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Implications of Same-Sex Couples Being Denied the Right to Marriage: A Look at Federal Income Tax Structure and Social Security Benefits

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Abstract

Much recent news has focused on promoting traditional lifestyles and banning or discouraging all others. However, an overview of society shows that the proportion of traditional families are becoming fewer and fewer. These traditional families are those consisting of one man and one woman living together with the possibility of children, either biological or adopted. Non-traditional families include divorced families, single-parent families, opposite-sex partners, and same-sex partners. The US government legally recognizes one type of family: opposite-sex, married partners. This recognition provides tax breaks, insurance benefits and life and death decision making for the spouse and children. If this is the case, what are the economic consequences for same-sex couples?

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I. Introduction

Much recent news has focused on promoting traditional lifestyles and banning or discouraging all others. However, an overview of society shows that the proportion of traditional families are becoming fewer and fewer. These traditional families are those consisting of one man and one woman living together with the possibility of children, either biological or adopted. Non-traditional families include divorced families, single-parent families, opposite-sex partners, and same-sex partners. The US government legally recognizes one type of family: opposite-sex, married partners. This recognition provides tax breaks, insurance benefits, and life and death decision making for the spouse and children. If this is the case, what are the economic consequences for same-sex couples?

In order to study the "what-would-be" effects of legalizing same-sex marriage, as well as all other types, we will examine current theory and literature on the issue. The two most significant theories are the theory of the family and the theory of tax formation. Both of these tie together to form testable hypotheses. This research will estimate the Federal Income tax and Social Security penalties of same-sex partnerships in comparison to married, opposite-sex couples.

The primary economic analysis will involve the current Federal Income Tax code and Social Security benefits. The next section will provide a history, review, and framework for studying the current family structure and trends in the US. The third section will explain the data and empirical analysis of studying the simulated tax effects of allowing same-sex couples the right to marry. The fourth section will explain my results. The fifth section will provide policy implications of how to alleviate tax inequalities between opposite-sex, married couples and same-sex couples. Finally, the last section will summarize and conclude this research.

II. Theory and Review of Literature

A. Theory of the Family

Throughout history, the US has undergone innumerable changes and transformations; nonetheless, the building blocks of society remain constant – the family is the primary economic unit. Moreover, with this said, the traditional definition of family means one man, the father, one woman, the mother, married, in addition to any children they may have together. This traditional view has gradually diminished in the US. The government promotes bonds of traditional marriage and family through policies that protect and benefit the family.

However, why are family units so important and why are these family units forming? There are many reasons for family formation both pragmatic and non-pragmatic. The first reason, love, is something that we will discuss briefly. According to Eskridge, "Americans are romantics (1996)". We love thinking about our soul mate, fantasizing about marriage and fantasizing how our life will change once we say the magical words, "I do." Most of these reasons are non-tangible and rely on faith and a spiritual-nature. There are many sociological and psychological reasons why marriage is important. Love brings people together and fills them with happiness. In fact, a character from the musical *Moulin Rouge* exclaimed, "The greatest thing you'll ever learn is just to love and to be loved in return."

Of course, it is impossible to measure, economically, one's love for another and to place a value on that love. Therefore, the focus will return to economics. According to Gary Becker's theory of family, given scarce resources, people optimize, trying to gain more than they lose. Therefore, couples must see benefits by grouping their resources and specializing in household production. According to Muller, "[T]hese advantages and their division influence the decision to marry and to stay married (2002)." Economically, these people are giving up other opportunities and activities to become married. In the US, we see this as a positive, helping increase the economy. In fact, Eskridge defines marriage as, "a long-term voluntary agreement of private parties for the purpose of joint production and consumption (1996)." Thus, marriage is a contract that promotes specific economic behaviors such as division of labor and the pursuit of economies of scale.

