

104TH CONGRESS  
1ST SESSION

**H. R. 2684**

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**AN ACT**

To amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the social security earnings limit for individuals who have attained retirement age, and for other purposes.

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## AN ACT

To amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the social security earnings limit for individuals who have attained retirement age, and for other purposes.

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. SHORT TITLE.**

2 This Act may be cited as the “Senior Citizens’ Right  
3 to Work Act of 1995”.

4 **SEC. 2. INCREASES IN MONTHLY EXEMPT AMOUNT FOR**  
5 **PURPOSES OF THE SOCIAL SECURITY EARN-**  
6 **INGS LIMIT.**

7 (a) INCREASE IN MONTHLY EXEMPT AMOUNT FOR  
8 INDIVIDUALS WHO HAVE ATTAINED RETIREMENT  
9 AGE.—Section 203(f)(8)(D) of the Social Security Act (42  
10 U.S.C. 403(f)(8)(D)) is amended to read as follows:

11 “(D) Notwithstanding any other provision of  
12 this subsection, the exempt amount which is applica-  
13 ble to an individual who has attained retirement age  
14 (as defined in section 216(l)) before the close of the  
15 taxable year involved shall be—

16 “(i) for each month of any taxable year  
17 ending after 1995 and before 1997,  
18 \$1,166.66 $\frac{2}{3}$ ,

19 “(ii) for each month of any taxable year  
20 ending after 1996 and before 1998, \$1,250.00,

21 “(iii) for each month of any taxable year  
22 ending after 1997 and before 1999,  
23 \$1,333.33 $\frac{1}{3}$ ,

24 “(iv) for each month of any taxable year  
25 ending after 1998 and before 2000,  
26 \$1,416.66 $\frac{2}{3}$ ,

1 “(v) for each month of any taxable year  
2 ending after 1999 and before 2001, \$1,500.00,

3 “(vi) for each month of any taxable year  
4 ending after 2000 and before 2002,  
5 \$2,083.33<sup>1</sup>/<sub>3</sub>, and

6 “(vii) for each month of any taxable year  
7 ending after 2001 and before 2003,  
8 \$2,500.00.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 203(f)(8)(B)(ii) of such Act (42  
11 U.S.C. 403(f)(8)(B)(ii)) is amended—

12 (A) by striking “the taxable year ending  
13 after 1993 and before 1995” and inserting “the  
14 taxable year ending after 2001 and before 2003  
15 (with respect to individuals described in sub-  
16 paragraph (D)) or the taxable year ending after  
17 1993 and before 1995 (with respect to other in-  
18 dividuals)”; and

19 (B) in subclause (II), by striking “for  
20 1992” and inserting “for 2000 (with respect to  
21 individuals described in subparagraph (D)) or  
22 1992 (with respect to other individuals)”.

23 (2) The second sentence of section 223(d)(4)(A)  
24 of such Act (42 U.S.C. 423(d)(4)(A)) is amended by  
25 striking “the exempt amount under section 203(f)(8)

1 which is applicable to individuals described in sub-  
 2 paragraph (D) thereof” and inserting the following:  
 3 “an amount equal to the exempt amount which  
 4 would be applicable under section 203(f)(8), to indi-  
 5 viduals described in subparagraph (D) thereof, if  
 6 section 2 of the Senior Citizens’ Right to Work Act  
 7 of 1995 had not been enacted”.

8 (c) EFFECTIVE DATE.—The amendments made by  
 9 this section shall apply with respect to taxable years end-  
 10 ing after 1995.

11 **SEC. 3. ESTABLISHMENT OF DISABILITY INSURANCE CON-**  
 12 **TINUING DISABILITY REVIEW ADMINISTRA-**  
 13 **TION REVOLVING ACCOUNT.**

14 (a) CONTINUING DISABILITY REVIEW ADMINISTRA-  
 15 TION REVOLVING ACCOUNT FOR TITLE II DISABILITY  
 16 BENEFITS IN THE FEDERAL DISABILITY INSURANCE  
 17 TRUST FUND.—

18 (1) IN GENERAL.—Section 201 of the Social  
 19 Security Act (42 U.S.C. 401) is amended by adding  
 20 at the end the following new subsection:

21 “(n)(1) There is hereby created in the Federal Dis-  
 22 ability Insurance Trust Fund a Continuing Disability Re-  
 23 view Administration Revolving Account (hereinafter in  
 24 this subsection referred to as the ‘Account’). The Account  
 25 shall consist initially of \$300,000,000 (which is hereby

1 transferred to the Account from amounts otherwise avail-  
2 able in such Trust Fund) and shall also consist thereafter  
3 of such other amounts as may be transferred to it under  
4 this subsection. The balance in the Account shall be avail-  
5 able solely for expenditures certified under paragraph (2).

