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# Social Security Survivors Benefits

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## **Summary**

Social Security is formally known as the Old-Age, Survivors, and Disability Insurance (OASDI) program. This report focuses on the Survivors Insurance component of Social Security. When workers die, their spouses, former spouses, and dependents may qualify for Social Security survivors benefits. This report describes how a person becomes covered by Survivors Insurance and outlines the types and amounts of benefits available to survivors and eligibility for those benefits. This report also provides current data on survivors beneficiaries and benefits.

## Contents

Establishment of Survivors Benefits .....	1
How Survivors Insurance Works .....	1
Survivors Insurance Coverage .....	1
Determining Survivors Benefits.....	2
Types of Survivors Benefits .....	2
Widow’s and Widower’s Benefits .....	2
Mother’s and Father’s Benefits .....	3
Child’s Benefits .....	3
Parent’s Benefits.....	3
Lump-Sum Death Benefits .....	3
Reductions to Survivors Benefits .....	4

## Tables

Table 1. Survivors Beneficiaries and Benefits.....	4
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The Old-Age, Survivors, and Disability Insurance (OASDI) program, better known as Social Security, is administered by the Social Security Administration (SSA). The Survivors Insurance component of OASDI is similar to life insurance. When a person insured by Social Security dies, his or her family may qualify for survivors benefits.

At the end of 2013, there were approximately 6.2 million survivors beneficiaries, representing 10.7% of the total OASDI beneficiary population. Average monthly survivors benefits in December 2013 were \$1,082.16. That month, 82.1% of survivors beneficiaries were women (including female children) and 30.7% of survivors beneficiaries were children.<sup>1</sup> Additional data on survivors benefits is provided in **Table 1** at the conclusion of this report.

## Establishment of Survivors Benefits

The Social Security Act of 1935, P.L. 74-271, which created the Social Security program, did not include any provisions for monthly survivors benefits but did include a lump-sum payment upon the death of a fully insured person over the age of 65. The Social Security Amendments of 1939, P.L. 76-379, reduced the size of the lump-sum death payment and expanded its coverage to both fully or currently insured workers (defined later in this report), regardless of age. Monthly survivors benefits were also established in the 1939 amendments, including those for widows, parents, and children. These changes were made to “afford more adequate protection to the family as a unit” than could be afforded by a single lump-sum payment that did not take into account family size or number of survivors.<sup>2</sup>

## How Survivors Insurance Works

### Survivors Insurance Coverage

Coverage for survivors benefits is based on the insurance status of the deceased. To become insured for survivors benefits, a person must work at a job covered by Social Security. A person can earn up to four Social Security *credits* each year, based on his or her earnings in a covered job.<sup>3</sup> The number of credits a person needs to qualify for Survivors Insurance depends on how old the person is when he or she dies.

A person is *fully insured* for survivors benefits if he or she has at least 40 credits (or 10 years of work) at death; fewer credits are required for workers who die before the age of 62.<sup>4</sup> Spouses, former spouses, children, and parents of fully insured workers are eligible for all types of

<sup>1</sup> Social Security Administration, *Annual Statistical Supplement to the Social Security Bulletin, 2014*, August 2014, Table 5.A1, <http://www.ssa.gov/policy/docs/statcomps/supplement/2014/index.html>.

<sup>2</sup> U.S. Congress, House Ways and Means, *Social Security Act Amendments of 1939*, report to accompany H.R. 6635, 76<sup>th</sup> Cong., 1<sup>st</sup> sess., June 2, 1939, H.Rept. 78-728 (Washington: GPO, 1939), p. 7.

<sup>3</sup> In 2014, one credit is earned for every \$1,200 earned in covered employment, up to a maximum of four credits (or \$4,800) per year. This amount increases each year to account for wage growth.

<sup>4</sup> A person is fully insured if he or she has earned at least one credit for each year between age 21 and turning 62, dying, or becoming disabled.

survivors benefits as long as they meet the other requirements for those benefits. In 2013, 87% of Americans over the age of 20 were fully insured.<sup>5</sup>

A deceased worker's children and the spouse (or former spouse) caring for those children could be eligible for survivors benefits even if the deceased worker does not have enough credits to be fully insured. The deceased worker is *currently insured* if he or she earned at least six credits during the last three years before death.

## Determining Survivors Benefits

Survivors benefits are determined using the same basic formula used to calculate Social Security retirement and disability benefits. Benefits are based on the lifetime earnings of the person who died, so survivors of higher earners tend to receive higher benefits than survivors of lower earners. However, the benefit formula is progressive, so survivors benefits tend to replace a higher proportion of lower earners' wages than of higher earners' wages.

When a person applies for survivors benefits, the deceased worker's basic benefit amount is determined.<sup>6</sup> Each qualifying survivor will receive a percentage of this basic benefit amount, depending on his or her age and relationship to the deceased worker. Survivors benefits may be subject to reductions based on their earnings and family size. If a survivor qualifies both for benefits based on his or her own work record and benefits based on a spouse's record, the survivor receives the higher amount of the two. Survivors benefits, like all Social Security benefits, are subject to an annual cost-of-living adjustment (COLA).<sup>7</sup>

## Types of Survivors Benefits

**Table 1**, at the conclusion of this report, provides data on the various types of survivors benefits.

### Widow's and Widower's Benefits

Surviving spouses of fully insured workers are eligible for widow's or widower's benefits. Divorced surviving spouses may also be eligible if they were married at least 10 years. Surviving spouses receive 100% of the deceased worker's basic benefit if they begin to collect survivor benefits at their full retirement age.<sup>8</sup> As early as age 60, they may receive reduced widow(er)'s benefits (from 71% to 99% of the worker's basic benefit).<sup>9</sup> As early as age 50, surviving spouses who receive Social Security disability benefits may begin to receive reduced widow(er)'s

<sup>5</sup> Social Security Administration, *Annual Statistical Supplement to the Social Security Bulletin, 2013*, February 2014, Table 4.C5, <http://www.ssa.gov/policy/docs/statcomps/supplement/2013/index.html>.

