

**Union Calendar No. 191**

104TH CONGRESS  
1ST Session

**H. R. 2684**

[Report No. 104-379]

**A BILL**

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.

DECEMBER 4, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 29, 1995

Mr. BUNNING of Kentucky (for himself, Mr. HASTERT, Mr. ARCHER, Mr. JACOBS, Mr. SAM JOHNSON of Texas, Mr. COLLINS of Georgia, Mr. PORTMAN, Mr. ENGLISH of Pennsylvania, Mr. CHRISTENSEN, Mr. LAUGHLIN, Mr. CRANE, Mr. THOMAS, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. MCCRERY, Mr. HANCOCK, Mr. CAMP, Mr. RAMSTAD, Mr. ZIMMER, Mr. NUSSLE, Ms. DUNN of Washington, Mr. ENSIGN, Mr. MCCOLLUM, Mr. MCINTOSH, Mr. KNOLLENBERG, Mr. GOSS, Mrs. SMITH of Washington, Mr. MCDADE, Mr. EMERSON, Mr. FRELINGHUYSEN, Mr. BUNN of Oregon, Mr. CHABOT, Mr. KOLBE, Mr. BALLENGER, Mr. BACHUS, Mr. SOLOMON, Mr. CUNNINGHAM, Mr. LATOURETTE, Mr. METCALF, Mr. CALVERT, Mr. FUNDERBURK, Mr. LEWIS of Kentucky, Mr. BURTON of Indiana, Mr. GUNDERSON, Mr. BLUTE, Mr. MYERS of Indiana, Mr. GALLEGLY, Mr. HEINEMAN, Mr. COBLE, Mr. FOLEY, Mr. BARTLETT of Maryland, Mrs. FOWLER, Mr. HANSEN, Mr. SAXTON, Mr. BOEHNER, Mr. FIELDS of Texas, Mr. STEARNS, Mr. BEREUTER, Mr. BARTON of Texas, Mr. BLILEY, Mr. HAYWORTH, Mr. COOLEY, Mr. BASS, Mrs. KELLY, Mr. LARGENT, Mr. INGLIS of South Carolina, Mr. EWING, Mr. LUCAS, Mr. SCHAEFER, Mr. TORKILDSSEN, Mr. MILLER of Florida, Mr. FOX of Pennsylvania, Mr. BOEHLERT, Mr. CLINGER, Mr. GREENWOOD, Mr. NETHERCUTT, Mr. STUMP, Mr. JONES, Mr. FRISA, Mrs. MORELLA, Mr. NORWOOD, Mr. TALENT, Mr. WELDON of Pennsylvania, Mr. EHRLICH, Mr. ROYCE, Mr. SALMON, Mrs. VUCANOVICH, Mr. SMITH of New Jersey, Mr. DORNAN, Mr. HOSTETTLER, Mr. BUYER, Mr. ROBERTS, Mr. SHAYS, Mr. UPTON, and Mr. CLEMENT) introduced the following bill; which was referred to the Committee on Ways and Means

DECEMBER 4, 1995

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 29, 1995]

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## A BILL

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,*

3       **SECTION 1. SHORT TITLE.**

4       *This Act may be cited as the “Senior Citizens’ Right*  
5       *to Work Act of 1995”.*

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

9       (a) *INCREASE IN MONTHLY EXEMPT AMOUNT FOR IN-*  
10       *DIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.—Sec-*  
11       *tion 203(f)(8)(D) of the Social Security Act (42 U.S.C.*  
12       *403(f)(8)(D)) is amended to read as follows:*

13               “(D) *Notwithstanding any other provision of*  
14       *this subsection, the exempt amount which is applica-*  
15       *ble to an individual who has attained retirement age*

(as defined in section 216(l)) before the close of the taxable year involved shall be—

“(i) for each month of any taxable year ending after 1995 and before 1997, \$1,166.66<sup>2</sup>/<sub>3</sub>,

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

“(iii) for each month of any taxable year ending after 1997 and before 1999, \$1,333.33<sup>1</sup>/<sub>3</sub>,

“(iv) for each month of any taxable year ending after 1998 and before 2000, \$1,416.66<sup>2</sup>/<sub>3</sub>,

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

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

and

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

(b) CONFORMING AMENDMENTS.—

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

(A) by striking “the taxable year ending after 1993 and before 1995” and inserting “the taxable year ending after 2001 and before 2003 (with respect to individuals described in subparagraph (D)) or the taxable year ending after

1           1993 and before 1995 (with respect to other indi-  
2           viduals)”; and

3           (B) in subclause (II), by striking “for  
4           1992” and inserting “for 2000 (with respect to  
5           individuals described in subparagraph (D)) or  
6           1992 (with respect to other individuals)”.