6 “(2)(A) Before October 1 of each calendar year, the  
7 Chief Actuary of the Social Security Administration  
8 shall—

9 “(i) estimate the present value of savings to the  
10 Federal Old-Age and Survivors Insurance Trust  
11 Fund, the Federal Disability Insurance Trust Fund,  
12 the Federal Hospital Insurance Trust Fund, and the  
13 Federal Supplementary Medical Insurance Trust  
14 Fund which will accrue for all years as a result of  
15 cessations of benefit payments resulting from con-  
16 tinuing disability reviews carried out pursuant to the  
17 requirements of section 221(i) during the fiscal year  
18 ending on September 30 of such calendar year (in-  
19 creased or decreased as appropriate to account for  
20 deviations of estimates for prior fiscal years from  
21 the actual amounts for such fiscal years), and

22 “(ii) certify the amount of such estimate to the  
23 Managing Trustee.

24 “(B) Upon receipt of certification by the Chief Actu-  
25 ary under subparagraph (A), the Managing Trustee shall

1 transfer to the Account from amounts otherwise in the  
2 Trust Fund an amount equal to the estimated savings so  
3 certified.

4 “(C) To the extent of available funds in the Account,  
5 upon certification by the Chief Actuary that such funds  
6 are currently required to meet expenditures necessary to  
7 provide for continuing disability reviews required under  
8 section 221(i), the Managing Trustee shall make available  
9 to the Commissioner of Social Security from the Account  
10 the amount so certified.

11 “(D) The expenditures referred to in subparagraph  
12 (C) shall include, but not be limited to, the cost of staffing,  
13 training, purchase of medical and other evidence, and  
14 processing related to appeals (including appeal hearings)  
15 and to overpayments and related indirect costs.

16 “(E) The Commissioner shall use funds made avail-  
17 able pursuant to this paragraph solely for the purposes  
18 described in subparagraph (C).”.

19 (2) CONFORMING AMENDMENT.—Section  
20 201(g)(1)(A) of such Act (42 U.S.C. 401(g)(1)(A))  
21 is amended in the last sentence by inserting “(other  
22 than expenditures from available funds in the Con-  
23 tinuing Disability Review Administration Revolving  
24 Account in the Federal Disability Insurance Trust

1 Fund made pursuant to subsection (n))” after “is  
2 responsible” the first place it appears.

3 (3) ANNUAL REPORT.—Section 221(i)(3) of  
4 such Act (42 U.S.C. 421(i)(3)) is amended—

5 (A) by striking “and the number” and in-  
6 serting “the number”;

7 (B) by striking the period at the end and  
8 inserting a comma; and

9 (C) by adding at the end the following:

10 “and a final accounting of amounts transferred  
11 to the Continuing Disability Review Adminis-  
12 tration Revolving Account in the Federal Dis-  
13 ability Insurance Trust Fund during the year,  
14 the amount made available from such Account  
15 during such year pursuant to certifications  
16 made by the Chief Actuary of the Social Secu-  
17 rity Administration under section 201(n)(2)(C),  
18 and expenditures made by the Commissioner of  
19 Social Security for the purposes described in  
20 section 201(n)(2)(C) during the year, including  
21 a comparison of the number of continuing dis-  
22 ability reviews conducted during the year with  
23 the estimated number of continuing disability  
24 reviews upon which the estimate of such ex-



1           penditures    was    made    under    section  
2           201(n)(2)(A).”.

3       (b) EFFECTIVE DATE AND SUNSET.—

4           (1) EFFECTIVE DATE.—The amendments made  
5       by subsection (a) shall apply for fiscal years begin-  
6       ning on or after October 1, 1995, and ending on or  
7       before September 30, 2002.

8           (2) SUNSET.—Effective October 1, 2002, the  
9       Continuing Disability Review Administration Revolv-  
10      ing Account in the Federal Disability Insurance  
11      Trust Fund shall cease to exist, any balance in such  
12      Account shall revert to funds otherwise available in  
13      such Trust Fund, and sections 201 and 221 of the  
14      Social Security Act shall read as if the amendments  
15      made by subsection (a) had not been enacted.