Division of labor is the most important reason why our economy has done so well. Through specialization and comparative advantage, productivity has increased and made the US powerful. This theory provides the basic economic framework behind why families exist. Muller claims, "The family facilitates specialization and enables the spouses to exploit comparative advantages and increasing returns (2002)." Traditionally, women have had a comparative advantage in housework and stay at home, while their male counterparts are more effective in the workplace. Together they add to total production and this combination usually is the utility-maximizing combination (Blau et. al., 2002). If left apart, both would not function as well and would have to give up a lot to gain a little (Eskridge, 1996). Therefore, through this division of labor and exploitation of comparative advantages, the two combine shared resources; reducing their economic cost.

Division of labor is not the only benefit of marriage; by conjoining, couples experience economies of scale by allocating income and power within the household. This exists to the extent that with the increase of doing work, either household work or labor force work, there is an increase in productivity with a decrease in cost (Eskridge, 1996). For example, it is cheaper to live together in one house than to own two separate houses. Furthermore, the cost of food has a fixed cost for one person, but a smaller variable cost for more than one person. Grocery buying has a fixed cost for at least one person with an increasing lower variable cost by adding additional people to that budget. In addition, if a couple shares public goods such as entertainment, food, housing, utilities, information, and even children, the savings are immense. Next, there are many externalities in consumption of goods for couples. A vacation for two is only proportionally more expensive than a vacation for one since you can share travel (if by car), room, and food.

In conjunction with economies of scale, derived utility and benefit is higher because the two enjoy each other's company. This point is important because it is an economic way of considering the concept of love. Togetherness positively affects the well-being of each partner (Blau et. al., 2002). When people are happy and are positively affected, they are more productive and tend to add to the greater good.

Besides division of labor and economies of scale, there are of course many more advantages to forming families. There are many marriage-specific investments made through marriage. Various skills and knowledge develop as you learn from and about each other. Examples include cooking, cleaning, hobbies (like rockclimbing, bird watching, or book reading), and even childrearing. Many of these would not occur without the other individual in one's life. Penultimately, married couples can pool their risk. If both spouses work, they have the added benefit of relying on the other one's income in case one must leave the work force. Arguably, couples face many possibilities if both spouses work. There is more stability to allow for major career changes, pursue additional education, or receive job training (Blau et. al., 2002).

Finally, in the US today, married couples can enjoy institutional advantages. These include, but are not limited to health insurance, pension rights, Social Security benefits, and Federal Income Tax benefits (Blau et. al., 2002). In this research, we will analyze the Social Security and Federal Income Tax structure and its affect on non-traditional couples (namely same-sex couples) in the US society.

B. Argument that same-sex couples are economically like opposite-sex couples

Like traditional marriage and opposite-sex cohabitation, same-sex relationships offer partners not only companionship, affection and love, but also all of the aforementioned economic benefits, especially the ability to share economic resources and realize economies of scale (Blau et. al., 2002). Many may argue that this cannot be possible because Becker's theory relied on comparative advantage from being a different sex. However, it is arguable that even though same-sex couples may differ in terms of comparative advantage in the home and in the market, neither partner is likely to specialize in home production to the same degree as a married woman.

There are two main reasons for this argument. The first is that same-sex couples, like opposite-sex, non-married couples, have far fewer legal protections than married couples, which increases the risk and cost in investing in homemaking skills, especially if the couple were to breakup. The second reason is applicable to the extent that people are forward thinking and rational. Young women who know they will not enter an opposite-sex relationship will have little incentive to specialize in homemaking skills. For instance, lesbians are more likely, *ceteris paribus*, to accumulate human capital useful for the labor market as compared with those entering a traditional, opposite-sex marriage couple. The same goes for gay men. They are likely to acquire skills for jobs in the labor market, since they traditionally have been the breadwinners (Blau et. al., 2002).

Therefore, economically, same-sex couples and opposite-sex couples, whether married or not, can experience many of the economic advantages of forming a family and living together, that is, division of labor and economies of scale. However, same-sex couples are less likely to have as much division of labor because the legal institution of marriage does not apply to them.