7           (2) The second sentence of section 223(d)(4)(A) of  
8           such Act (42 U.S.C. 423(d)(4)(A)) is amended by  
9           striking “the exempt amount under section 203(f)(8)  
10          which is applicable to individuals described in sub-  
11          paragraph (D) thereof” and inserting the following:  
12          “an amount equal to the exempt amount which would  
13          be applicable under section 203(f)(8), to individuals  
14          described in subparagraph (D) thereof, if section 2 of  
15          the Senior Citizens’ Right to Work Act of 1995 had  
16          not been enacted”.

17          (c) *EFFECTIVE DATE.*—The amendments made by this  
18          section shall apply with respect to taxable years ending  
19          after 1995.

20       **SEC. 3. ESTABLISHMENT OF DISABILITY INSURANCE CON-**  
21                       **TINUING DISABILITY REVIEW ADMINISTRA-**  
22                       **TION REVOLVING ACCOUNT.**

23          (a) *CONTINUING DISABILITY REVIEW ADMINISTRA-*  
24          *TION REVOLVING ACCOUNT FOR TITLE II DISABILITY BEN-*

1 *EFITS IN THE FEDERAL DISABILITY INSURANCE TRUST*  
2 *FUND.*—

3           (1) *IN GENERAL.*—Section 201 of the Social Se-  
4       curity Act (42 U.S.C. 401) is amended by adding at  
5       the end the following new subsection:

6       “(n)(1) There is hereby created in the Federal Disabil-  
7       ity Insurance Trust Fund a Continuing Disability Review  
8       Administration Revolving Account (hereinafter in this sub-  
9       section referred to as the ‘Account’). The Account shall con-  
10      sist initially of \$300,000,000 (which is hereby transferred  
11      to the Account from amounts otherwise available in such  
12      Trust Fund) and shall also consist thereafter of such other  
13      amounts as may be transferred to it under this subsection.  
14      The balance in the Account shall be available solely for ex-  
15      penditures certified under paragraph (2).

16       “(2)(A) Before October 1 of each calendar year, the  
17      Chief Actuary of the Social Security Administration  
18      shall—

19           “(i) estimate the present value of savings to the  
20       Federal Old-Age and Survivors Insurance Trust  
21       Fund, the Federal Disability Insurance Trust Fund,  
22       the Federal Hospital Insurance Trust Fund, and the  
23       Federal Supplementary Medical Insurance Trust  
24       Fund which will accrue for all years as a result of  
25       cessations of benefit payments resulting from continu-

1        *ing disability reviews carried out pursuant to the re-*  
2        *quirements of section 221(i) during the fiscal year*  
3        *ending on September 30 of such calendar year (in-*  
4        *creased or decreased as appropriate to account for de-*  
5        *viations of estimates for prior fiscal years from the*  
6        *actual amounts for such fiscal years), and*

7                *“(ii) certify the amount of such estimate to the*  
8        *Managing Trustee.*

9        *“(B) Upon receipt of certification by the Chief Actuary*  
10        *under subparagraph (A), the Managing Trustee shall trans-*  
11        *fer to the Account from amounts otherwise in the Trust*  
12        *Fund an amount equal to the estimated savings so certified.*

13        *“(C) To the extent of available funds in the Account,*  
14        *upon certification by the Chief Actuary that such funds are*  
15        *currently required to meet expenditures necessary to provide*  
16        *for continuing disability reviews required under section*  
17        *221(i), the Managing Trustee shall make available to the*  
18        *Commissioner of Social Security from the Account the*  
19        *amount so certified.*

20        *“(D) The expenditures referred to in subparagraph (C)*  
21        *shall include, but not be limited to, the cost of staffing,*  
22        *training, purchase of medical and other evidence, and proc-*  
23        *essing related to appeals (including appeal hearings) and*  
24        *to overpayments and related indirect costs.*

