

114TH CONGRESS  
2D SESSION

# H. R. 6489

To preserve Social Security for generations to come, reward work, and improve retirement security.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2016

Mr. SAM JOHNSON of Texas introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To preserve Social Security for generations to come, reward work, and improve retirement security.

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 “Social Security Reform  
5 Act of 2016”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—MODERNIZING SOCIAL SECURITY FOR THE 21ST  
CENTURY

- Sec. 101. Modernize the benefit formula.

- Sec. 102. Raise full retirement age.
- Sec. 103. Use an accurate cost-of-living measure.
- Sec. 104. Cap on nonworking spouse benefit.
- Sec. 105. Cap on child's benefit.
- Sec. 106. Require child beneficiaries to attend school.

#### TITLE II—REWARDING WORK

- Sec. 201. Strengthening Social Security for long career workers.
- Sec. 202. Repeal of the Retirement Earnings Test.

#### TITLE III—IMPROVING RETIREMENT SECURITY

- Sec. 301. Phaseout of tax on Social Security benefits relating to the Social Security trust funds.
- Sec. 302. Option to claim delayed retirement credit in partial lump sum.
- Sec. 303. Strengthening Social Security for low-income seniors.
- Sec. 304. End 7-year limitation for disabled surviving spouses.
- Sec. 305. Benefits for disabled surviving spouses.
- Sec. 306. Waive 2-year duration of divorce requirement.

# 1 **TITLE I—MODERNIZING SOCIAL** 2 **SECURITY FOR THE 21ST CEN-** 3 **TURY**

## 4 **SEC. 101. MODERNIZE THE BENEFIT FORMULA.**

5 (a) PRIMARY INSURANCE AMOUNT COMPUTATION.—  
6 Section 215(a)(1) of the Social Security Act (42 U.S.C.  
7 415(a)(1)) is amended—

8 (1) in subparagraph (B)(ii), by inserting “and  
9 before 2023” after “after 1979”;

10 (2) by redesignating subparagraph (D) as sub-  
11 paragraph (E); and

12 (3) by inserting after subparagraph (C) the fol-  
13 lowing new subparagraph:

14 “(D)(i) In the case of an individual who initially be-  
15 comes eligible for old-age or disability insurance benefits,  
16 or who dies (before becoming eligible for such benefits),

1 in any calendar year after 2022, the primary insurance  
2 amount of the individual shall (except as provided in  
3 clause (vii)) be equal to the sum of the amounts deter-  
4 mined under clause (ii) with respect to all of the individ-  
5 ual's benefit computation years (as defined in subsection  
6 (b)(2)(B)).

7       “(ii) For purposes of this subparagraph, the amount  
8 determined under this clause with respect to a benefit  
9 computation year of an individual shall be equal to the  
10 quotient derived by dividing—

11               “(I) the product of the individual's covered  
12 earnings ratio determined under clause (iii) for such  
13 benefit computation year and the sum of—

14                       “(aa) 95 percent of the wages and self-em-  
15 ployment income of such individual credited for  
16 such computation year (as adjusted under sub-  
17 section (b)(3)) to the extent that such wages  
18 and self-employment income do not exceed the  
19 amount established for purposes of this item by  
20 clause (iv),

21                       “(bb) 27.5 percent of such wages and self-  
22 employment income to the extent that such  
23 wages and self-employment income exceed the  
24 amount established for purposes of item (aa)

1 but do not exceed the amount established for  
2 purposes of this item by clause (iv),

3 “(cc) 5 percent of such wages and self-em-  
4 ployment income to the extent that such wages  
5 and self-employment income exceed the amount  
6 established for purposes of item (bb) but do not  
7 exceed the amount established for purposes of  
8 this item by clause (iv), and

9 “(dd) 2 percent of such wages and self-em-  
10 ployment income to the extent that such wages  
11 and self-employment income exceed the amount  
12 established for purposes of item (cc), by

13 “(II) the number of months in the individual’s  
14 benefit computation years (as defined in subsection  
15 (b)(2)(B)),  
16 rounded, if not a multiple of \$0.10, to the next lower mul-  
17 tiple of \$0.10, and thereafter increased as provided in sub-  
18 section (i).