C. Federal Income Tax

As we have seen, marriage has profound social, cultural, and religious meaning in the US. The decision to marry or not marry is personal. Therefore, it is impossible to enumerate all the reasons why couples marry or to define and quantify the significance of the marital relationship across all communities in US. In every state, including DC, marriage between opposite-sex partners is allowed, entitling partners to specific rules of regulation and termination of marriage in the event of a divorce (Dougherty, 2005). According to Dougherty, married couples are eligible for 1,138 federal protections, rights, and benefits (2005). All other couples, opposite-sex and same-sex, are denied all of these, especially, Social Security, Federal Income Tax rules, and laws like the Family Medical Leave Act.

The structure of the federal income tax system affects take-home pay and consequently decisions regarding whether and how much one should work in the labor market as well as decisions regarding family formation. In addition, payroll taxes and Social Security payments these families fund affect these decisions. In fact, both the federal income tax system and Social Security system have been facing criticism for being biased in favor of a traditional, one-earner family (Blau et. al., 2002). Both programs evolved when traditional families were the norm, in effect, to subsidize married women staying at home.

At one time, the US labor force was composed mostly of workers with few reasons to need homemaking skills. The majority were men with fulltime homemaker wives. The other men were single. Recently, however, we have seen the labor force including more and more dual-earner families and single-parent families (Blau et. al., 2002). Therefore, it is arguable that the Federal Income Tax Structure and Social Security system needs modification due to this changing demographic in the US.

The design of tax laws is difficult because we have conflicting agendas concerning our current tax system. Policymakers must struggle to meet the demands of various groups without knowing the complete consequences of their decisions (Fraser, 1986). Therefore, the relative taxation of single and married couples is one area where designing a tax structure is difficult. The marriage tax is a difficult problem because we desire a lot from a tax system. We consider ease of administration and regulation, simplicity to the taxpayer, fairness, positive revenue generation, and the ability to understand the taxpayer's actual situation (Fraser, 1986). According to Rosen, in order to have a fair and effective tax it must adhere to three principles:

1. The income tax should embody increasing marginal tax rates
2. Families with equal incomes should, other things being the same, pay equal taxes
3. Two individuals' tax burdens should not change when they marry; the tax system should be marriage neutral (2002)

Because it is difficult to adhere to all three simultaneously, there will always be a disadvantaged group. One suggestion to improve on this structure would be to introduce a system that taxes individual incomes, allows no deductions, and is progressive. However, we will focus on what is and discuss the current federal tax system.

What choice has the US made in generating a tax structure? Before 1948, the taxable unit was the individual. However, this violates principal two. In 1948, it was recognized that families were burdened with too high of taxes and it was hurting familial economic outcome. Therefore, income splitting was introduced with increasing marginal tax rates. This led to the goal of horizontal equity across families (Alm et. al., 1998). However, this violates principal three since married couples will have lower tax rates margins because they can split up income (Rosen, 2002). Finally, it became evident that single, non-married couples faced tax liability up to 40% higher than married couples with the same income. Therefore, Congress created two separate schedules for married and unmarried people(Rosen, 2002). However, this, again, violates principal three.

As we can see, all three basic principals in concept will lead to some degree of discrimination. Since the three can never be in equilibrium, some group(s) will always be discriminated against. An analysis of these principals and our current tax structure can yield the answer to why the structure may be inefficient (Jensen and Wyndelts, 1976). When equity is defined by using the family as the taxable economic unit, a burden emerges on single tax payers. According to Jensen and Wyndelts, "The discrimination is quite systematic, afflicting singles with equal severity regardless of how income is split between the married couple (1976)." On the other hand, when equity is defined on a *per capita* basis, married couples bear the tax burden (Jensen and Wyndelts, 1976). Depending on the standard of equity chosen, it is arguable that the current federal income tax structure discriminates against singles or that it discriminates against married couples.

Recently, however, we have seen a shift in the demographics of families. Where traditionally one male and one female with children constituted the normal family, we see today single parents, divorced families, and cohabitating opposite-sex and same-sex partners. In addition, we are moving away from the one earner family, where father works full time and mother stays at home. Today we see dual income earners, spouses who both work full time. Even dual earner married couples are at a disadvantage compared to the traditional married couples because they face various marriage penalties or taxes (Blau et. al., 2002). A major concern is that the current structure provides incentives for families to adopt the traditional division of labor, thereby creating a disincentive for married women to work.

