

109TH CONGRESS
1ST SESSION

H. R. 77

To amend title II of the Social Security Act to allow remarried widows, widowers, and surviving divorced spouses to become or remain entitled to widow's or widower's insurance benefits if the prior marriage was for at least 10 years.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. DUNCAN introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to allow remarried widows, widowers, and surviving divorced spouses to become or remain entitled to widow's or widower's insurance benefits if the prior marriage was for at least 10 years.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Remarried Widows’
5 and Widowers’ Benefits Act of 2005”.

1 **SEC. 2. ENTITLEMENT OF REMARRIED WIDOWS, WID-**
2 **OWERS, AND SURVIVING DIVORCED SPOUSES**
3 **TO WIDOW'S AND WIDOWER'S INSURANCE**
4 **BENEFITS.**

5 (a) WIDOW'S INSURANCE BENEFITS.—Section
6 202(e)(3) of the Social Security Act (42 U.S.C. 402(e)(3))
7 is amended—

8 (1) in subparagraph (A), by striking “or” at
9 the end;

10 (2) in subparagraph (B), by adding “or” at the
11 end; and

12 (3) by inserting after subparagraph (B) the fol-
13 lowing new subparagraph:

14 “(C) a widow or surviving divorced wife who
15 was married to the fully insured individual referred
16 to in paragraph (1) for at least 10 years marries,”.

17 (b) WIDOWER'S INSURANCE BENEFITS.—Section
18 202(f)(3) of the Social Security Act (42 U.S.C. 402(f)(3))
19 is amended—

20 (1) in subparagraph (A), by striking “or” at
21 the end;

22 (2) in subparagraph (B), by adding “or” at the
23 end; and

24 (3) by inserting after subparagraph (B) the fol-
25 lowing new subparagraph:

1 “(C) a widower or surviving divorced husband
2 who was married to the fully insured individual re-
3 ferred to in paragraph (1) for at least 10 years mar-
4 ries,”.

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

6 The amendments made by this Act shall apply with
7 respect to remarriages occurring on or after the date of
8 the enactment of this Act.

○