19 “(iii) An individual’s covered earnings ratio for a ben-  
20 efit computation year is the ratio of—

21 “(I) the total (after adjustment under sub-  
22 section (b)(3)) of his wages paid in and self-employ-  
23 ment income credited to such benefit computation  
24 year (determined without regard to clause (v)), to

1           “(II) the total (after adjustment under sub-  
2           section (b)(3)) of his wages paid in and self-employ-  
3           ment income credited to such benefit computation  
4           year (as determined under clause (v)).

5           “(iv) The amount established for purposes of items  
6 (aa), (bb), and (cc) of clause (ii)(I) shall be, respectively—

7           “(I) 25 percent of the national average wage  
8           index (as defined in section 209(k)(1)) for the sec-  
9           ond calendar year preceding the calendar year for  
10          which the determination is made,

11          “(II) 100 percent of the national average wage  
12          index (as so defined) for such calendar year, and

13          “(III) 125 percent of the national average wage  
14          index (as so defined) for such calendar year.

15          “(v)(I) For purposes of determining an individual’s  
16 primary insurance amount pursuant to clause (i), the total  
17 (after adjustment under subsection (b)(3)) of the individ-  
18 ual’s wages paid in and self-employment income credited  
19 to a benefit computation year after 1977 shall be deter-  
20 mined by treating all recorded noncovered earnings (as de-  
21 fined in subclause (II)(aa)) derived by the individual from  
22 noncovered service performed in such benefit computation  
23 year as ‘wages’ (as defined in section 209 for purposes  
24 of this title), which shall be treated as included in the indi-  
25 vidual’s adjusted total covered earnings (as defined in sub-

1 clause (II)(bb)) for such benefit computation year together  
2 with amounts consisting of ‘wages’ (as so defined without  
3 regard to this subparagraph) paid in such benefit com-  
4 putation year and self-employment income (as defined in  
5 section 211(b)) credited to such benefit computation year.

6 “(II) For purposes of this subparagraph—

7 “(aa) the term ‘recorded noncovered earnings’  
8 means earnings derived from noncovered service  
9 (other than noncovered service as a member of a  
10 uniformed service (as defined in section 210(m))) for  
11 which satisfactory evidence is determined by the  
12 Commissioner to be available in the records of the  
13 Commissioner, and

14 “(bb) the term ‘adjusted total covered earnings’  
15 means, in connection with an individual for a benefit  
16 computation year, the sum of the wages paid to the  
17 individual in such benefit computation year (as ad-  
18 justed under subsection (b)(3)) plus the self-employ-  
19 ment income derived by the individual credited to  
20 such benefit computation year (as adjusted under  
21 subsection (b)(3)).

22 “(III) The Commissioner of Social Security shall pro-  
23 vide by regulation or other public guidance for methods  
24 for determining whether satisfactory evidence is available  
25 in the records of the Commissioner for earnings for non-

1 covered service (other than noncovered service as a mem-  
2 ber of a uniformed service (as defined in section 210(m)))  
3 to be treated as recorded noncovered earnings. Such meth-  
4 ods shall provide for reliance on earnings information  
5 which is provided to the Commissioner by employers and  
6 which, as determined by the Commissioner, constitute a  
7 reasonable basis for treatment of earnings for noncovered  
8 service as recorded noncovered earnings. In making deter-  
9 minations under this clause, the Commissioner shall also  
10 take into account any documentary or other evidence of  
11 earnings derived from noncovered service by an individual  
12 which is provided by the individual to the Commissioner  
13 and which the Commissioner considers appropriate as a  
14 reasonable basis for treatment of such earnings as re-  
15 corded noncovered earnings.

16       “(vi) In the case of any individual whose primary in-  
17 surance amount would be computed under this subpara-  
18 graph who first becomes entitled after 1985 to a monthly  
19 periodic payment made by a foreign employer or foreign  
20 country that is based in whole or in part upon noncovered  
21 service, the primary insurance amount of such individual  
22 shall be determined under section 215 as such section was  
23 in effect on the day before the enactment of the Social  
24 Security Reform Act of 2016 for months beginning with

1 the first month of the individual’s initial entitlement to  
2 such monthly periodic payment.