16      (c) OFFICE OF CHIEF ACTUARY IN THE SOCIAL SE-  
17      CURITY ADMINISTRATION.—

18           (1) IN GENERAL.—Section 702 of such Act (42  
19      U.S.C. 902) is amended—

20                   (A) by redesignating subsections (c) and  
21                   (d) as subsections (d) and (e), respectively; and

22                   (B) by inserting after subsection (b) the  
23      following new subsection:

1 “Chief Actuary

2 “(c)(1) There shall be in the Administration a Chief  
 3 Actuary, who shall be appointed by, and in direct line of  
 4 authority to, the Commissioner. The Chief Actuary shall  
 5 be appointed from individuals who have demonstrated, by  
 6 their education and experience, superior expertise in the  
 7 actuarial sciences. The Chief Actuary shall serve as the  
 8 chief actuarial officer of the Administration, and shall ex-  
 9 ercise such duties as are appropriate for the office of the  
 10 Chief Actuary and in accordance with professional stand-  
 11 ards of actuarial independence. The Chief Actuary may  
 12 be removed only for cause.

13 “(2) The Chief Actuary shall be compensated at the  
 14 highest rate of basic pay for the Senior Executive Service  
 15 under section 5382(b) of title 5, United States Code.”.

16 (2) EFFECTIVE DATE OF SUBSECTION.—The  
 17 amendments made by this subsection shall take ef-  
 18 fect on the date of the enactment of this Act.

19 **SEC. 4. ENTITLEMENT OF STEPCHILDREN TO CHILD'S IN-**  
 20 **SURANCE BENEFITS BASED ON ACTUAL DE-**  
 21 **PENDENCY ON STEPPARENT SUPPORT.**

22 (a) REQUIREMENT OF ACTUAL DEPENDENCY FOR  
 23 FUTURE ENTITLEMENTS.—

1           (1) IN GENERAL.—Section 202(d)(4) of the So-  
2       cial Security Act (42 U.S.C. 402(d)(4)) is amended  
3       by striking “was living with or”.

4           (2) EFFECTIVE DATE.—The amendment made  
5       by paragraph (1) shall apply with respect to benefits  
6       of individuals who become entitled to such benefits  
7       for months after the third month following the  
8       month in which this Act is enacted.

9       (b) TERMINATION OF CHILD’S INSURANCE BENE-  
10     FITS BASED ON WORK RECORD OF STEPPARENT UPON  
11     NATURAL PARENT’S DIVORCE FROM STEPPARENT.—

12           (1) IN GENERAL.—Section 202(d)(1) of the So-  
13       cial Security Act (42 U.S.C. 402(d)(1)) is amend-  
14       ed—

15                (A) by striking “or” at the end of subpara-  
16       graph (F);

17                (B) by striking the period at the end of  
18       subparagraph (G) and inserting “; or”; and

19                (C) by inserting after subparagraph (G)  
20       the following new subparagraph:

21                “(H) if the benefits under this subsection are  
22       based on the wages and self-employment income of  
23       a stepparent who is subsequently divorced from such  
24       child’s natural parent, the sixth month after the

1 month in which the Commissioner of Social Security  
2 receives formal notification of such divorce.”.

3 (2) EFFECTIVE DATE.—The amendments made  
4 by this subsection shall apply with respect to notifi-  
5 cations of divorces received by the Commissioner of  
6 Social Security on or after the date of the enactment  
7 of this Act.

8 **SEC. 5. RECOMPUTATION OF BENEFITS AFTER NORMAL**  
9 **RETIREMENT AGE.**

10 (a) IN GENERAL.—Section 215(f)(2)(D)(i) of the So-  
11 cial Security Act (42 U.S.C. 415(f)(2)(D)(i)) is amended  
12 to read as follows:

13 “(i) in the case of an individual who did not die  
14 in the year with respect to which the recomputation  
15 is made, for monthly benefits beginning with bene-  
16 fits for January of—

17 “(I) the second year following the year  
18 with respect to which the recomputation is  
19 made, in any such case in which the individual  
20 is entitled to old-age insurance benefits, the in-  
21 dividual has attained retirement age (as defined  
22 in section 216(l)) as of the end of the year pre-  
23 ceding the year with respect to which the re-  
24 computation is made, and the year with respect  
25 to which the recomputation is made would not

1 be substituted in recomputation under this sub-  
 2 section for a benefit computation year in which  
 3 no wages or self-employment income have been  
 4 credited previously to such individual, or

5 “(II) the first year following the year with  
 6 respect to which the recomputation is made, in  
 7 any other such case; or”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) Section 215(f)(7) of such Act (42 U.S.C.  
 10 415(f)(7)) is amended by inserting “, and as  
 11 amended by section 5(b)(2) of the Senior Citizens’  
 12 Right to Work Act of 1995,” after “This subsection  
 13 as in effect in December 1978”.

