

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 6776

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1965

Mr. FOGARTY 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 survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62.

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

3        That (a) (1) section 202 (e) (1) of the Social Security  
4        Act is amended by striking out "she remarries, dies, or"  
5        in the material which follows subparagraph (D) and in-  
6        serting in lieu thereof "she dies or".

7        (2) Section 202 (e) of such Act is further amended  
8        by striking out paragraph (4).

1 (b) (1) Section 202 (f) (1) of such Act is amended  
2 by striking out “he remarries, dies, or” in the matter which  
3 follows subparagraph (E) and inserting in lieu thereof “he  
4 dies or”.

5 (2) Section 202 (f) of such Act is further amended  
6 by striking out paragraph (4).

7 (c) (1) Section 202 (h) (1) of such Act is amended  
8 by striking out “such parent dies, marries, or” in the matter  
9 which follows subparagraph (E) and inserting in lieu  
10 thereof “such parent dies or”.

11 (2) Section 202 (h) of such Act is further amended  
12 by striking out paragraph (4).

13 SEC. 2. (a) (1) Section 202 (d) (1) of the Social Se-  
14 curity Act is amended by striking out “such child dies,  
15 marries, is adopted” in the matter which follows subpara-  
16 graph (C) and inserting in lieu thereof “such child dies,  
17 marries (except as provided in paragraph (6)), is adopted”.

18 (2) Section 202 (d) (6) of such Act is amended by  
19 striking out all that precedes “such child’s entitlement to  
20 benefits” and inserting in lieu thereof the following:

21 “(6) In the case of a child who has attained the age  
22 of eighteen and—

23 “(A) who marries an individual entitled to bene-  
24 fits under subsection (a), (e), (f), (g), or (h) of  
25 this section or under section 223 (a), or another indi-

1       vidual who has attained the age of eighteen and is  
2       entitled to benefits under this subsection, or

3               “(B) who marries after attaining the age of 62,”.

4       (3) Section 202 (d) (6) of such Act is further amended  
5       by inserting after “in the case of such a marriage” the follow-  
6       ing: “(other than a marriage described in clause (B))”.

7       (b) (1) Section 202 (g) (1) of such Act is amended  
8       by striking out “she remarries” in the matter which follows  
9       subparagraph (F) and inserting in lieu thereof “she re-  
10       marries (except as provided in paragraph (4))”.

11       (2) Section 202 (g) (4) of such Act is amended by  
12       striking out all that precedes “the entitlement of such widow  
13       or former wife divorced” and inserting in lieu thereof the  
14       following:

15               “(4) In the case of a widow or former wife divorced—

16               “(A) who marries an individual entitled to bene-  
17       fits under subsection (a), (f), or (h), or under section  
18       223 (a), or an individual who has attained the age of  
19       18 and is entitled to benefits under subsection (d), or

20               “(B) who marries after attaining the age of 62,”.

21       (3) Section 202 (g) (4) of such Act is further amended  
22       by inserting after “in the case of such a marriage” the  
23       following: “(other than a marriage described in clause  
24       (B))”.

25       SEC. 3. The amendments made by this Act shall apply

1 only with respect to monthly insurance benefits under title  
2 II of the Social Security Act for months after the month in  
3 which this Act is enacted. In any case in which an indi-  
4 vidual has been entitled to such benefits but lost such benefits  
5 by reason of a marriage or remarriage occurring before the  
6 date of the enactment of this Act but after such individual at-  
7 tained the age of 62, such individual may again become  
8 entitled to such benefits, subject to the first sentence of this  
9 section, by filing application therefor in or after the month  
10 in which this Act is enacted.

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