3 “(vii) In the case of an individual who initially be-  
4 comes eligible for old-age or disability insurance benefits,  
5 or who dies (before becoming eligible for such benefits),  
6 in any year during the 9-year period beginning with 2023,  
7 the primary insurance amount of the individual shall be  
8 equal to the sum of—

9 “(I) the applicable percentage (specified for  
10 such year in the table set forth in clause (viii)) of  
11 the individual’s primary insurance amount, as deter-  
12 mined under this subparagraph (other than this  
13 clause and clause (viii)) with the application of  
14 clauses (i) through (vi) of this subparagraph, plus

15 “(II) a percentage, equal to the excess of 100  
16 percent over the applicable percentage, of the indi-  
17 vidual’s primary insurance amount, as determined  
18 under this paragraph (other than this clause and  
19 clause (viii)) with the application of the preceding  
20 subparagraphs of this paragraph (as if such pre-  
21 ceding subparagraphs applied for the individual and  
22 clauses (i) through (vi) of this subparagraph did not  
23 apply),



1 rounded to the nearest \$1, except that any amount so es-  
 2 tablished which is a multiple of \$0.50 but not of \$1, shall  
 3 be rounded to the next highest \$1.

4 “(viii) The table set forth in this clause is as follows:

<b>“For the year:</b>	<b>The applicable percentage is:</b>
2023 .....	10
2024 .....	20
2025 .....	30
2026 .....	40
2027 .....	50
2028 .....	60
2029 .....	70
2030 .....	80
2031 .....	90.”.

5 (b) REPEAL OF THE WINDFALL ELIMINATION PRO-  
 6 VISION.—

7 (1) IN GENERAL.—Section 215(a) of the Social  
 8 Security Act (42 U.S.C. 415(a)) is amended by  
 9 striking paragraph (7).

10 (2) CONFORMING AMENDMENTS.—Section 215  
 11 of such Act (42 U.S.C. 415) is amended—

12 (A) in subsection (d), by striking para-  
 13 graph (3); and

14 (B) in subsection (f), by striking para-  
 15 graph (9).

16 (c) COMPUTATION OF PRIMARY INSURANCE AMOUNT  
 17 FOR CURRENT BENEFICIARIES.—Section 215(a) of the  
 18 Social Security Act (42 U.S.C. 415(a)) (as amended by  
 19 subsections (a) and (b)) is further amended by inserting  
 20 after paragraph (6) the following:

1           “(7) In the case of any individual who initially  
2 becomes eligible for an old-age or disability insur-  
3 ance benefit before January 1, 2023, any computa-  
4 tion or recomputation of the primary insurance  
5 amount of such individual shall be made under sec-  
6 tion 215 as such section was in effect on the day be-  
7 fore the enactment of section 101 of the Social Secu-  
8 rity Reform Act of 2016.”.

9           (d) CONFORMING AMENDMENT.—Section 209(k)(1)  
10 of such Act (42 U.S.C. 409(k)(1)) is amended by striking  
11 “215(a)(1)(D)” and inserting “215(a)(1)(D)(iii),  
12 215(a)(1)(E)”.

13           (e) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply with respect to monthly insurance  
15 benefits payable on or after January 1, 2023.

16 **SEC. 102. RAISE FULL RETIREMENT AGE.**

17           (a) IN GENERAL.—Section 216(l) of the Social Secu-  
18 rity Act (42 U.S.C. 416(l)) is amended—

19                   (1) in paragraph (1)—

20                           (A) in subparagraph (D), by striking  
21 “and” at the end;

22                           (B) in subparagraph (E), by striking “67  
23 years of age.” and inserting “and before Janu-  
24 ary 1, 2023, 67 years of age;”; and

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

1           “(F) with respect to an individual who attains  
2           early retirement age after December 31, 2022, and  
3           before January 1, 2030, 67 years of age plus the  
4           number of months in the age increase factor (as de-  
5           termined under paragraph (3)) for the calendar year  
6           in which such individual attains early retirement  
7           age; and

8           “(G) with respect to an individual who attains  
9           early retirement age after December 31, 2029, 69  
10          years of age.”; and

11          (2) in paragraph (3), by adding at the end the  
12          following:

13          “(C) With respect to an individual who attains  
14          early retirement age in the 7-year period consisting  
15          of the calendar years 2023 through 2029, the age  
16          increase factor shall be equal to three-twelfths of the  
17          number of months in the period beginning with Jan-  
18          uary 2023 and ending with December of the year in  
19          which the individual attains early retirement age.”.

