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For Immediate Release



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News Release

SOCIAL SECURITY

Social Security Defines Policy for Same-Sex Married Couples Agency Extends Benefits Broadly, Subject to Legal Constraints

Social Security has published new instructions that allow the agency to process more claims in which entitlement or eligibility is affected by a same-sex relationship. These instructions come in response to last year's Supreme Court decision in U.S. vs. Windsor, which found Section 3 of the Defense of Marriage Act unconstitutional.

This latest policy development lets the agency recognize some non-marital legal relationships as marriages for determining entitlement to benefits. These instructions also allow Social Security to begin processing many claims in states that do not recognize same-sex marriages or non-marital legal relationships. We have consulted with the Department of Justice and determined that the Social Security Act requires the agency to follow state law in Social Security cases. The new policy also addresses Supplemental Security Income claims based on same-sex relationships.

"As with previous same-sex marriage policies, we worked closely with the Department of Justice," said Carolyn W. Colvin, Acting Commissioner of Social Security. "We are bound by the law within the Social Security Act, and we have to respect state laws. We remain committed to treating all Americans fairly, with dignity, and respect."

If a person believes he or she may be entitled to or eligible for benefits, they are encouraged to apply now.

To learn more, please visit www.socialsecurity.gov/same-sexcouples.

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