Is the marriage tax equitable fair? One argument in favor of the current structure is that it allows a fairer treatment of non-labor income, including dividends, interest, and profits. However, the case for the family unit is less compelling than suggested. According to Bittker in 1975:

> If married couples are taxed on their consolidated income, for example, should the same principal extend to a child who supports an aged parent, two sisters who share an apartment, or a divorced parent who lives with an adolescent child? Should a relationship established by blood or marriage be demanded, to the exclusion, for example, of unmarried persons who live together, homosexual companions, and communes? (Rosen, 2002):

Clearly, culture and society's beliefs toward the role of the family influence the choice of tax structure. Same-sex couples are at a bigger disadvantage because their union could not even be legalized or recognized. On the other hand, opposite-sex, non married unions could be recognized through domestic partnerships, common law marriage, or even through civil marriage.

D. Social Security Benefits

We have seen how the federal income tax affects all types of individuals and their relationship status. Horizontal equity can be used to consider not only if the federal income tax is fair, but also to see if the Social Security system is fair. Social Security is a primary source of subsistence for many elderly in the US. The benefits that a recipient receives depend on his or her marital status. An individual can claim Social Security benefits based on his or her spouse's earning history. A widow/er can receive additional benefits upon the death of his or her spouse. A spouse of a disabled individual eligible for Social Security may claim additional benefits if that spouse is raising the disabled individual's child. Finally, a spouse who is at least 62 years old may claim additional benefits based on his or her spouse's disability (Dougherty, 2005). Moreover, a spouse can receive Social Security retirement benefits equal to or greater than the benefits he or she is necessarily entitled to receive based on their earnings history (Dougherty, 2005). Unfortunately, the only ones able to claim Social Security are the living individuals and their partners through legal marriage.

Like the federal income tax structure, many criticisms, even more severe, exist within the Social Security system. The Social Security system also poses problems of equity between two groups of people: one-earner married couples and all others (unmarried couples, single people, and same-sex). The biggest problem with this system is that payroll taxes are based on each individual's employment history, while Social Security benefits are based on the family (Blau et. al., 2002). In order to receive benefits, individuals must reach some level of pay from jobs covered by Social Security for 10 years. Spouses of covered workers are entitled to receive Social Security benefits equal to 50% of the amount received by the covered worker, and survivor benefits of 100% if that covered worker should die, even if the survivor never paid payroll taxes (Blau et. al., 2002). The current Social Security system favors families with a full-time homemaker over all others. As long as the husband is paying payroll taxes, the family receives the maximum 150% of his Social Security benefit. Naturally, these inconsistencies violate the rule of horizontal equity (Blau et. al., 2002). For instance, if a wife works she pays in as much as she would if she were single, but only the one who earns less than her husband receives additional benefits compared to a spouse who never works or works very little. Never married women, women who never work, and divorced women, who were married less than 10 years, receive benefits based upon their own record only. Therefore, if this system affects people who are not married and since same-sex couples are unable to marry, then they are truly disadvantaged because they cannot receive any benefits from their partners.

Now that we have analyzed the theory, the tax structure, and the Social Security system, we will now look at the economic cost of being a non-traditional family in light of these regulations. Since it appears that there is some inefficiency in the tax structure and Social Security system, I hypothesize that the tax burdens for non-traditional families, especially same-sex couples, will be much higher than traditional, married, opposite-sex couples.

III. Empirical Model and Data

Many may argue that these couples' economic structures are different and are not comparable since one has a male and female and the other has either two males or two females. However, we saw in Section IIb that same-sex couples are economically like opposite-sex couples. Therefore, an underlying assumption for this research is that the two couples (same-sex and opposite-sex) are economically identical except for their marital status as recognized by the government. Since there are hundreds of tax provisions, same-sex couples are likely to be discriminated against.

By focusing on the Federal Income Tax and Social Security, we can quantitatively illustrate how non-traditional couples are discriminated compared to those who are legally married. This provides for a short-run and long-term analysis of the two groups. This research design will use simulations to test the differences between the two groups: those legally married couples and those couples who must file separately and singly. In addition, I will use these same simulated couples to compare the different outcomes between the two groups via the Social Security structure.