20          (b) EXTENSION OF MAXIMUM AGE FOR ENTITLE-  
21          MENT TO DELAYED RETIREMENT CREDIT.—Section  
22          202(w)(2)(A) of such Act (42 U.S.C. 402(w)(2)(A)) is  
23          amended—

1           (1) by striking “prior to the month in which  
2 such individual attained age 70, and” and inserting  
3 “prior to the later of—”; and

4           (2) by adding at the end the following:

5           “(i) the month in which such individual  
6 would attain age 70, or

7           “(ii) the month which ends 36 months  
8 after the end of the month in which such indi-  
9 vidual attained retirement age (as defined in  
10 section 216(l)), and”.

11 **SEC. 103. USE AN ACCURATE COST-OF-LIVING MEASURE.**

12           (a) IN GENERAL.—Section 215(i)(1) of the Social Se-  
13 curity Act (42 U.S.C. 415(i)(1)) is amended by adding  
14 at the end the following:

15           “(H) the term ‘Consumer Price Index’ means  
16 the Chained Consumer Price Index for All Urban  
17 Consumers (C-CPI-U, as published in its initial  
18 version by the Bureau of Labor Statistics of the De-  
19 partment of Labor).”.

20           (b) APPLICATION TO PRE-1979 LAW.—

21           (1) IN GENERAL.—Section 215(i)(1) of the So-  
22 cial Security Act as in effect in December 1978, and  
23 as applied in certain cases under the provisions of  
24 such Act as in effect after December 1978, is  
25 amended by adding at the end the following:

1           “(D) the term ‘Consumer Price Index’ means  
2           the Chained Consumer Price Index for All Urban  
3           Consumers (C–CPI–U, as published in its initial  
4           version by the Bureau of Labor Statistics of the De-  
5           partment of Labor).”.

6           (2) CONFORMING CHANGE.—Section 215(i)(4)  
7           of the Social Security Act (42 U.S.C. 415(i)(4)) is  
8           amended by inserting “and by section 103 of the So-  
9           cial Security Reform Act of 2016” after “1986”.

10          (c) NO EFFECT ON ADJUSTMENTS UNDER OTHER  
11         LAWS.—Section 215(i) of such Act (42 U.S.C. 415(i)), as  
12         amended by subsection (a), is further amended by adding  
13         at the end the following:

14                 “(6) Any provision of law (other than in this  
15                 title) which provides for adjustment of an amount  
16                 based on a change in benefit amounts resulting from  
17                 a determination made under this subsection shall be  
18                 applied and administered without regard to the  
19                 amendments made by section 103 of the Social Se-  
20                 curity Reform Act of 2016.”.

21          (d) LIMIT ON COLA.—Section 215(i)(2)(A) of the  
22         Social Security Act (42 U.S.C. 415(i)(2)(A)) is amended  
23         by adding at the end the following:

24                 “(iv)(I) In any case in which (but for this clause) an  
25                 increase would take effect with December of any calendar

1 year after 2017 pursuant to clause (ii)(I) in the benefit  
2 amount to which an individual is entitled, any increase  
3 pursuant to clause (ii)(II) in an individual's primary in-  
4 surance amount, or any increase pursuant to clause  
5 (ii)(III) in the permitted amount of total monthly benefits  
6 based on an individual's primary insurance amount, the  
7 applicable increase percentage with respect to the applica-  
8 ble cost-of-living computation quarter shall be deemed to  
9 be zero in the case of such individual if the modified ad-  
10 justed gross income of such individual for such calendar  
11 year, as would be determined for purposes of section  
12 1839(i), equals or exceeds the applicable base amount.

13 “(II) For purposes of subclause (I), the applicable  
14 base amount is the threshold amount applicable for such  
15 calendar year under subparagraph (A) of section  
16 1839(i)(2) (or, in the case of an individual filing a joint  
17 return, the threshold amount so applicable under subpara-  
18 graph (B) of such section). Such threshold amount shall  
19 be subject to adjustments under section 1839(i)(5).”.

