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of Veterans Affairs

News Release

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VA closes gap in benefits for LGBTQ+ Veterans and their survivors

WASHINGTON — Today, the Department of Veterans Affairs announced that it is closing a gap in [survivor benefits](#) for certain survivors of LGBTQ+ Veterans — specifically, for those who were unable to wed until the [2015 Obergefell v. Hodges Supreme Court decision](#), and who, therefore, were not married to their now-deceased Veteran spouses for long enough to qualify for survivor benefits.

This extension of survivor benefits is effective immediately. Eligible survivors can apply for these benefits [here](#), and more information about this announcement can be found [here](#).

“VA is closing a gap in benefits for surviving spouses of LGBTQ+ Veterans, righting a wrong that is a legacy of the discriminatory federal ban on same-sex marriages,” said **VA Secretary Denis McDonough**. “It is VA’s mission to serve all Veterans – including LGBTQ+ Veterans – as well as they’ve served our country, and this decision is a key part of that effort.”

Due to bans on same-sex marriages, many LGBTQ+ Veterans were unable to get married until [Obergefell v. Hodges \(6/26/2015\)](#) despite being in “marriage-type” relationships long before that. This wrongly precluded many survivors of those LGBTQ+ Veterans from becoming eligible for [survivor benefits](#) because their Veteran spouse died before the marriage met VA’s length-of-marriage requirements (one-year for [survivor benefits](#), eight-years for a higher rate of benefits). This decision addresses that problem by counting the duration of marriage from when the surviving spouse can establish a “marriage-type” relationship — such as a commitment ceremony, joint banking account, or joint purchase of a house. Importantly, these benefits are not retroactive.

VA is committed to delivering world-class care and benefits to LGBTQ+ Veterans. As a part of this effort, last year, [VA began providing benefits](#) to Veterans who were given “Other Than Honorable” discharges due to their sexual orientation.

LGBTQ+ Veterans can learn more about VA’s current health offerings on the [LGBTQ+ Health Program website](#).

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