The research will assume that the simulated couples have no dependents (i.e. no children), and no itemized deductions. I will assume that they take the standard deduction as most do. Further, the assumed income will not include retirement savings, mortgage interest, or any other kind of interest or profit shares. For Social Security purposes, I will assume that the birthday of all couples is June 15, 1965 and that if they were to die they would die on November 17, 2005. The retirement age for full benefits is 70 years old in the year 2035. The tax year used is 2005.

The programs used for this analysis are basic calculators found on the internet. For Federal Income Tax, I will use Internal Revenue Service's online 2005 Withholding Calculator. It allows me to use the basic assumptions as mentioned before. To research the Social Security question, I will use the Social Security Administrations online Social Security Quick Calculator. To estimate projected earnings, the program uses an automatic-inflation adjustment. It uses estimated future cost-of-living adjustments[1*] (COLAs) and estimated future percentage increases in the national average wage increase (AWI). These estimates were derived from the "intermediate" assumption in the *2005 Trustees Report*. This is an annual report of the Federal OASDI (Old Age, Survivors, and Disability Insurance) trustees. The report predicts current and projected financial status of the trust fund. The particular COLA is for December of 2005 and was determined in October of 2005.

To recapitulate, this research hypothesizes that the two groups will have differences in their tax liabilities and Social Security benefits even when they have similar incomes. This result is because the government uses the tax codes to provide benefits for couples devoted to marriage

1 * Please see Appendix for more information about these tools and the COLA table.

and commitment. Since the family is the economic unit used in the US, they are taxed at different progressive scales than singles. Furthermore, same-sex couples must apply as single even if they are in a committed "family" situation.

The other aspect affecting same-sex couples is within Social Security. Since people pay as they go and put money toward Social Security, they build value up for retirement. If couples are married, then a person who has possibly never worked can claim benefits based on spousal earnings. Same-sex couples, denied marriage, are affected by this regulation. This research hypothesizes that this will be detrimental to same-sex couples, especially those who have one member who does not work.

IV. Results

The following tables show Federal Income Tax and Social Security Benefit simulations for 3 types of couples with 15 sets of income assumptions. Table 1 presents us with the Federal Income Tax liabilities faced by the two comparison groups.

For nearly every level of assumed income scenarios, same-sex couples pay more federal taxes than opposite-sex couples who are married and file jointly. I hypothesized that opposite-sex couples would have fewer tax liabilities than same-sex couples because opposite-sex, married couples face a different tax progression that subsidizes the non-working female. However, it is interesting to note that the two couples are treated nearly the same when both partners in the relationship work and have similar income. Same-sex couples become more disadvantaged as the income disparity between the two partners increases such as in the case of Person 1 making no money and Person 2 earning all the money. While the percent of income difference is not too high, it does add up to a lot of money, especially as the couple earns more income. For instance, if Person 1 does not work and person 2 makes $75,000, they pay 7% ($5,307) higher taxes than their legally married counterpart does. Benefit differences do not favor one grouping of incomes either. Both high-income and low-income couples face increased liabilities.

It is interesting that the two comparison groups face the same tax consequences when both incomes are about the same. This supports the argument that the current tax structure is unfair and biased. This structure tends to favor those traditional household couples where the