20 (e) DISCLOSURE OF RETURN INFORMATION.—

21 (1) IN GENERAL.—The first sentence of section  
22 6103(l)(20)(A) of the Internal Revenue Code of  
23 1986 is amended by inserting “, or whose increase  
24 in primary insurance amount may be limited under

1 section 215(i)(2)(A)(iv) of such Act” before the pe-  
2 riod at the end.

3 (2) CONFORMING AMENDMENTS.—

4 (A) Section 6103(l)(20)(A)(vii) of such  
5 Code is amended by inserting “that the increase  
6 in the taxpayer’s primary insurance amount  
7 under section 215(i)(2)(A)(iv) may be limited,  
8 or” after “section 1839 of the Social Security  
9 Act”.

10 (B) Section 6103(l)(20)(B)(i) of such Code  
11 is amended—

12 (i) by inserting “, any limitation in an  
13 increase in primary insurance amount  
14 under such section 215(i)(2)(A)(iv),” after  
15 “under such section 1860D–13(a)(7)”, and

16 (ii) by inserting “or any such limita-  
17 tion” after “adjustment or increase”.

18 (f) EFFECTIVE DATE.—

19 (1) IN GENERAL.—Except as provided in para-  
20 graph (2), the amendments made by this section  
21 shall apply with respect to adjustments effective with  
22 or after December 2018.

23 (2) SUBSECTION (e).—The amendments made  
24 by subsection (e) shall apply to requests for informa-  
25 tion after the date of the enactment of this Act.

1 **SEC. 104. CAP ON NONWORKING SPOUSE BENEFIT.**

2 (a) WIFE'S INSURANCE BENEFITS.—Section 202(b)  
3 of the Social Security Act (42 U.S.C. 402(b)) is amend-  
4 ed—

5 (1) in paragraph (1)—

6 (A) in subparagraph (D), by striking “such  
7 individual,” and inserting “such individual or, if  
8 less, than the amount determined under para-  
9 graph (2)(B),”; and

10 (B) in subparagraph (J), by striking “one-  
11 half of the primary insurance amount of such  
12 individual” and inserting “the lesser of—

13 “(i) one-half of the primary insurance  
14 amount of such individual, or

15 “(ii) the amount determined under para-  
16 graph (2)(B), or”; and

17 (2) in paragraph (2)—

18 (A) by inserting “(A)” after “(2)”;  
19

20 (B) by inserting “subparagraphs (B) and  
21 (C) and” after “Except as provided in”; and

22 (C) by adding at the end the following new  
23 subparagraphs:

24 “(B)(i) Effective with respect to a wife or divorced  
25 wife of an individual entitled to old-age or disability insur-  
ance benefits who initially becomes eligible for such bene-



1 fits after 2022, such wife’s insurance benefit for each  
2 month shall not exceed—

3 “(I) if the month of such initial eligibility is be-  
4 fore 2032, the transitional amount determined under  
5 subparagraph (C), or

6 “(II) if the month of such initial eligibility is  
7 after 2031, 50 percent of the primary insurance  
8 amount determined for an individual who is an aver-  
9 age wage index worker with respect to such month.

10 “(ii) For purposes of clause (i), the term ‘average  
11 wage index worker’ with respect to a month means an in-  
12 dividual who initially becomes eligible for old-age insur-  
13 ance benefits during such month with average indexed  
14 monthly earnings equal to  $\frac{1}{12}$  of the national average  
15 wage index (as defined in section 209(k)(1)) for the sec-  
16 ond calendar year preceding such month.

17 “(C)(i) The transitional amount determined under  
18 this subparagraph is the excess of—

19 “(I) the amount of the benefit determined  
20 under subparagraph (A), over

21 “(II) the reduction amount determined under  
22 clause (ii) (if any).

23 “(ii) The reduction amount determined under this  
24 clause is the applicable percentage specified in clause (iii)  
25 of the excess (if any) of—

1           “(I) the amount of the benefit determined  
2           under subparagraph (A), over

3           “(II) 50 percent of the primary insurance  
4           amount determined for an individual who is an aver-  
5           age wage index worker (as defined in subparagraph  
6           (B)(ii)) with respect to the month in which the indi-  
7           vidual described in subparagraph (B)(i) initially be-  
8           comes eligible for old-age or disability insurance ben-  
9           efits.