1       “(E) *The Commissioner shall use funds made available*  
 2 *pursuant to this paragraph solely for the purposes described*  
 3 *in subparagraph (C).”.*

4           (2)       CONFORMING       AMENDMENT.—Section  
 5       201(g)(1)(A) of such Act (42 U.S.C. 401(g)(1)(A)) is  
 6       amended in the last sentence by inserting “(other  
 7       than expenditures from available funds in the Con-  
 8       tinuing Disability Review Administration Revolving  
 9       Account in the Federal Disability Insurance Trust  
 10       Fund made pursuant to subsection (n))” after “is re-  
 11       sponsible” the first place it appears.

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

14                   (A) by striking “and the number” and in-  
 15       serting “the number”;

16                   (B) by striking the period at the end and  
 17       inserting a comma; and

18                   (C) by adding at the end the following:  
 19       “and a final accounting of amounts transferred  
 20       to the Continuing Disability Review Administra-  
 21       tion Revolving Account in the Federal Disability  
 22       Insurance Trust Fund during the year, the  
 23       amount made available from such Account dur-  
 24       ing such year pursuant to certifications made by  
 25       the Chief Actuary of the Social Security Admin-



1            *istration under section 201(n)(2)(C), and ex-*  
 2            *penditures made by the Commissioner of Social*  
 3            *Security for the purposes described in section*  
 4            *201(n)(2)(C) during the year, including a com-*  
 5            *parison of the number of continuing disability*  
 6            *reviews conducted during the year with the esti-*  
 7            *mated number of continuing disability reviews*  
 8            *upon which the estimate of such expenditures*  
 9            *was made under section 201(n)(2)(A).”.*

10        *(b) EFFECTIVE DATE AND SUNSET.—*

11            *(1) EFFECTIVE DATE.—The amendments made*  
 12            *by subsection (a) shall apply for fiscal years begin-*  
 13            *ning on or after October 1, 1995, and ending on or*  
 14            *before September 30, 2002.*

15            *(2) SUNSET.—Effective October 1, 2002, the Con-*  
 16            *tinuing Disability Review Administration Revolving*  
 17            *Account in the Federal Disability Insurance Trust*  
 18            *Fund shall cease to exist, any balance in such Ac-*  
 19            *count shall revert to funds otherwise available in such*  
 20            *Trust Fund, and sections 201 and 221 of the Social*  
 21            *Security Act shall read as if the amendments made*  
 22            *by subsection (a) had not been enacted.*

23        *(c) OFFICE OF CHIEF ACTUARY IN THE SOCIAL SECU-*  
 24        *RITY ADMINISTRATION.—*

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

3                     *(A) by redesignating subsections (c) and (d)*  
4                     *as subsections (d) and (e), respectively; and*

5                     *(B) by inserting after subsection (b) the fol-*  
6                     *lowing new subsection:*

7                                 *“Chief Actuary*

8                     *“(c)(1) There shall be in the Administration a Chief*  
9                     *Actuary, who shall be appointed by, and in direct line of*  
10                    *authority to, the Commissioner. The Chief Actuary shall be*  
11                    *appointed from individuals who have demonstrated, by*  
12                    *their education and experience, superior expertise in the ac-*  
13                    *tuarial sciences. The Chief Actuary shall serve as the chief*  
14                    *actuarial officer of the Administration, and shall exercise*  
15                    *such duties as are appropriate for the office of the Chief*  
16                    *Actuary and in accordance with professional standards of*  
17                    *actuarial independence. The Chief Actuary may be removed*  
18                    *only for cause.*

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

22                    (2) *EFFECTIVE DATE OF SUBSECTION.*—*The*  
23                    *amendments made by this subsection shall take effect*  
24                    *on the date of the enactment of this Act.*

1 **SEC. 4. ENTITLEMENT OF STEPCHILDREN TO CHILD'S IN-**  
 2 **SURANCE BENEFITS BASED ON ACTUAL DE-**  
 3 **PENDENCY ON STEPPARENT SUPPORT.**

4 (a) *REQUIREMENT OF ACTUAL DEPENDENCY FOR FU-*  
 5 *TURE ENTITLEMENTS.*—

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

9 (2) *EFFECTIVE DATE.*—The amendment made by  
 10 paragraph (1) shall apply with respect to benefits of  
 11 individuals who become entitled to such benefits for  
 12 months after the third month following the month in  
 13 which this Act is enacted.

