

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 634

To amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies to the recipient's surviving spouse, subject to a reduction of 50 percent in the last monthly payment if the recipient dies during the first 15 days of such month.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1993

Ms. SNOWE (for herself, Mr. SANDERS, Mr. MANZULLO, Mr. ACKERMAN, Mr. GALLEGLY, Mr. MCHUGH, Mr. GOSS, Mr. OWENS, Mr. BOEHLERT, Mr. BOUCHER, Mr. LIVINGSTON, Mr. GENE GREEN of Texas, Mr. LAFALCE, Mr. MACHTLEY, Mr. EMERSON, Mr. POSHARD, Mr. FROST, Mr. MCNULTY, Mr. HANCOCK, Mr. INGLIS, Mr. WILSON, Mr. KING, Mr. WALSH, Mr. WYNN, Mrs. MINK, Mr. MURPHY, Mr. PASTOR, Mr. MURTHA, Mr. JOHNSON of South Dakota, Mr. HUTTO, Mr. TOWNS, Mr. APPLGATE, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies to the recipient's surviving spouse, subject to a reduction of 50 percent in the last monthly payment if the recipient dies during the first 15 days of such month.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PAYMENT OF BENEFITS FOR MONTH OF RE-**  
2 **CIPIENT'S DEATH.**

3 (a) OLD-AGE INSURANCE BENEFITS.—Section  
4 202(a) of the Social Security Act (42 U.S.C. 402(a)) is  
5 amended by striking “the month preceding” in the matter  
6 following subparagraph (B).

7 (b) WIFE'S INSURANCE BENEFITS.—

8 (1) IN GENERAL.—Section 202(b)(1) of such  
9 Act (42 U.S.C. 402(b)(1)) is amended—

10 (A) by striking “and ending with the  
11 month” in the matter immediately following  
12 clause (ii) and inserting “and ending with the  
13 month in which she dies or (if earlier) with the  
14 month”;

15 (B) by striking subparagraph (E); and

16 (C) by redesignating subparagraphs (F)  
17 through (K) as subparagraphs (E) through  
18 (J), respectively.

19 (2) CONFORMING AMENDMENT.—Section  
20 202(b)(5)(B) of such Act (42 U.S.C. 402(b)(5)(B))  
21 is amended by striking “(E), (F), (H), or (J)” and  
22 inserting “(E), (G), or (I)”.

23 (c) HUSBAND'S INSURANCE BENEFITS.—

24 (1) IN GENERAL.—Section 202(c)(1) of such  
25 Act (42 U.S.C. 402(c)(1)) is amended—

1 (A) by striking “and ending with the  
2 month” in the matter immediately following  
3 clause (ii) and inserting “and ending with the  
4 month in which he dies or (if earlier) with the  
5 month”;

6 (B) by striking subparagraph (E); and

7 (C) by redesignating subparagraphs (F)  
8 through (K) as subparagraphs (E) through (J),  
9 respectively.

10 (2) CONFORMING AMENDMENT.—Section  
11 202(c)(5)(B) of such Act (42 U.S.C. 402(c)(5)(B))  
12 is amended by striking “(E), (F), (H), or (J)” and  
13 inserting “(E), (G), or (I)”.

14 (d) CHILD’S INSURANCE BENEFITS.—Section  
15 202(d)(1) of such Act (42 U.S.C. 402(d)(1)) is amend-  
16 ed—

17 (1) by striking “and ending with the month” in  
18 the matter immediately preceding subparagraph (D)  
19 and inserting “and ending with the month in which  
20 such child dies or (if earlier) with the month”; and

21 (2) by striking “dies, or” in subparagraph (D).

22 (e) WIDOW’S INSURANCE BENEFITS.—Section  
23 202(e)(1) of such Act (42 U.S.C. 402(e)(1)) is amended  
24 by striking “ending with the month preceding the first  
25 month in which any of the following occurs: she remarries,

1 dies,” in the matter following subparagraph (F) and in-  
2 serting “ending with the month in which she dies or (if  
3 earlier) with the month preceding the first month in  
4 which any of the following occurs: she remarries, or”.

