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COMMITTEE ON WAYS AND MEANS

1102 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3625

Washington, DC 20515-6348

<http://waysandmeans.house.gov>

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JANICE MAYS,
MINORITY CHIEF COUNSEL

July 23, 2015

The Honorable Carolyn W. Colvin
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Commissioner Colvin:

For generations, Social Security has given American workers the opportunity to earn guaranteed benefits and economic security for themselves and their families. Until recently, our nation's laws prevented the Social Security Administration (SSA) from providing those benefits to same-sex spouses, widows, widowers and their children. The June Supreme Court decision in *Obergefell v. Hodges* abolished this discrimination so that now all families must be treated equally.

The recent Supreme Court decision affirmed what we already know – we are all equal and should be able to marry whom we love. We strongly urge SSA to move quickly and affirmatively to notify and welcome same-sex spouses, widows, widowers and their children to receive the benefits that they have earned.

In the near term, we urge you to use all the tools at your disposal to get the word out to families that they must apply to receive their full Social Security benefits. That includes updating language on your website to clearly reflect the fact that *Obergefell v. Hodges* made all married Americans eligible for earned Social Security benefits. The website should have a stronger focus on (1) encouraging Americans to submit their applications rather than emphasizing the limitations on eligibility; (2) developing informational publications directed at same-sex households in collaboration with advocates and experts; and (3) including clear, actionable information in your upcoming COLA notice and other beneficiary mailings.

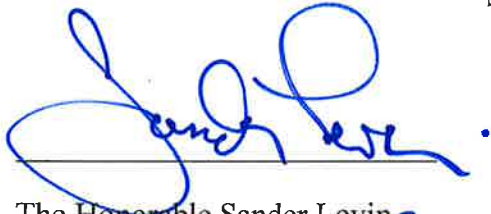
We applaud the related outreach efforts being conducted by non-profit organizations and SSA's willingness to collaborate with them. But it is not the responsibility of these organizations to make this right – it is the responsibility of the federal government that enforced the discrimination.

Over the next 60 days, we ask that you develop an action plan that will result in measurable progress in reaching those Americans who are losing out on their full earned Social Security benefits. You may already be working on such a plan. The Supreme Court decision in *United States v. Windsor* over a year ago opened Social Security's doors to many same-sex families. Yet, only about 4,500 individuals have applied for new or updated benefits – the majority for small lump-sum death benefits. That means we have reached an unacceptably small share of those who are likely eligible. And, as you well know, applying for Social Security benefits promptly is critical to avoid permanent loss of some earned benefits.

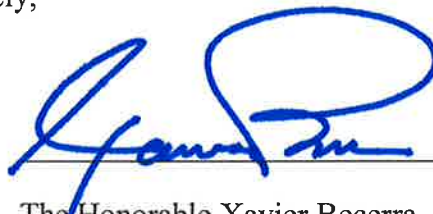
Once you have developed a plan, we would like to meet with you in person to discuss the best way for us to support SSA in implementing the plan.

Thank you very much for your attention to this urgent matter and for your commitment to paying all Americans the Social Security they earned through a lifetime of work.

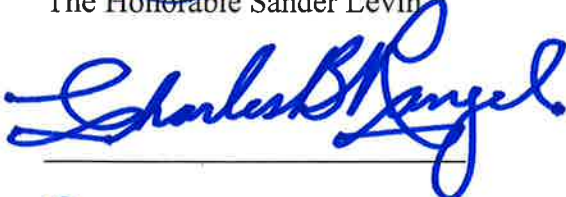
Sincerely,



The Honorable Sander Levin



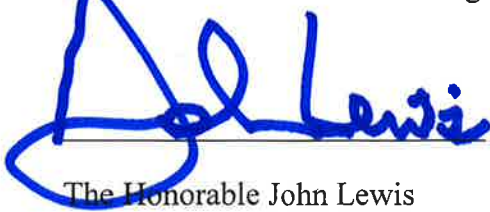
The Honorable Xavier Becerra



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The Honorable Jim McDermott



The Honorable John Lewis




The Honorable Richard E. Neal




The Honorable Lloyd Doggett



The Honorable Mike Thompson


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