14 (b) *TERMINATION OF CHILD'S INSURANCE BENEFITS*  
 15 *BASED ON WORK RECORD OF STEPPARENT UPON NATURAL*  
 16 *PARENT'S DIVORCE FROM STEPPARENT.*—

17 (1) *IN GENERAL.*—Section 202(d)(1) of the So-  
 18 cial Security Act (42 U.S.C. 402(d)(1)) is amended—

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

21 (B) by striking the period at the end of sub-  
 22 paragraph (G) and inserting “; or”; and

23 (C) by inserting after subparagraph (G) the  
 24 following new subparagraph:

25 “(H) if the benefits under this subsection are  
 26 based on the wages and self-employment income of a

1        *stepparent who is subsequently divorced from such*  
 2        *child's natural parent, the sixth month after the*  
 3        *month in which the Commissioner of Social Security*  
 4        *receives formal notification of such divorce.”.*

5            (2) *EFFECTIVE DATE.*—*The amendments made*  
 6        *by this subsection shall apply with respect to notifica-*  
 7        *tions of divorces received by the Commissioner of So-*  
 8        *cial Security on or after the date of the enactment of*  
 9        *this Act.*

10    ***SEC. 5. RECOMPUTATION OF BENEFITS AFTER NORMAL RE-***  
 11            ***TIREMENT AGE.***

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

15            “(i) *in the case of an individual who did not die*  
 16        *in the year with respect to which the recomputation*  
 17        *is made, for monthly benefits beginning with benefits*  
 18        *for January of—*

19            “(I) *the second year following the year with*  
 20        *respect to which the recomputation is made, in*  
 21        *any such case in which the individual is entitled*  
 22        *to old-age insurance benefits, the individual has*  
 23        *attained retirement age (as defined in section*  
 24        *216(l)) as of the end of the year preceding the*  
 25        *year with respect to which the recomputation is*

made, and the year with respect to which the re-computation is made would not be substituted in recomputation under this subsection for a benefit computation year in which no wages or self-employment income have been credited previously to such individual, or

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

(b) CONFORMING AMENDMENTS.—

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

(2) Subparagraph (A) of section 215(f)(2) of the Social Security Act as in effect in December 1978 and applied in certain cases under the provisions of such Act as in effect after December 1978 is amended—

(A) by striking “in the case of an individual who did not die” and all that follows and inserting “in the case of an individual who did not die in the year with respect to which the recomputation is made, for monthly benefits beginning with benefits for January of—”; and

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

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

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

17                  (c) *EFFECTIVE DATE.*—The amendments made by this  
18                  section shall apply with respect to recomputations of pri-  
19                  mary insurance amounts based on wages paid and self em-  
20                  ployment income derived after 1994 and with respect to  
21                  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 to  
14 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 the  
 5       claimant and such person, agent, or attorney a written no-  
 6       tice 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 con-  
 12       nection 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), by  
 18       striking “representation,” and all that follows and in-  
 19       serting the following: “representation. In determining  
 20       a reasonable fee, the court shall take into consider-  
 21       ation the amount of the fee, if any, that such attor-  
 22       ney, or any other person, agent, or attorney, may  
 23       charge the claimant for services performed in connec-  
 24       tion with the claimant’s claim when it was pending  
 25       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 sentence.*

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

14               (A) *by striking “(other than paragraph (4)*  
 15               *thereof)”;* and

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

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

20               (1) *any claim for benefits under the old-age, sur-*  
 21               *vivors, and disability insurance program under title*  
 22               *II of the Social Security Act, the supplemental secu-*  
 23               *rity income program under title XVI of such Act, or*  
 24               *the black lung program under part B of the Black*  
 25               *Lung Benefits Act that is initially filed on or after*

1       *the 60th day following the date of the enactment of*  
 2       *this Act, and*

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

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

9       *(a) AMENDMENTS RELATING TO TITLE II DISABILITY*  
 10       *BENEFITS.—*

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

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

19               *(2) REPRESENTATIVE PAYEE REQUIREMENTS.—*

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

23               *“(B) In the case of an individual entitled to benefits*  
 24       *based on disability, the payment of such benefits shall be*  
 25       *made to a representative payee if the Commissioner of So-*

1 cial Security determines that such payment would serve the  
 2 interest of the individual because the individual also has  
 3 an alcoholism or drug addiction condition (as determined  
 4 by the Commissioner) that prevents the individual from  
 5 managing such benefits.”.

