

Resources

Homeland Security Secretary Implies USCIS Will Grant Immigration Benefits to Married Same-Sex Couples

June 27, 2013

Following the June 26, 2013 US Supreme Court ruling that the Defense of Marriage Act unconstitutionally denies federal benefits to married same-sex couples, Homeland Security Secretary Janet Napolitano issued the following statement:

I applaud today's Supreme Court decision in *United States v. Windsor* holding that the Defense of Marriage Act (DOMA) is unconstitutional. This discriminatory law denied thousands of legally married same-sex couples many important federal benefits, including immigration benefits. I am pleased the Court agreed with the Administration's position that DOMA's restrictions violate the Constitution. Working with our federal partners, including the Department of Justice, we will implement today's decision so that all married couples will be treated equally and fairly in the administration of our immigration laws.

Since this does not specifically state same-sex married couples can now obtain immigration benefits, a more formal policy statement is expected on this subject in the future.

For more information, please contact the author of this alert, **James Aldrich, Jr.** at 248-203-0583.

Dykema Gossett

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Attorneys

James G. Aldrich, Jr.

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