of LGBTQ Service Members=[Active duty service members] X 6.1 percent LGBTQ service members X 19.6 percent (LGBTQ veterans who did not re-enlist under DADT)  
 Cost to Replace Lost LGBTQ Service Members=[Active duty service members] X 6.1 percent LGBTQ service members X 19.6 percent (LGBTQ veterans who did not re-enlist under DADT) X \$76,707 (2009 GAO number adjusted for inflation)  
 HIGH Estimates on Loss of Service Members with LGBTQ Children [Active duty service members] X 35.4 percent of active duty service members have children X 24.5 percent of children are LGBTQ X [HIGH end 13.5 percent]  
 HIGH Cost to Replace Service Members with LGBTQ Children=[Active duty service members] 35.4 percent of active duty service members have children X 24.5 percent of children are LGBTQ X [high end 13.5 percent] X \$76,707  
 Total HIGH-End Cost Estimate=[COST OF LOST LGBTQ SERVICE MEMBERS] + [COST OF LOST SERVICE MEMBERS WITH LGBT SERVICE MEMBERS]