



SPECIAL COMMITTEE ON AGING

Chairman Bob Casey

The Surviving Widow(er) Income Fair Treatment Act

Why do we need the Surviving Widow(er) Income Fair Treatment (SWIFT) Act?

Social Security is an essential source of income for older Americans and people with disabilities, but outdated and arbitrary legal restrictions lower benefits for many who need it the most. This includes widow(er)s and surviving divorced spouses whose benefits are reduced by obscure benefit caps and claiming requirements. These groups have much higher poverty rates than Social Security recipients overall. Official poverty rates of widow(er)s receiving Social Security benefits are nearly twice as high as those of retired workers and spouses, and widow(er)s caring for children and widow(er)s with disabilities have among the highest poverty rates of all Social Security recipients.

Under current law, widow(er)s who develop a disability after their spouse dies are not allowed to claim survivor benefits until they reach age 50, and the value of these benefits is severely reduced if they claim them before reaching full retirement age. More than one-third of widow(er)s also have their benefits limited by an obscure provision known as the 'widow(er)'s limit,' which permanently reduces widow(er)s' survivor benefits if their deceased spouse claimed retirement benefits before reaching full retirement age. Furthermore, eligibility and claiming rules can be very complex and many people may not realize they are eligible for certain benefits or understand how their claiming decisions can permanently impact the level of Social Security income they receive over the course of their retirement.

What would the SWIFT Act do?

The SWIFT Act would expand Social Security benefits for widow(er)s and surviving divorced spouses and provide Americans more flexibility when claiming benefits by fixing outdated and arbitrary claiming restrictions. The bill would:

- Allow widow(er)s and surviving divorced spouses with disabilities to receive 100% of the survivor benefit they are entitled to regardless of their age;
- Give widow(er)s and surviving divorced spouses the ability to increase the value of their survivor benefits beyond current arbitrary caps;
- Enable widow(er)s and surviving divorced spouses caring for children to receive child-in-care benefits until their children are age 18 or 19 if still in school; and
- Require the federal government to proactively provide information to widow(er)s and surviving divorced spouses about benefits they are eligible for, claiming options and important deadlines.

Over one million Americans nationwide would be receiving increased Social Security benefits if the SWIFT Act were in effect.