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

11 (C) Section 205(j)(2)(D)(ii)(II) of such Act  
 12 (42 U.S.C. 405(j)(2)(D)(ii)(II)) is amended by  
 13 striking all that follows “15 years, or” and in-  
 14 serting “described in paragraph (1)(B)”.

15 (D) Section 205(j)(4)(A)(i)(II) (42 U.S.C.  
 16 405(j)(4)(A)(i)(II)) is amended by striking “en-  
 17 titled to benefits” and all that follows through  
 18 “under a disability” and inserting “described in  
 19 paragraph (1)(B)”.

20 (3) TREATMENT REFERRALS FOR INDIVIDUALS  
 21 WITH AN ALCOHOLISM OR DRUG ADDICTION CONDI-  
 22 TION.—Section 222 of such Act (42 U.S.C. 422) is  
 23 amended by adding at the end the following new sub-  
 24 section:

1   *“Treatment Referrals for Individuals with an Alcoholism*  
 2                               *or Drug Addiction Condition*

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

11           (4) *CONFORMING AMENDMENT.—Subsection (c)*  
 12           *of section 225 of such Act (42 U.S.C. 425(c)) is re-*  
 13           *pealed.*

14           (5) *EFFECTIVE DATES.—*

15           (A) *The amendments made by paragraphs*  
 16           *(1) and (4) shall apply with respect to monthly*  
 17           *insurance benefits under title II of the Social Se-*  
 18           *curity Act based on disability for months begin-*  
 19           *ning after the date of the enactment of this Act,*  
 20           *except that, in the case of individuals who are*  
 21           *entitled to such benefits for the month in which*  
 22           *this Act is enacted, such amendments shall apply*  
 23           *only with respect to such benefits for months be-*  
 24           *ginning on or after January 1, 1997.*

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

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

19       (b) *AMENDMENTS RELATING TO SSI BENEFITS.—*

20           (1) *IN GENERAL.—Section 1614(a)(3) of the So-*  
 21           *cial Security Act (42 U.S.C. 1382c(a)(3)) is amended*  
 22           *by adding at the end the following:*

23           “(I) *Notwithstanding subparagraph (A), an individ-*  
 24           *ual shall not be considered to be disabled for purposes of*  
 25           *this title if alcoholism or drug addiction would (but for this*

1 subparagraph) be a contributing factor material to the  
 2 Commissioner's determination that the individual is dis-  
 3 abled.”.

4 (2) *REPRESENTATIVE PAYEE REQUIREMENTS.*—

5 (A) Section 1631(a)(2)(A)(ii)(II) of such  
 6 Act (42 U.S.C. 1383(a)(2)(A)(ii)(II)) is amended  
 7 to read as follows:

8 “(II) In the case of an individual eligible for benefits  
 9 under this title by reason of disability, the payment of such  
 10 benefits shall be made to a representative payee if the Com-  
 11 missioner of Social Security determines that such payment  
 12 would serve the interest of the individual because the indi-  
 13 vidual also has an alcoholism or drug addiction condition  
 14 (as determined by the Commissioner) that prevents the in-  
 15 dividual from managing such benefits.”.

16 (B) Section 1631(a)(2)(B)(vii) of such Act  
 17 (42 U.S.C. 1383(a)(2)(B)(vii)) is amended by  
 18 striking “eligible for benefits” and all that fol-  
 19 lows through “is disabled” and inserting “de-  
 20 scribed in subparagraph (A)(ii)(II)”.

21 (C) Section 1631(a)(2)(B)(ix)(II) of such  
 22 Act (42 U.S.C. 1383(a)(2)(B)(ix)(II)) is amend-  
 23 ed by striking all that follows “15 years, or” and  
 24 inserting “described in subparagraph  
 25 (A)(ii)(II).”.

10 “TREATMENT SERVICES FOR INDIVIDUALS WITH A  
11 SUBSTANCE ABUSE CONDITION

20 (4) CONFORMING AMENDMENTS.—

23 (B) Section 1634 of such Act (42 U.S.C.  
24 1383c) is amended by striking subsection (e).

