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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 a worker dies, his or her spouse, former spouse(s), and/or dependents may qualify for Social Security survivors benefits. This report describes how a worker 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 survivor beneficiaries and benefits.

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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 covers insured workers in case of death. When a worker insured by Social Security dies, his or her family may qualify for survivors benefits.

At the end of 2018, there were approximately 6 million survivor beneficiaries, representing 9.4% of the total OASDI beneficiary population. Average monthly survivors benefits in December 2018 were $1,190.93. That month, 80.5% of survivor beneficiaries were female (including female children) and 32.2% of survivor beneficiaries were children.[1] Additional data on survivor benefits are 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. Monthly survivors benefits were established in the Social Security Amendments of 1939 (P.L. 76-379), including those for widows, parents, and children. When survivors benefits were established, they were offset by a reduction in the size of the lump-sum death payment, although coverage expanded to both fully or currently insured workers (defined in the "Lump-Sum Death Benefits" section), regardless of age. 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.[2]

How Survivors Insurance Works

Survivors Insurance Coverage

Coverage for survivors benefits is based on the deceased worker's insurance status. To become insured for survivors benefits, a worker must have a sufficient work history in covered employment (employment subject to Social Security payroll taxes). A worker can earn up to four Social Security credits each year, based on his or her earnings in a covered job.[3] The number of credits a worker needs to qualify for Survivors Insurance depends on how old the worker is when he or she dies.

A worker is *fully insured* for benefits if he or she has earned at least one credit for each year between age 21 and turning 62, dying, or becoming disabled; a worker is *permanently and fully insured* if he or she has at least 40 credits (at least 10 years of work).[4] In 2019, 88% of Americans over the age of 20 are fully insured.[5] Spouses, former spouses, children, and parents of fully

[1] Social Security Administration, *Annual Statistical Supplement, 2019 (in progress)*, Table 5.A1, https://www.ssa.gov/policy/docs/statcomps/supplement/2019/5a.html#table5.a1.

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

[3] A Social Security credit is also called quarter of coverage (QC). In 2019, one credit is earned for every $1,360 earned in covered employment, up to a maximum of four credits for covered earnings of $5,440 or more. This amount increases each year to account for wage growth.

[4] A worker who has earned the maximum 40 credits is permanently and fully insured, and will not lose fully insured status when he or she stops working under covered employment.

[5] Social Security Administration, *Annual Statistical Supplement, 2019 (in progress)*, Table 4.C5, https://www.ssa.gov/policy/docs/statcomps/supplement/2019/4c.html#table4.c5.

insured workers are eligible for survivors benefits as long as they meet the other requirements for those benefits.

A deceased worker's children and the (former) spouse caring for those children could be eligible for survivors benefits even if the deceased worker was not fully insured—survivors benefits are available to these dependents if the deceased worker was currently insured at the time of death. The deceased worker is *currently insured* if he or she earned at least six credits during the three years prior to death.

Determining Survivors Benefits

Survivors benefits are determined by the same basic formula used to calculate Social Security retirement and disability benefits. Benefits are based on the deceased worker's average lifetime covered earnings, so survivors of higher earners tend to receive higher benefits than survivors of lower earners. However, the benefit formula is progressive, so survivors benefits 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, called the *primary insurance amount* (PIA), is determined.[6] Each qualifying survivor will receive a percentage of the worker's PIA, depending on the survivor's age and relationship to the deceased worker. Survivors benefits may be subject to reductions based on earnings and family size. If a survivor qualifies for benefits based on both his or her own work record and 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).[7] In most cases, survivors benefits are payable to eligible family members beginning with the deceased beneficiary's month of death, regardless of when the death occurred during the month.[8]

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 must meet an age requirement to be eligible for widow's or widower's benefits. Divorced surviving spouses may also be eligible if they were married to the deceased worker for at least 10 years. Surviving spouses receive 100% of the deceased worker's PIA if they begin to collect survivor benefits at their full retirement age.[9] Widow(er)s may receive reduced widow(er)'s benefits if the benefit is claimed early. The earlier the benefit is claimed, the larger the reduction is. Reduced benefits range from 71.5% of the worker's PIA, if the widow(er) claims at the age of 60, to 100% of the worker's PIA, if the

[6] For additional information on the calculation of the PIA and Social Security benefits, see CRS Report R43542, *How Social Security Benefits Are Computed: In Brief*.

[7] For additional information on the Social Security COLA see CRS Report 94-803, *Social Security: Cost-of-Living Adjustments*.

[8] Different from survivors benefits, workers' benefits are paid through the month before the month in which a beneficiary dies (42 U.S.C. 402). Thus, no workers' benefits are paid for the month of death. This rule has been law since 1939.