<sup>6</sup> This amount is called the Primary Insurance Amount (PIA). For additional information on the calculation of Social Security benefits see CRS Report R43542, *How Social Security Benefits Are Computed: In Brief*, by Noah P. Meyerson.

<sup>7</sup> For additional information on the Social Security COLA see CRS Report 94-803, *Social Security: Cost-of-Living Adjustments*, by Gary Sidor.

<sup>8</sup> The full retirement age depends on the year of a worker's birth, and is gradually increasing from age 65 to 67. For additional information on the retirement age, see the SSA website at <http://www.ssa.gov/retirechartred.htm>.

<sup>9</sup> In contrast, the earliest eligibility age for reduced retirement benefits is 62.

benefits. Widow(er)'s benefits are not paid to spouses or former spouses who remarry before the age of 60 (or age 50 if disabled).

## Mother's and Father's Benefits

If they are not eligible for widow(er)'s benefits, surviving spouses of fully or currently insured workers may be entitled to mother's or father's benefits.<sup>10</sup> To qualify, the spouse must care for a child of the deceased worker who is either under the age of 16 or disabled. Divorced spouses may also qualify, regardless of the length of the marriage. Mother's and father's benefits are 75% of the worker's basic benefit, and may be collected regardless of the age of the mother or father.

## Child's Benefits

Surviving children of fully or currently insured workers may be entitled to child's benefits. Child's benefits are paid to unmarried surviving children who are under the age of 18, or under 19 if still in high school. They are also paid to the disabled children of insured workers, regardless of age, as long as the disability began before the age of 22. Both biological and adoptive children are eligible for survivors benefits, as well as children born out of wedlock. Dependent step-children and grandchildren may also qualify for these benefits. Child's benefits are 75% of the worker's basic benefit.

## Parent's Benefits

The surviving parents of fully insured people are eligible for parent's benefits if they are over the age of 62 and were receiving at least half of their support from the deceased worker.<sup>11</sup> Parent's benefits are 82.5% of the worker's basic benefit.

## Lump-Sum Death Benefits

In addition to monthly survivors benefits, a deceased worker's family may be eligible to receive a one-time death benefit of \$255.<sup>12</sup> Only one lump-sum death benefit is payable to the family of each insured person. The lump-sum death benefit is paid to the insured person's surviving spouse, regardless of age, as long as the spouse meets certain requirements.<sup>13</sup> If no eligible widow or

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<sup>10</sup> Surviving spouses may not be eligible for widow's or widower's benefits for reasons such as age or length of marriage before divorce.

<sup>11</sup> Evidence of support must be provided to SSA within two years of the death of the insured person, even if the parent has not yet reached the qualifying age of 62.

<sup>12</sup> The death benefit is equal to the smaller of three times the worker's Primary Insurance Amount (PIA), or \$255. The death benefit is effectively \$255 because the minimum PIA for a fully insured worker (i.e., one with 10 years of coverage) is currently greater than \$255. For additional information on the lump-sum death benefit, see CRS Report R43637, *Social Security: The Lump-Sum Death Benefit*, by Noah P. Meyerson.

<sup>13</sup> To qualify, a spouse must be living with the worker at the time of death or must be eligible to receive certain Social Security benefits based on the worker's record in the month of death. The rules regarding when a couple is considered to have been living together are provided at 20 C.F.R. §404.347 and generally require the couple to have been living in the same residence unless separated due to a temporary absence, military service, or one person being in a nursing home or other medical facility.

widower exists, the death benefit is paid in equal shares to any children who qualify for child's benefits based on the deceased worker's record. If a worker leaves no eligible spouse or child, the lump-sum death payment will not be paid.

## Reductions to Survivors Benefits

The total survivors benefits paid to an insured worker's family are capped regardless of the number of family members who qualify for benefits. The maximum family benefit is 150% to 188% of the worker's basic benefit, depending the amount of the benefit.<sup>14</sup> If the total survivors benefits payable to a worker's family exceed this maximum, each person's benefit will be reduced proportionately. Divorced surviving spouses' benefits do not count toward the maximum.

Survivors benefits may also be reduced for beneficiaries who work before full retirement age. Survivor beneficiaries younger than full retirement age are subject to an *earnings test*, wherein their benefits are reduced if their earnings exceed certain limits. The benefits of other family members would not be affected by this reduction.<sup>15</sup>

**Table 1. Survivors Beneficiaries and Benefits**

December 2013

Type of Benefit	Total Beneficiaries	Average Monthly Benefit
All Old-Age, Survivors, and Disability (OASDI)	57,98,610	\$1,182.24
All Survivors	6,188,977	\$1082.16
Children of deceased workers	1,898,904	\$813.80
Widowed mothers and fathers	149,778	\$917.69
Nondisabled widow(er)s	3,881,676	\$1,244.00
Disabled widow(er)s	257,248	\$716.79
Parents of deceased workers	1,371	\$1,094.20

**Source:** Social Security Administration, *Annual Statistical Supplement to the Social Security Bulletin, 2014*, August 2014, Table 5.A1, <http://www.ssa.gov/policy/docs/statcomps/supplement/2014/index.html>.

<sup>14</sup> For additional information on the maximum benefits payable to families, see CRS Report R42035, *Social Security Primer*, by Dawn Nuschler, pp. 11-14.

<sup>15</sup> For additional information on the earnings test, see CRS Report R41242, *Social Security Retirement Earnings Test: How Earnings Affect Benefits*, by Dawn Nuschler.