

**Union Calendar No. 400**

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5483**

**[Report No. 109-669]**

To increase the disability earning limitation under the Railroad Retirement Act and to index the amount of allowable earnings consistent with increases in the substantial gainful activity dollar amount under the Social Security Act.

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**IN THE HOUSE OF REPRESENTATIVES**

MAY 25, 2006

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LATOURETTE, and Ms. CORRINE BROWN of Florida) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

SEPTEMBER 19, 2006

Additional sponsors: Mr. LOBIONDO, Mr. PASTOR, Ms. MCCOLLUM of Minnesota, Mr. SABO, Mr. RAMSTAD, Mr. PETERSON of Minnesota, and Mr. TERRY

SEPTEMBER 19, 2006

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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**A BILL**

To increase the disability earning limitation under the Railroad Retirement Act and to index the amount of allowable earnings consistent with increases in the substantial gainful activity dollar amount under the Social Security Act.

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 “Railroad Retirement  
5       Disability Earnings Act”.

6       **SEC. 2. REFORM OF DISABILITY EARNINGS LIMITATION**  
7               **PROVISIONS.**

8       (a) IN GENERAL.—Section 2(e)(4) of the Railroad  
9       Retirement Act of 1974 is amended—

10           (1) by striking “\$400 in earnings” in the first  
11           sentence and inserting “the monthly allowable earn-  
12           ings as defined in the section”;

13           (2) by striking “\$4,800” in the fourth sentence  
14           and inserting “the amount of earnings computed by  
15           totaling the monthly allowable earnings as deter-  
16           mined under this section for each month in the  
17           year”; and

18           (3) by striking the fifth sentence and inserting  
19           “‘If the total amount of such individual’s earnings  
20           during such year (exclusive of earnings for services  
21           as described in subdivision (3) and after deduction  
22           of disability related work expenses) is in excess of  
23           the annual allowable earnings amount, the number  
24           of months in such year with respect to which an an-  
25           nuity is not payable by reason of the first and third

1 sentences shall not exceed the number of months de-  
2 rived by dividing the amount by which such annual  
3 earnings exceed the annual allowable earnings  
4 amount by the monthly allowable earning amount  
5 determined under this section. If the computation  
6 under the preceding sentence results in a remainder  
7 greater than or equal to one-half, the number of  
8 months for which an annuity is not payable as deter-  
9 mined under the preceding sentence shall be in-  
10 creased by one. The annual allowable earnings  
11 amount shall be computed by totaling the amount of  
12 monthly allowable earnings as determined under the  
13 first sentence of this subdivision for each month in  
14 the calender year. If the amount of the individual's  
15 annuity has changed during the calendar year, any  
16 payment of annuities which become payable solely by  
17 reason of the limitations in the preceding three sen-  
18 tences shall be made first with respect to the month  
19 or months for which the annuity is larger. For pur-  
20 poses of this subdivision, 'the monthly allowable  
21 earnings' shall be \$700, except that for each year  
22 after 2007, 'the monthly allowable earnings' amount  
23 shall be the larger of the amount for the previous  
24 year or the amount calculated by multiplying \$700  
25 by the ratio of the national average wage index for

1       the year 2 calender years before the year for which  
2       the amount is being calculated to the national aver-  
3       age wage index for the year 2005. The amount so  
4       computed will be rounded to the next higher multiple  
5       of \$10 where such amount is a multiple of \$5 but  
6       not of \$10 and to the nearest multiple of \$10 in any  
7       other case.”.

8       (b) EFFECTIVE DATE.—The amendments made by  
9       this section take effect January 1, 2007.



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