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

11          (B) *The amendments made by paragraphs*  
12          *(2) and (3) shall apply with respect to supple-*  
13          *mental security income benefits under title XVI*  
14          *of the Social Security Act for which applications*  
15          *are filed on or after the date of the enactment of*  
16          *this Act.*

17          (C) *If an individual who is eligible for sup-*  
18          *plemental security income benefits under title*  
19          *XVI of the Social Security Act for the month in*  
20          *which this Act is enacted and whose eligibility*  
21          *for such benefits would terminate by reason of*  
22          *the amendments made by this subsection*  
23          *reapplies for supplemental security income bene-*  
24          *fits under title XVI of such Act (as amended by*  
25          *this Act) within 120 days after the date of the*



1        *enactment of this Act, the Commissioner of So-*  
 2        *cial Security shall, not later than January 1,*  
 3        *1997, complete the eligibility redetermination*  
 4        *with respect to such individual pursuant to the*  
 5        *procedures of such title.*

6            *(D) For purposes of this paragraph, the*  
 7        *phrase “supplemental security income benefits*  
 8        *under title XVI of the Social Security Act” in-*  
 9        *cludes supplementary payments pursuant to an*  
 10       *agreement for Federal administration under sec-*  
 11       *tion 1616(a) of the Social Security Act and pay-*  
 12       *ments pursuant to an agreement entered into*  
 13       *under section 212(b) of Public Law 93–66.*

14        *(c) CONFORMING AMENDMENT.—Section 201(c) of the*  
 15       *Social Security Independence and Program Improvements*  
 16       *Act of 1994 (42 U.S.C. 425 note) is repealed.*

17        *(d) SUPPLEMENTAL FUNDING FOR ALCOHOL AND SUB-*  
 18       *STANCE ABUSE TREATMENT PROGRAMS.—*

19            *(1) IN GENERAL.—Out of any money in the*  
 20        *Treasury not otherwise appropriated, there are hereby*  
 21        *appropriated to supplement State and Tribal pro-*  
 22        *grams funded under section 1933 of the Public Health*  
 23        *Service Act (42 U.S.C. 300x–33), \$100,000,000 for*  
 24        *each of the fiscal years 1997 and 1998.*

1           (2) *ADDITIONAL FUNDS.*—Amounts appropriated  
 2           under paragraph (1) shall be in addition to any  
 3           funds otherwise appropriated for allotments under  
 4           section 1933 of the Public Health Service Act (42  
 5           U.S.C. 300x–33) and shall be allocated pursuant to  
 6           such section 1933.

7           (3) *USE OF FUNDS.*—A State or Tribal govern-  
 8           ment receiving an allotment under this subsection  
 9           shall consider as priorities, for purposes of expending  
 10          funds allotted under this subsection, activities relating  
 11          to the treatment of the abuse of alcohol and other  
 12          drugs.

13   **SEC. 8. REVOCATION BY MEMBERS OF THE CLERGY OF EX-**  
 14                   **EMPTION FROM SOCIAL SECURITY COV-**  
 15                   **ERAGE.**

16          (a) *IN GENERAL.*—Notwithstanding section 1402(e)(4)  
 17          of the Internal Revenue Code of 1986, any exemption which  
 18          has been received under section 1402(e)(1) of such Code by  
 19          a duly ordained, commissioned, or licensed minister of a  
 20          church, a member of a religious order, or a Christian  
 21          Science practitioner, and which is effective for the taxable  
 22          year in which this Act is enacted, may be revoked by filing  
 23          an application therefor (in such form and manner, and  
 24          with such official, as may be prescribed in regulations made  
 25          under chapter 2 of such Code), if such application is filed