14 (2) Subparagraph (A) of section 215(f)(2) of  
 15 the Social Security Act as in effect in December  
 16 1978 and applied in certain cases under the provi-  
 17 sions of such Act as in effect after December 1978  
 18 is amended—

19 (A) by striking “in the case of an individ-  
 20 ual who did not die” and all that follows and  
 21 inserting “in the case of an individual who did  
 22 not die in the year with respect to which the re-  
 23 computation is made, for monthly benefits be-  
 24 ginning with benefits for January of—”; and

25 (B) by adding at the end the following:

1           “(i) the second year following the year with  
2           respect to which the recomputation is made, in  
3           any such case in which the individual is entitled  
4           to old-age insurance benefits, the individual has  
5           attained age 65 as of the end of the year pre-  
6           ceding the year with respect to which the re-  
7           computation is made, and the year with respect  
8           to which the recomputation is made would not  
9           be substituted in recomputation under this sub-  
10          section for a benefit computation year in which  
11          no wages or self-employment income have been  
12          credited previously to such individual, or

13           “(ii) the first year following the year with  
14          respect to which the recomputation is made, in  
15          any other such case; or”.

16          (c) EFFECTIVE DATE.—The amendments made by  
17          this section shall apply with respect to recomputations of  
18          primary insurance amounts based on wages paid and self  
19          employment income derived after 1994 and with respect  
20          to benefits payable after December 31, 1995.

1 **SEC. 6. ELIMINATION OF THE ROLE OF THE SOCIAL SECU-**  
2 **RITY ADMINISTRATION IN PROCESSING AT-**  
3 **TORNEY FEES.**

4 (a) ACTIONS BEFORE THE COMMISSIONER.—Section  
5 206(a) of the Social Security Act (42 U.S.C. 406(a)) is  
6 amended—

7 (1) in paragraph (1), by striking the fourth and  
8 fifth sentences;

9 (2) by striking paragraphs (2), (3), and (4);

10 (3) by inserting after paragraph (1) the follow-  
11 ing new paragraph:

12 “(2)(A) No person, agent, or attorney may charge in  
13 excess of \$4,000 (or, if higher, the amount set pursuant  
14 to subparagraph (B)) for services performed in connection  
15 with any claim before the Commissioner under this title,  
16 or for services performed in connection with concurrent  
17 claims before the Commissioner under this title and title  
18 XVI.

19 “(B) The Commissioner may increase the dollar  
20 amount under subparagraph (A) whenever the Commis-  
21 sioner determines that such an increase is warranted. The  
22 Commissioner shall publish any such increased amount in  
23 the Federal Register.

24 “(C) Any agreement in violation of this paragraph  
25 shall be void.

1 “(D) Whenever the Commissioner makes a favorable  
2 determination in connection with any claim for benefits  
3 under this title by a claimant who is represented by a per-  
4 son, agent, or attorney, the Commissioner shall provide  
5 the claimant and such person, agent, or attorney a written  
6 notice of—

7 “(i) the determination,

8 “(ii) the dollar amount of any benefits payable  
9 to the claimant, and

10 “(iii) the maximum amount under paragraph  
11 (2) that may be charged for services performed in  
12 connection with such claim.”; and

13 (4) by redesignating paragraph (5) as para-  
14 graph (3).

15 (b) JUDICIAL PROCEEDINGS.—Section 206(b)(1) of  
16 such Act (42 U.S.C. 406(b)(1)) is amended—

17 (1) in the first sentence of subparagraph (A),  
18 by striking “representation,” and all that follows  
19 and inserting the following: “representation. In de-  
20 termining a reasonable fee, the court shall take into  
21 consideration the amount of the fee, if any, that  
22 such attorney, or any other person, agent, or attor-  
23 ney, may charge the claimant for services performed  
24 in connection with the claimant’s claim when it was  
25 pending before the Commissioner.”;



1           (2) in the second sentence of subparagraph (A),  
2       by striking “or certified for payment”;  
3           (3) by striking subparagraph (B); and  
4           (4) by striking “(b)(1)(A)” and inserting  
5       “(b)(1)”.

