

UPDATE—JUNE 2026

Congress Has Definitively Addressed a Problem Suffered by Spouses of Active-Duty Service Members. Their Occupational Licenses Are Now Fully Portable among the 50 States and DC.

By Captain Samuel F. Wright, JAGC, USN (Ret.)

Career members of the uniformed services are frequently transferred from one State to another by the services of which they are members. When this occurs, the service member's spouse will usually move with the service member to the new State. This necessary move often complicates the civilian career of the spouse because the occupational license issued by the former State of residence may not be recognized by the new State.

In 2023 and 2024, Congress addressed this problem by enacting and later amending a new provision of the Servicemembers Civil Relief Act, as follows:

(a) In general

If a servicemember or the spouse of a servicemember has a covered license and relocates residence because such servicemember receives military orders for military service in a State other than the State of the licensing authority that issued the covered license, such covered license shall be considered valid for the scope of practice in the State of the new residence if such servicemember or spouse submits to the licensing authority of such State an application described in subsection (c).

(b) Temporary licenses

If a licensing authority is required to consider a covered license valid under subsection (a) but cannot carry out such requirement during the

30 days after receiving an application described in subsection (c), the licensing authority may issue to the applicant a temporary license that confers the same rights, privileges, and responsibilities as a permanent license.

(c) Application

An application described in this subsection includes the following:

(1)

Proof of military orders described in subsection (a).

(2)

If the applicant is the spouse of a servicemember, a copy of the marriage certificate.

(3)A notarized affidavit affirming, under the penalty of law, that—

(A)

the applicant is the person described and identified in the application;

(B)

all statements made in the application are true and correct and complete;

(C)

the applicant has read and understands the requirements to receive a license, and the scope of practice, of the State of the licensing authority;

(D)

the applicant certifies that the applicant meets and shall comply with requirements described in subparagraph (C); and

(E)

the applicant is in good standing in all States in which the applicant holds or has held a license.

(d) Background checks

A licensing authority that receives an application described in subsection (b) may conduct a background check of the applicant before carrying out subsection (a) or (b).

(e) Interstate compacts

If a servicemember or spouse of a servicemember has a covered license to operate in multiple States pursuant to an interstate compact described in section 1784 of title 10—

(1)

The servicemember or spouse of a servicemember shall be subject to the requirements of such compact or the applicable provisions of law of the applicable State; and

(2)

this section shall not apply to such servicemember or spouse of a servicemember.

(f) Definitions

In this section:

(1)The term “covered license” means a professional license that, with respect to a scope of practice—

(A)

is in good standing with the licensing authority that issued such [license](#);

(B)

has not been revoked or had discipline imposed by any State;

(C)

does not have an investigation relating to unprofessional conduct pending in any State relating to it; and

(D)

has not been voluntarily surrendered while under investigation for unprofessional conduct in any State.

(2)

The term “license” means any license, certificate, or other evidence of qualification that an individual is required to obtain before the individual may engage in, or represent himself or herself to be a member of, a particular profession.

(3)The term “licensing authority” means any State board, commission, department, or agency that—

(A)

is established in the State for the primary purpose of regulating the entry of persons into or the conduct of persons within, a particular profession; and

(B)

is authorized to issue licenses.

(4)

The term “military orders” has the meaning given such term in section 3955 of this title.

(5)

The term “scope of practice” means the defined parameters of various duties or services that may be provided by an individual under a [license](#).

50 U.S.C. section 4025a.

As first enacted in 2023, this provision did not apply to licenses to practice law. As amended in 2024, this provision applies to all occupational licenses, including law licenses.

Bravo Zulu to the Military Spouse JD Network (MSJDN), an organization of military spouses who have earned law degrees. On its website, that organization states:

Since 2011, MSJDN has led the national movement to remove licensing barriers for military spouse attorneys. What began as a state-by-state campaign, starting with Idaho, the first state to approve a military spouse licensing accommodation, has become one of the most successful professional mobility initiatives in the licensing arena, culminating in the enactment of federal law requiring licensing recognition.¹

Q: Where can I find a lawyer or law firm that fully understands laws like the Servicemembers Civil Relief Act (SCRA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Uniform Code of Military Justice (UCMJ), and other laws that are especially pertinent to those who serve our country in uniform?

A: As of 5/1/2026, I have come out of retirement and have joined Maher Legal Services in an “of counsel” role. This firm has a great team, headed by attorneys John Maher and Kevin Mikolashek, both of whom have served as Army judge advocates for many years. These attorneys and this firm have a great record, and I am proud to join their team.

Here is a link to the Maher Legal Services website:

<https://www.lawyersdefendingwarriors.com/about>.

¹ <https://msjdn.org/rule-change/>.

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Our roots run deep. On October 2, 1922, veterans of the Great War gathered at Washington's historic Willard Hotel — at the invitation of General of the Armies John J. Pershing — to build something lasting. One of the junior officers in that room was Captain Harry S. Truman, who, as President, signed ROA's congressional charter in 1950. That charter gives us a clear mission: advocate for policies that ensure adequate national security. For more than a century, we've made the case that America's Reserve Components and National Guard are among the most cost-effective pillars of our national defense.

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