5 (f) WIDOWER’S INSURANCE BENEFITS.—Section  
6 202(f)(1) of such Act (42 U.S.C. 402(f)(1)) is amended  
7 by striking “ending with the month preceding the first  
8 month in which any of the following occurs: he remarries,  
9 dies,” in the matter following subparagraph (F) and in-  
10 serting “ending with the month in which he dies or (if  
11 earlier) with the month preceding the first month in which  
12 any of the following occurs: he remarries,”.

13 (g) MOTHER’S AND FATHER’S INSURANCE BENE-  
14 FITS.—Section 202(g)(1) of such Act (42 U.S.C.  
15 402(g)(1)) is amended—

16 (1) by inserting “with the month in which he or  
17 she dies or (if earlier)” after “and ending” in the  
18 matter following subparagraph (F); and

19 (2) by striking “he or she remarries, or he or  
20 she dies” and inserting “or he or she remarries”.

21 (h) PARENT’S INSURANCE BENEFITS.—Section  
22 202(h)(1) of such Act (42 U.S.C. 402(h)(1)) is amended  
23 by striking “ending with the month preceding the first  
24 month in which any of the following occurs: such parent  
25 dies, marries,” in the matter following subparagraph (E)

1 and inserting “ending with the month in which such par-  
2 ent dies or (if earlier) with the month preceding the first  
3 month in which any of the following occurs: such parent  
4 marries,”.

5 (i) DISABILITY INSURANCE BENEFITS.—Section  
6 223(a)(1) of such Act (42 U.S.C. 423(a)(1)) is amended  
7 by striking “ending with the month preceding whichever  
8 of the following months is the earliest: the month in which  
9 he dies,” in the matter following subparagraph (D) and  
10 inserting the following: “ending with the month in which  
11 he dies or (if earlier) with whichever of the following  
12 months is the earliest:”.

13 (j) BENEFITS AT AGE 72 FOR CERTAIN UNINSURED  
14 INDIVIDUALS.—Section 228(a) of such Act (42 U.S.C.  
15 428(a)) is amended by striking “the month preceding” in  
16 the matter following paragraph (4).

17 **SEC. 2. COMPUTATION AND PAYMENT OF LAST MONTHLY**  
18 **PAYMENT.**

19 (a) OLD-AGE AND SURVIVORS INSURANCE BENE-  
20 FITS.—Section 202 of the Social Security Act (42 U.S.C.  
21 402) is amended by adding at the end the following new  
22 subsection:



1 regard to this subsection), rounded, if not a multiple of  
2 \$1, to the next lower multiple of \$1. This subsection shall  
3 apply with respect to such benefit after all other adjust-  
4 ments with respect to such benefit provided by this title  
5 have been made.

6 “(2) Notwithstanding section 204(d), such benefit for  
7 such month shall be payable only to a person who is deter-  
8 mined by the Secretary to be the surviving spouse of the  
9 deceased individual.”.

10 (c) BENEFITS AT AGE 72 FOR CERTAIN UNINSURED  
11 INDIVIDUALS.—Section 228 of such Act (42 U.S.C. 428)  
12 is amended by adding at the end the following new sub-  
13 section:

14 “Last Payment of Benefit Terminated by Death

15 “(i)(1) In any case in which an individual dies during  
16 the first 15 days of a calendar month, the amount of such  
17 individual’s monthly insurance benefit under this section  
18 paid for such month shall be an amount equal to 50 per-  
19 cent of the amount of such benefit (as determined without  
20 regard to this subsection), rounded, if not a multiple of  
21 \$1, to the next lower multiple of \$1. This subsection shall  
22 apply with respect to such benefit after all other adjust-  
23 ments with respect to such benefit provided by this title  
24 have been made.

1       “(2) Notwithstanding section 204(d), such benefit for  
2 such month shall be payable only to a person who is deter-  
3 mined by the Secretary to be the surviving spouse of the  
4 deceased individual.”.

5 **SEC. 3. EFFECTIVE DATE.**

6       The amendments made by this Act shall apply with  
7 respect to deaths occurring after 180 days after the date  
8 of the enactment of this Act.

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