6       (c) CONFORMING AMENDMENTS.—

7           (1) Section 223(h)(3) of such Act (42 U.S.C.  
8       423(h)(3)) is amended by striking all that follows  
9       “obtained)” and inserting a period.

10          (2) Section 1127(a) of such Act (42 U.S.C.  
11       1320a–6(a)) is amended by striking the last sen-  
12       tence.

13          (3) Section 1631(d)(2)(A) of such Act (42  
14       U.S.C. 1383(d)(2)(A)) is amended—

15               (A) by striking “(other than paragraph (4)  
16       thereof)”;

17               (B) by striking all that follows “title II”  
18       and inserting a period.

19       (d) EFFECTIVE DATE.—The amendments made by  
20       this section shall apply with respect to—

21           (1) any claim for benefits under the old-age,  
22       survivors, and disability insurance program under  
23       title II of the Social Security Act, the supplemental  
24       security income program under title XVI of such  
25       Act, or the black lung program under part B of the

1 Black Lung Benefits Act that is initially filed on or  
 2 after the 60th day following the date of the enact-  
 3 ment of this Act, and

4 (2) any claim for such benefits filed before such  
 5 60th day by a claimant who is first represented by  
 6 any person, agent, or attorney in connection with  
 7 such claim on or after such 60th day.

8 **SEC. 7. DENIAL OF DISABILITY BENEFITS TO DRUG AD-**  
 9 **ICTS AND ALCOHOLICS.**

10 (a) AMENDMENTS RELATING TO TITLE II DISABIL-  
 11 ITY BENEFITS.—

12 (1) IN GENERAL.—Section 223(d)(2) of the So-  
 13 cial Security Act (42 U.S.C. 423(d)(2)) is amended  
 14 by adding at the end the following:

15 “(C) An individual shall not be considered to be  
 16 disabled for purposes of this title if alcoholism or  
 17 drug addiction would (but for this subparagraph) be  
 18 a contributing factor material to the Commissioner’s  
 19 determination that the individual is disabled.”.

20 (2) REPRESENTATIVE PAYEE REQUIRE-  
 21 MENTS.—

22 (A) Section 205(j)(1)(B) of such Act (42  
 23 U.S.C. 405(j)(1)(B)) is amended to read as fol-  
 24 lows:

1       “(B) In the case of an individual entitled to benefits  
 2 based on disability, the payment of such benefits shall be  
 3 made to a representative payee if the Commissioner of So-  
 4 cial Security determines that such payment would serve  
 5 the interest of the individual because the individual also  
 6 has an alcoholism or drug addiction condition (as deter-  
 7 mined by the Commissioner) that prevents the individual  
 8 from managing such benefits.”.

9               (B) Section 205(j)(2)(C)(v) of such Act  
 10       (42 U.S.C. 405(j)(2)(C)(v)) is amended by  
 11       striking “entitled to benefits” and all that fol-  
 12       lows through “under a disability” and inserting  
 13       “described in paragraph (1)(B)”.

14              (C) Section 205(j)(2)(D)(ii)(II) of such  
 15       Act (42 U.S.C. 405(j)(2)(D)(ii)(II)) is amended  
 16       by striking all that follows “15 years, or” and  
 17       inserting “described in paragraph (1)(B).”.

18              (D) Section 205(j)(4)(A)(i)(II) (42 U.S.C.  
 19       405(j)(4)(A)(ii)(II)) is amended by striking  
 20       “entitled to benefits” and all that follows  
 21       through “under a disability” and inserting “de-  
 22       scribed in paragraph (1)(B)”.

23              (3) TREATMENT REFERRALS FOR INDIVIDUALS  
 24       WITH AN ALCOHOLISM OR DRUG ADDICTION CONDI-  
 25       TION.—Section 222 of such Act (42 U.S.C. 422) is

3 “Treatment Referrals for Individuals with an Alcoholism  
4 or Drug Addiction Condition

5 “(e) In the case of any individual whose benefits  
6 under this title are paid to a representative payee pursu-  
7 ant to section 205(j)(1)(B), the Commissioner of Social  
8 Security shall refer such individual to the appropriate  
9 State agency administering the State plan for substance  
10 abuse treatment services approved under subpart II of  
11 part B of title XIX of the Public Health Service Act (42  
12 U.S.C. 300x-21 et seq.).”.

(4) CONFORMING AMENDMENT.—Subsection (c) of section 225 of such Act (42 U.S.C. 425(c)) is repealed.