Table 1: Federal Income Tax Liabilities in US Dollars

Income Assumptions			Comparison Groups - Tax liability		Tax Differences	
Person 1	Person 2	Total Income	(Same-sex couples) Couples filing Singly	(Opposite-sex couples) Couples filing Jointly	SS - OS couples	% of income
12,500	12,500	25,000	866	863	3	0.01%
5,000	20,000	25,000	1,409	863	546	2.18%
0	25,000	25,000	2,159	863	1,296	5.18%
25,000	25,000	50,000	4,318	4,314	4	0.01%
20,000	30,000	50,000	4,318	4,314	4	0.01%
0	50,000	50,000	7,121	4,314	2,807	5.61%
37,500	37,500	75,000	8,068	8,064	4	0.01%
25,000	50,000	75,000	9,280	8,064	1,216	1.62%
0	75,000	75,000	13,371	8,064	5,307	7.08%
50,000	50,000	100,000	14,242	14,236	6	0.01%
25,000	75,000	100,000	15,530	14,236	1,294	1.29%
0	100,000	100,000	20,218	14,236	5,982	5.98%
70,000	70,000	140,000	24,242	24,340	-98	-0.07%
40,000	100,000	140,000	24,839	24,340	499	0.36%
0	140,000	140,000	31,411	24,340	7,071	5.05%

Table 2: Social Security Benefits in Year 2035* US Dollars

Income Assumptions			Comparison Groups - Household Social Security Benefit		Benefit Differences	
Person 1	Person 2	Total Income	(Same-sex couples)	(Opposite-sex couples)	SS - OS couples	% on income
12,500	12,500	25,000	4,936	4,936	0	0.0%
5,000	20,000	25,000	4,459	4,741	-282	-6.0%
0	25,000	25,000	3,624	5,436	-1,812	-33.3%
25,000	25,000	50,000	7,248	7,248	0	0.0%
20,000	30,000	50,000	7,246	7,246	0	0.0%
0	50,000	50,000	5,803	8,704	-2,901	-33.3%
37,500	37,500	75,000	9,554	9,554	0	0.0%
25,000	50,000	75,000	9,427	9,427	0	0.0%
0	75,000	75,000	6,885	10,327	-3,442	-33.3%
50,000	50,000	100,000	11,606	11,606	0	0.0%
25,000	75,000	100,000	10,509	10,509	0	0.0%
0	100,000	100,000	7,625	11,437	-3,812	-33.3%
70,000	70,000	140,000	13,338	13,338	0	0.0%
40,000	100,000	140,000	12,633	12,633	0	0.0%
0	140,000	140,000	7,638	11,457	-3,819	-33.3%

* Present Value of $2.80 to be received in 2035, is approximately equivalent to $1.00 today.

husband works and the wife does not. This has important public policy implications and should be considered.

Tables 2 and Table 3 present us with Social Security benefits and Social Security Survivor benefits. This provides us with how the two groups are affected in the long run and in their retirement years when money is of utmost importance.

The results in Table 2 suggest that the Social Security system is even more biased than the Federal Income Tax structure. In the cases where the first person does not work and does not have any of their own Social Security applied earnings, they miss out on about 50% of their spouse's income that married couples have access. However, if both partners in both groups work and pay their share to Social Security and qualify, both groups generally receive the same earnings as would be expected. Since theory suggests that both couples likely work in a same-sex relationship, they are likely to earn Social Security benefits and not likely to be too affected by being denied these benefits. In addition, couples are generally financially advised not to rely on Social Security and to rely on other retirement savings. Therefore, this may not affect as many couples anyway.

Table 3 shows a rather dismal outlook on one particular section of Social Security:

Table 3: Social Security Survivor Benefits - Death as of Today*

Income Assumptions			Comparison Groups - Household Social Security Benefit		Benefit Differences	
Person 1	Person 2	Total Income	(Same-sex couples) Add. Survivor benefits for 1	(Opposite-sex couples) Add. Survivor benefits for 2	SS - OS couples	% of income
0	25,000	25,000	0	930	-930	-100.00%
12,500	12,500	25,000	0	930	-930	-100.00%
0	50,000	50,000	0	930	-930	-100.00%
25,000	25,000	50,000	0	930	-930	-100.00%
0	75,000	75,000	0	930	-930	-100.00%
37,500	37,500	75,000	0	930	-930	-100.00%
0	100,000	100,000	0	930	-930	-100.00%
50,000	50,000	100,000	0	930	-930	-100.00%
0	140,000	140,000	0	930	-930	-100.00%
70,000	70,000	140,000	0	930	-930	-100.00%
5,000	20,000	25,000	0	930	-930	-100.00%
20,000	30,000	50,000	0	930	-930	-100.00%
25,000	50,000	75,000	0	930	-930	-100.00%
25,000	75,000	100,000	0	930	-930	-100.00%
40,000	100,000	140,000	0	930	-930	-100.00%