10          “(iii) For purposes of clause (ii), the applicable per-  
11          centage specified in this clause is the percentage specified  
12          in connection with the year in which the individual de-  
13          scribed in subparagraph (B)(i) initially becomes eligible  
14          for old-age or disability insurance benefits, as set forth  
15          in the following table:

<b>“If the year in which the indi- vidual first becomes eligible is:</b>	<b>The applicable percentage is:</b>
2023 .....	10
2024 .....	20
2025 .....	30
2026 .....	40
2027 .....	50
2028 .....	60
2029 .....	70
2030 .....	80
2031 .....	90.

16          “(D) For purposes of this paragraph, an individual  
17          shall be deemed eligible for a benefit for a month if, upon  
18          filing application therefor in such month, she would be en-  
19          titled to such benefit for such month.”.

1 (b) HUSBAND’S INSURANCE BENEFITS.—Section  
2 202(c) of such Act (42 U.S.C. 402(c)) is amended—

3 (1) in paragraph (1)—

4 (A) in subparagraph (D), by striking “such  
5 individual,” and inserting “such individual or, if  
6 less, than the amount determined under para-  
7 graph (2)(B),”; and

8 (B) in subparagraph (J), by striking “one-  
9 half of the primary insurance amount of such  
10 individual” and inserting “the lesser of—

11 “(i) one-half of the primary insurance  
12 amount of such individual, or

13 “(ii) the amount determined under para-  
14 graph (2)(B), or”; and

15 (2) in paragraph (2)—

16 (A) by inserting “(A)” after “(2)”;  
17

18 (B) by inserting “subparagraphs (B) and  
19 (C) and” after “Except as provided in”; and

20 (C) by adding at the end the following new  
21 subparagraphs:

22 “(B)(i) Effective with respect to a husband or di-  
23 vorced husband of an individual entitled to old-age or dis-  
24 ability insurance benefits who initially becomes eligible for  
25 such benefits after 2022, such husband’s insurance benefit  
for each month shall not exceed—

1           “(I) if the month of such initial eligibility is be-  
2 fore 2032, the transitional amount determined under  
3 subparagraph (C), or

4           “(II) if the month of such initial eligibility is  
5 after 2031, 50 percent of the primary insurance  
6 amount determined for an individual who is an aver-  
7 age wage index worker with respect to such month.

8           “(ii) For purposes of clause (i), the term ‘average  
9 wage index worker’ with respect to a month means an in-  
10 dividual who initially becomes eligible for old-age insur-  
11 ance benefits during such month with average indexed  
12 monthly earnings equal to  $\frac{1}{12}$  of the national average  
13 wage index (as defined in section 209(k)(1)) for the sec-  
14 ond calendar year preceding such month.

15           “(C)(i) The transitional amount determined under  
16 this subparagraph is the excess of—

17           “(I) the amount of the benefit determined  
18 under subparagraph (A), over

19           “(II) the reduction amount determined under  
20 clause (ii) (if any).

21           “(ii) The reduction amount determined under this  
22 clause is the applicable percentage specified in clause (iii)  
23 of the excess (if any) of—

24           “(I) the amount of the benefit determined  
25 under subparagraph (A), over

1           “(II) 50 percent of the primary insurance  
 2           amount determined for an individual who is an aver-  
 3           age wage index worker (as defined in subparagraph  
 4           (B)(ii)) with respect to the month in which the indi-  
 5           vidual described in subparagraph (B)(i) initially be-  
 6           comes eligible for old-age or disability insurance ben-  
 7           efits.

8           “(iii) For purposes of clause (ii), the applicable per-  
 9           centage specified in this clause is the percentage specified  
 10          in connection with the year in which the individual de-  
 11          scribed in subparagraph (B)(i) initially becomes eligible  
 12          for old-age or disability insurance benefits, as set forth  
 13          in the following table:

<b>“If the year in which the indi- vidual first becomes eligible is:</b>	<b>The applicable percentage is:</b>
2023 .....	10
2024 .....	20
2025 .....	30
2026 .....	40
2027 .....	50
2028 .....	60
2029 .....	70
2030 .....	80
2031 .....	90.