16 (5) EFFECTIVE DATES.—

(A) The amendments made by paragraphs (1) and (4) shall apply with respect to monthly insurance benefits under title II of the Social Security Act based on disability for months beginning after the date of the enactment of this Act, except that, in the case of individuals who are entitled to such benefits for the month in which this Act is enacted, such amendments shall apply only with respect to such benefits

1 for months beginning on or after January 1,  
2 1997.

3 (B) The amendments made by paragraphs  
4 (2) and (3) shall apply with respect to benefits  
5 for which applications are filed on or after the  
6 date of the enactment of this Act.

7 (C) If an individual who is entitled to  
8 monthly insurance benefits under title II of the  
9 Social Security Act based on disability for the  
10 month in which this Act is enacted and whose  
11 entitlement to such benefits would terminate by  
12 reason of the amendments made by this sub-  
13 section reapplies for benefits under title II of  
14 such Act (as amended by this Act) based on  
15 disability within 120 days after the date of the  
16 enactment of this Act, the Commissioner of So-  
17 cial Security shall, not later than January 1,  
18 1997, complete the entitlement redetermination  
19 with respect to such individual pursuant to the  
20 procedures of such title.

21 (b) AMENDMENTS RELATING TO SSI BENEFITS.—

22 (1) IN GENERAL.—Section 1614(a)(3) of the  
23 Social Security Act (42 U.S.C. 1382c(a)(3)) is  
24 amended by adding at the end the following:

1       “(I) Notwithstanding subparagraph (A), an individ-  
2 ual shall not be considered to be disabled for purposes of  
3 this title if alcoholism or drug addiction would (but for  
4 this subparagraph) be a contributing factor material to  
5 the Commissioner’s determination that the individual is  
6 disabled.”.

7               (2)     REPRESENTATIVE     PAYEE     REQUIRE-  
8       MENTS.—

9               (A) Section 1631(a)(2)(A)(ii)(II) of such  
10       Act (42 U.S.C. 1383(a)(2)(A)(ii)(II)) is amend-  
11       ed to read as follows:

12       “(II) In the case of an individual eligible for benefits  
13 under this title by reason of disability, the payment of  
14 such benefits shall be made to a representative payee if  
15 the Commissioner of Social Security determines that such  
16 payment would serve the interest of the individual because  
17 the individual also has an alcoholism or drug addiction  
18 condition (as determined by the Commissioner) that pre-  
19 vents the individual from managing such benefits.”.

20               (B) Section 1631(a)(2)(B)(vii) of such Act  
21       (42 U.S.C. 1383(a)(2)(B)(vii)) is amended by  
22       striking “eligible for benefits” and all that fol-  
23       lows through “is disabled” and inserting “de-  
24       scribed in subparagraph (A)(ii)(II)”.

1 (C) Section 1631(a)(2)(B)(ix)(II) of such  
 2 Act (42 U.S.C. 1383(a)(2)(B)(ix)(II)) is  
 3 amended by striking all that follows “15 years,  
 4 or” and inserting “described in subparagraph  
 5 (A)(ii)(II).”.

6 (D) Section 1631(a)(2)(D)(i)(II) of such  
 7 Act (42 U.S.C. 1383(a)(2)(D)(i)(II)) is amend-  
 8 ed by striking “eligible for benefits” and all  
 9 that follows through “is disabled” and inserting  
 10 “described in subparagraph (A)(ii)(II)”.

11 (3) TREATMENT SERVICES FOR INDIVIDUALS  
 12 WITH A SUBSTANCE ABUSE CONDITION.—Title XVI  
 13 of such Act (42 U.S.C. 1381 et seq.) is amended by  
 14 adding at the end the following new section:

15 “TREATMENT SERVICES FOR INDIVIDUALS WITH A  
 16 SUBSTANCE ABUSE CONDITION

17 “SEC. 1636. In the case of any individual whose bene-  
 18 fits under this title are paid to a representative payee pur-  
 19 suant to section 1631(a)(2)(A)(ii)(II), the Commissioner  
 20 of Social Security shall refer such individual to the appro-  
 21 priate State agency administering the State plan for sub-  
 22 stance abuse treatment services approved under subpart  
 23 II of part B of title XIX of the Public Health Service Act  
 24 (42 U.S.C. 300x–21 et seq.).”.