* Figures represented in today's Dollars

survivor benefits. In married couples, if a Social Security qualified spouse should die, the widow, even those who never added to Social Security, can qualify for 100% of their deceased spouse's Social Security income. Since same-sex couples are denied marriage, they are unqualified for any type of survivor benefits and lose the entire benefit. This is detrimental for those couples that may have had one partner who never worked and put anything toward Social Security. Not only do these couples lose their partner whom they never were able to marry, they lose all their income.

V. Public Policy Implications

In this research, we have seen that without the legal right to marry under Federal law, same-sex couples are denied numerous protections, rights, and benefits that have a significant economic impact. Future research needs to study in more depth Federal Income tax structure and the Social Security structure. Further, to make this a more economically robust analysis, we need to set up a large random data set to get a better analysis and test for the true difference between the two groups: married, opposite-sex couples and legally bound, unmarried, same-sex couples under many more assumptions concerning earnings and benefit levels.

Overall, we have seen that the Federal Income tax structure seems to affect even married couples who have both partners working and making about the same amount of money. If this is the case, something needs to be done. It seems that the US has moved from this traditional family of a working father and homemaker wife to all types of groupings, including same-sex relationships.

Ending sexual discrimination in civil marriage is the only means of providing same-sex couples equal treatment by the US government (Wolfsan, 2004). The inclusion of these people in marriage rights is an important step to assuring benefits such as lower income taxes and Social Security benefits. Ending marriage discrimination is a matter of civil rights, equality, and the pursuit of happiness and love. During many American's lifetimes, there have been major and heavily debated changes within the institution of marriage. Some of these are the legal declaration of women's equality, allowance of married and unmarried people to make decisions regarding the practice of contraception and reproduction and even divorce reform (Wolfsan, 2004). Each of these steps toward inclusion and respect has been debated; often these same arguments arise in allowing same-sex marriage.

A 2001 Kaiser Family Foundation poll found that 2/3 of the American public has come to support extending "marriage-like" inheritance rights (70%) and Social Security benefits (68%) to same-sex couples (Wolfsan, 2004). If this much of the US agrees, this should put added pressure on Congress to reform the current tax structure and Social Security regulations. Congressmen John Lewis said,

> Marriage is a basic human right. You cannot tell people they cannot fall in love. Dr. Martin Luther King, Jr. used to say when people talked about interracial marriage and I quote, "Races do not fall in love and get married. Individuals fall in love and get married."… Mr. Chairman, I have known racism. I have known bigotry. This bill [the proposed federal anti-marriage law of 1996, adding an overlay of federal discrimination against same-sex couples] stinks of the same fear, hatred and intolerance. It should not be called the Defense of Marriage Act. It should be called the defense of mean-spirited bigots act. (Wolfsan, 2004).

By keeping up with society's trends and being more accepting, we can find equality throughout the whole country, making it a beacon of hope and opportunity to the rest of the world.

Appendix

Tools used in this research came from the Internal Revenue Service (IRS) and Social Security Administration (SSA). These are simple calculators with basic assumptions to give the user an approximate tax liability and projected Social Security benefits, by no means are they all-inclusive or representative of one's true situation. The tools are at the following websites:

http://www.irs.gov/individuals/page/0,,id=14806,00.html

http://www.ssa.gov/OACT/quickcalc/calculator.html

The following table is part of the formula for considering the estimated cost of living adjustment and for future value earnings. This data comes from the SSA website:

Appendix: COLAs & AWI increases under the intermediate assumptions of the 2005 Trustees Report

Calendar year	COLA (%)	Increase in AWI (%)
2005	4.1	4.1
2006	2.2	4.2
2007	2.7	4.3
2008	2.8	4.2
2009	2.8	4.1
2010	2.8	4
2011	2.8	4
2012	2.8	4.1
2013	2.8	4
2014 and later	2.8	3.9*

* Average increase

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