1 no later than the due date of the Federal income tax return  
2 (including any extension thereof) for the applicant's second  
3 taxable year beginning after December 31, 1995. Any such  
4 revocation shall be effective (for purposes of chapter 2 of  
5 the Internal Revenue Code of 1986 and title II of the Social  
6 Security Act), as specified in the application, either with  
7 respect to the applicant's first taxable year beginning after  
8 December 31, 1995, or with respect to the applicant's second  
9 taxable year beginning after such date, and for all succeed-  
10 ing taxable years; and the applicant for any such revoca-  
11 tion may not thereafter again file application for an exemp-  
12 tion under such section 1402(e)(1). If the application is  
13 filed after the due date of the applicant's Federal income  
14 tax return for a taxable year and is effective with respect  
15 to that taxable year, it shall include or be accompanied by  
16 payment in full of an amount equal to the total of the taxes  
17 that would have been imposed by section 1401 of the Inter-  
18 nal Revenue Code of 1986 with respect to all of the appli-  
19 cant's income derived in that taxable year which would  
20 have constituted net earnings from self-employment for pur-  
21 poses of chapter 2 of such Code (notwithstanding section  
22 1402(c)(4) or (c)(5) of such Code) except for the exemption  
23 under section 1402(e)(1) of such Code.

24 (b) *EFFECTIVE DATE.*—Subsection (a) shall apply  
25 with respect to service performed (to the extent specified in

1 such subsection) in taxable years beginning after December  
 2 31, 1995, and with respect to monthly insurance benefits  
 3 payable under title II of the Social Security Act on the basis  
 4 of the wages and self-employment income of any individual  
 5 for months in or after the calendar year in which such indi-  
 6 vidual's application for revocation (as described in such  
 7 subsection) is effective (and lump-sum death payments pay-  
 8 able under such title on the basis of such wages and self-  
 9 employment income in the case of deaths occurring in or  
 10 after such calendar year).

11 **SEC. 9. PILOT STUDY OF EFFICACY OF PROVIDING INDIVID-**  
 12 **UALIZED INFORMATION TO RECIPIENTS OF**  
 13 **OLD-AGE AND SURVIVORS INSURANCE BENE-**  
 14 **FITS.**

15 (a) *IN GENERAL.*—During a 2-year period beginning  
 16 as soon as practicable in 1996, the Commissioner of Social  
 17 Security shall conduct a pilot study of the efficacy of pro-  
 18 viding certain individualized information to recipients of  
 19 monthly insurance benefits under section 202 of the Social  
 20 Security Act, designed to promote better understanding of  
 21 their contributions and benefits under the social security  
 22 system. The study shall involve solely beneficiaries whose  
 23 entitlement to such benefits first occurred in or after 1984  
 24 and who have remained entitled to such benefits for a con-  
 25 tinuous period of not less than 5 years. The number of such

1 recipients involved in the study shall be of sufficient size  
2 to generate a statistically valid sample for purposes of the  
3 study, but shall not exceed 600,000 beneficiaries.

4 (b) *ANNUALIZED STATEMENTS.*—During the course of  
5 the study, the Commissioner shall provide to each of the  
6 beneficiaries involved in the study one annualized state-  
7 ment, setting forth the following information:

8 (1) an estimate of the aggregate wages and self-  
9 employment income earned by the individual on  
10 whose wages and self-employment income the benefit  
11 is based, as shown on the records of the Commissioner  
12 as of the end of the last calendar year ending prior  
13 to the beneficiary's first month of entitlement;

14 (2) an estimate of the aggregate of the employee  
15 and self-employment contributions, and the aggregate  
16 of the employer contributions (separately identified),  
17 made with respect to the wages and self-employment  
18 income on which the benefit is based, as shown on the  
19 records of the Commissioner as of the end of the cal-  
20 endar year preceding the beneficiary's first month of  
21 entitlement; and

22 (3) an estimate of the total amount paid as bene-  
23 fits under section 202 of the Social Security Act based  
24 on such wages and self-employment income, as shown  
25 on the records of the Commissioner as of the end of

1        *the last calendar year preceding the issuance of the*  
2        *statement for which complete information is avail-*  
3        *able.*

4        *(b) INCLUSION WITH MATTER OTHERWISE DISTRIB-*  
5        *UTED TO BENEFICIARIES.—The Commissioner shall ensure*  
6        *that reports provided pursuant to this subsection are, to the*  
7        *maximum extent practicable, included with other reports*  
8        *currently provided to beneficiaries on an annual basis.*

9        *(c) REPORT TO THE CONGRESS.—The Commissioner*  
10       *shall report to each House of the Congress regarding the*  
11       *results of the pilot study conducted pursuant to this section*  
12       *not later than 60 days after the completion of such study.*

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