25 (4) CONFORMING AMENDMENTS.—

1           (A) Section 1611(e) of such Act (42  
2           U.S.C. 1382(e)) is amended by striking para-  
3           graph (3).

4           (B) Section 1634 of such Act (42 U.S.C.  
5           1383c) is amended by striking subsection (e).

6           (5) EFFECTIVE DATES.—

7           (A) The amendments made by paragraphs  
8           (1) and (4) shall apply with respect to supple-  
9           mental security income benefits under title XVI  
10          of the Social Security Act based on disability  
11          for months beginning after the date of the en-  
12          actment of this Act, except that, in the case of  
13          individuals who are eligible for such benefits for  
14          the month in which this Act is enacted, such  
15          amendments shall apply only with respect to  
16          such benefits for months beginning on or after  
17          January 1, 1997.

18          (B) The amendments made by paragraphs  
19          (2) and (3) shall apply with respect to supple-  
20          mental security income benefits under title XVI  
21          of the Social Security Act for which applica-  
22          tions are filed on or after the date of the enact-  
23          ment of this Act.

24          (C) If an individual who is eligible for sup-  
25          plemental security income benefits under title



1 XVI of the Social Security Act for the month  
2 in which this Act is enacted and whose eligi-  
3 bility for such benefits would terminate by rea-  
4 son of the amendments made by this subsection  
5 reapplies for supplemental security income ben-  
6 efits under title XVI of such Act (as amended  
7 by this Act) within 120 days after the date of  
8 the enactment of this Act, the Commissioner of  
9 Social Security shall, not later than January 1,  
10 1997, complete the eligibility redetermination  
11 with respect to such individual pursuant to the  
12 procedures of such title.

13 (D) For purposes of this paragraph, the  
14 phrase “supplemental security income benefits  
15 under title XVI of the Social Security Act” in-  
16 cludes supplementary payments pursuant to an  
17 agreement for Federal administration under  
18 section 1616(a) of the Social Security Act and  
19 payments pursuant to an agreement entered  
20 into under section 212(b) of Public Law 93–66.

21 (c) CONFORMING AMENDMENT.—Section 201(c) of  
22 the Social Security Independence and Program Improve-  
23 ments Act of 1994 (42 U.S.C. 425 note) is repealed.

24 (d) SUPPLEMENTAL FUNDING FOR ALCOHOL AND  
25 SUBSTANCE ABUSE TREATMENT PROGRAMS.—

1           (1) IN GENERAL.—Out of any money in the  
2       Treasury not otherwise appropriated, there are here-  
3       by appropriated to supplement State and Tribal pro-  
4       grams funded under section 1933 of the Public  
5       Health Service Act (42 U.S.C. 300x-33),  
6       \$100,000,000 for each of the fiscal years 1997 and  
7       1998.

8           (2) ADDITIONAL FUNDS.—Amounts appro-  
9       priated under paragraph (1) shall be in addition to  
10      any funds otherwise appropriated for allotments  
11      under section 1933 of the Public Health Service Act  
12      (42 U.S.C. 300x-33) and shall be allocated pursuant  
13      to such section 1933.

14          (3) USE OF FUNDS.—A State or Tribal govern-  
15      ment receiving an allotment under this subsection  
16      shall consider as priorities, for purposes of expend-  
17      ing funds allotted under this subsection, activities  
18      relating to the treatment of the abuse of alcohol and  
19      other drugs.

20   **SEC. 8. REVOCATION BY MEMBERS OF THE CLERGY OF EX-**  
21                   **EMPTION FROM SOCIAL SECURITY COV-**  
22                   **ERAGE.**

23          (a) IN GENERAL.—Notwithstanding section  
24   1402(e)(4) of the Internal Revenue Code of 1986, any ex-  
25   emption which has been received under section 1402(e)(1)

1 of such Code by a duly ordained, commissioned, or li-  
2 censed minister of a church, a member of a religious order,  
3 or a Christian Science practitioner, and which is effective  
4 for the taxable year in which this Act is enacted, may be  
5 revoked by filing an application therefor (in such form and  
6 manner, and with such official, as may be prescribed in  
7 regulations made under chapter 2 of such Code), if such  
8 application is filed no later than the due date of the Fed-  
9 eral income tax return (including any extension thereof)  
10 for the applicant's second taxable year beginning after De-  
11 cember 31, 1995. Any such revocation shall be effective  
12 (for purposes of chapter 2 of the Internal Revenue Code  
13 of 1986 and title II of the Social Security Act), as speci-  
14 fied in the application, either with respect to the appli-  
15 cant's first taxable year beginning after December 31,  
16 1995, or with respect to the applicant's second taxable  
17 year beginning after such date, and for all succeeding tax-  
18 able years; and the applicant for any such revocation may  
19 not thereafter again file application for an exemption  
20 under such section 1402(e)(1). If the application is filed  
21 after the due date of the applicant's Federal income tax  
22 return for a taxable year and is effective with respect to  
23 that taxable year, it shall include or be accompanied by  
24 payment in full of an amount equal to the total of the  
25 taxes that would have been imposed by section 1401 of