[9] The full retirement age depends on the year of a worker's birth, and is gradually increasing from aged 65 to 67. For additional information on the retirement age, see https://www.ssa.gov/planners/retire/agereduction.html.

widow(er) claims at full retirement age.[10] If the surviving spouse is receiving Social Security disability benefits, he or she may begin to receive reduced widow(er)'s benefits as early as 50 years old. Disabled widow(er)s receive 71.5% of the worker's PIA. Widow(er)'s benefits are not paid to spouses or former spouses who remarry before the age of 60 (or aged 50 if disabled).

A worker's claiming age affects the widow(er)'s benefit. If a worker is receiving reduced benefits due to claiming benefits before full retirement age, the widow(er)'s benefit cannot exceed the worker's reduced benefit amount.[11] For workers entitled (or who would have been entitled) to an increase in their benefit amount due to claiming benefits after full retirement age (or subject to their benefits being increase), their benefits are increased at death to take into account the *delayed retirement credits* from claiming benefits after full retirement age, thereby increasing the widow(er)'s benefit.[12]

Mother's and Father's Benefits

If they are not eligible for widow(er)'s benefits, unmarried surviving spouses of fully or currently insured workers may be entitled to mother's or father's benefits.[13] 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 PIA, 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 occurred before the age of 22. Biological and adoptive children are eligible for survivors benefits, as are children born out of wedlock. Dependent grandchildren and stepchildren may also qualify for these benefits. Child's benefits are 75% of the worker's PIA.

Parent's Benefits

The surviving parents of fully insured workers 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.[14] Parent's benefits are 82.5% of the worker's PIA if one parent is entitled to benefits and 75% of the worker's PIA (for each parent) if two parents are entitled to benefits.

Reductions to Survivors Benefits

With certain exceptions, 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

[10] In contrast, the earliest eligibility age for a retired worker is 62.

[11] Social Security Act §202(e)(2)(D) and (f)(2)(D).

[12] Social Security Act §202(e)(2)(C) and (f)(2)(C).

[13] Surviving spouses may not be eligible for widow's or widower's benefits for reasons such as age or length of marriage before divorce.

[14] 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.

benefit is 150% to 188% of the worker's PIA, depending on the amount of the PIA.[15] If the total survivors benefits payable to a worker's family exceed this maximum, each person's benefit will be reduced proportionately. Divorced widow(er) benefits do not count toward the maximum.

Survivors benefits may also be reduced for beneficiaries who are working and younger than full retirement age. Survivor beneficiaries younger than full retirement age are subject to a *retirement earnings test*, wherein their benefits are reduced if their earnings exceed certain limits. This reduction would not affect other family members' benefits.[16]

Working in employment not covered by Social Security can also lead to lower benefits. The *government pension offset* (GPO) affects the benefits of beneficiaries who have worked in noncovered employment. If the survivor receives a government pension based on noncovered work, the GPO will reduce the survivors benefits by two-thirds of the survivor's monthly pension amount.[17]

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.[18] Only one lump-sum death benefit is payable to the family of an insured worker. The lump-sum death benefit is paid to the insured worker's surviving spouse, regardless of age, as long as the spouse meets certain requirements.[19] If no eligible widow or 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.

Table 1. Survivor Beneficiaries and Benefits, December 2018

Type of Benefit	Total Beneficiaries	Average Monthly Benefit
All Old-Age, Survivors, and Disability Insurance (OASDI)	62,906,222	$1,342.00
All Survivors	5,940,490	1,190.93
Nondisabled widow(er)s	3,653,385	1,388.00
Disabled widow(er)s	254,581	747.41

[15] For additional information on the maximum family benefit, see CRS Report R42035, *Social Security Primer*.

[16] For additional information on the retirement earnings test, see the Social Security Administration, "Exempt Amounts Under the Earnings Test," https://www.ssa.gov/oact/cola/rtea.html.

[17] The *windfall elimination provision* (WEP) reduces the PIA of workers who have worked in non-Social-Security-covered employment by changing the formula used to calculate workers' monthly benefits. However, survivors benefits are based on the standard formula and are thus unaffected by the WEP. For additional information on the WEP and the GPO, see CRS In Focus IF10203, *Social Security: The Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO)*.

[18] 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 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*.

[19] 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 in 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 confined to a nursing home or other medical facility.

Widowed mothers and fathers	120,640	1007.17
Children of deceased workers	1,910,821	884.80
Parents of deceased workers	1,063	1,232.28

Source: Social Security Administration, *Annual Statistical Supplement, 2019 (in progress)*, Table 5.A1 https://www.ssa.gov/policy/docs/statcomps/supplement/2019/5a.html#table5.a1.

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