1 the Internal Revenue Code of 1986 with respect to all of  
 2 the applicant's income derived in that taxable year which  
 3 would have constituted net earnings from self-employment  
 4 for purposes of chapter 2 of such Code (notwithstanding  
 5 section 1402(c)(4) or (c)(5) of such Code) except for the  
 6 exemption under section 1402(e)(1) of such Code.

7 (b) EFFECTIVE DATE.—Subsection (a) shall apply  
 8 with respect to service performed (to the extent specified  
 9 in such subsection) in taxable years beginning after De-  
 10 cember 31, 1995, and with respect to monthly insurance  
 11 benefits payable under title II of the Social Security Act  
 12 on the basis of the wages and self-employment income of  
 13 any individual for months in or after the calendar year  
 14 in which such individual's application for revocation (as  
 15 described in such subsection) is effective (and lump-sum  
 16 death payments payable under such title on the basis of  
 17 such wages and self-employment income in the case of  
 18 deaths occurring in or after such calendar year).

19 **SEC. 9. PILOT STUDY OF EFFICACY OF PROVIDING INDIVID-**  
 20 **UALIZED INFORMATION TO RECIPIENTS OF**  
 21 **OLD-AGE AND SURVIVORS INSURANCE BENE-**  
 22 **FITS.**

23 (a) IN GENERAL.—During a 2-year period beginning  
 24 as soon as practicable in 1996, the Commissioner of Social  
 25 Security shall conduct a pilot study of the efficacy of pro-

1 viding certain individualized information to recipients of  
2 monthly insurance benefits under section 202 of the Social  
3 Security Act, designed to promote better understanding  
4 of their contributions and benefits under the social secu-  
5 rity system. The study shall involve solely beneficiaries  
6 whose entitlement to such benefits first occurred in or  
7 after 1984 and who have remained entitled to such bene-  
8 fits for a continuous period of not less than 5 years. The  
9 number of such recipients involved in the study shall be  
10 of sufficient size to generate a statistically valid sample  
11 for purposes of the study, but shall not exceed 600,000  
12 beneficiaries.

13 (b) ANNUALIZED STATEMENTS.—During the course  
14 of the study, the Commissioner shall provide to each of  
15 the beneficiaries involved in the study one annualized  
16 statement, setting forth the following information:

- 17 (1) an estimate of the aggregate wages and  
18 self-employment income earned by the individual on  
19 whose wages and self-employment income the benefit  
20 is based, as shown on the records of the Commis-  
21 sioner as of the end of the last calendar year ending  
22 prior to the beneficiary's first month of entitlement;
- 23 (2) an estimate of the aggregate of the em-  
24 ployee and self-employment contributions, and the  
25 aggregate of the employer contributions (separately

1 identified), made with respect to the wages and self-  
2 employment income on which the benefit is based, as  
3 shown on the records of the Commissioner as of the  
4 end of the calendar year preceding the beneficiary's  
5 first month of entitlement; and

6 (3) an estimate of the total amount paid as  
7 benefits under section 202 of the Social Security Act  
8 based on such wages and self-employment income, as  
9 shown on the records of the Commissioner as of the  
10 end of the last calendar year preceding the issuance  
11 of the statement for which complete information is  
12 available.

13 (b) INCLUSION WITH MATTER OTHERWISE DISTRIB-  
14 UTED TO BENEFICIARIES.—The Commissioner shall en-  
15 sure that reports provided pursuant to this subsection are,  
16 to the maximum extent practicable, included with other  
17 reports currently provided to beneficiaries on an annual  
18 basis.

19 (c) REPORT TO THE CONGRESS.—The Commissioner  
20 shall report to each House of the Congress regarding the  
21 results of the pilot study conducted pursuant to this sec-

1 tion not later than 60 days after the completion of such  
2 study.

Passed the House of Representatives December 5,  
1995.

Attest:

*Clerk.*