14          “(D) For purposes of this paragraph, an individual  
 15          shall be deemed eligible for a benefit for a month if, upon  
 16          filing application therefor in such month, he would be enti-  
 17          tled to such benefit for such month.”.

18          (c) CONFORMING AMENDMENT.—Section 209(k)(1)  
 19          of such Act (42 U.S.C. 409(k)(1)) is amended by inserting  
 20          “202(b)(2)(B), 202(c)(2)(B),” before “203(f)(8)(B)(ii)”.

1 **SEC. 105. CAP ON CHILD'S BENEFIT.**

2 (a) CHILD'S INSURANCE BENEFITS.—Section  
3 202(d)(2) of the Social Security Act (42 U.S.C.  
4 402(d)(2)) is amended—

5 (1) by striking “Such” in the first sentence and  
6 inserting “(A) Except as provided in subparagraph  
7 (B), such”; and

8 (2) by adding at the end the following:

9 “(B)(i) Such child's insurance benefit for each  
10 month, with respect to a child of an individual entitled  
11 to old-age or disability insurance benefits who initially be-  
12 comes eligible for such old-age or disability insurance ben-  
13 efits after 2022 and has not died prior to the end of such  
14 month, shall not exceed—

15 “(I) if the month of such initial eligibility is be-  
16 fore 2032, the transitional amount determined under  
17 subparagraph (C), or

18 “(II) if the month of such initial eligibility is  
19 after 2031, 50 percent of the primary insurance  
20 amount determined for an individual who is an aver-  
21 age wage index worker with respect to such month.

22 “(ii) For purposes of clause (i), the term ‘average  
23 wage index worker’ with respect to a month means an in-  
24 dividual who initially becomes eligible for old-age insur-  
25 ance benefits during such month with average indexed  
26 monthly earnings equal to  $\frac{1}{12}$  of the national average

1 wage index (as defined in section 209(k)(1)) for the sec-  
2 ond calendar year preceding such month.

3 “(C)(i) The transitional amount determined under  
4 this subparagraph is the excess of—

5 “(I) the amount of the benefit determined  
6 under subparagraph (A), over

7 “(II) the reduction amount determined under  
8 clause (ii) (if any).

9 “(ii) The reduction amount determined under this  
10 clause is the applicable reduction percentage specified in  
11 clause (iii) of the excess (if any) of—

12 “(I) the amount of the benefit determined  
13 under subparagraph (A), over

14 “(II) 50 percent of the primary insurance  
15 amount as determined for an individual who is an  
16 average wage index worker (as defined in subpara-  
17 graph (B)(ii)) with respect to the month in which  
18 the individual described in subparagraph (B)(i) ini-  
19 tially becomes eligible for old-age or disability insur-  
20 ance benefits.

21 “(iii) For purposes of clause (ii), the applicable re-  
22 duction percentage specified in this clause is the percent-  
23 age specified in connection with the year in which the indi-  
24 vidual described in subparagraph (B)(i) becomes entitled

1 to old-age or disability insurance benefits, as set forth in  
 2 the following table:

<b>“If the year in which the indi- vidual first becomes eligible is:</b>	<b>The applicable reduction percentage is:</b>
2023 .....	10
2024 .....	20
2025 .....	30
2026 .....	40
2027 .....	50
2028 .....	60
2029 .....	70
2030 .....	80
2031 .....	90.

3 “(D) For purposes of this paragraph, an individual  
 4 shall be deemed eligible for a benefit for a month if, upon  
 5 filing application therefor in such month, he would be enti-  
 6 tled to such benefit for such month.”.

7 (b) CONFORMING AMENDMENT.—Section 209(k)(1)  
 8 of such Act (42 U.S.C. 409(k)(1)) is amended by inserting  
 9 “202(d)(2)(B),” before “203(f)(8)(B)(ii)”.

10 **SEC. 106. REQUIRE CHILD BENEFICIARIES TO ATTEND**  
 11 **SCHOOL.**

12 (a) CHILD’S BENEFITS UNDER TITLE II.—

13 (1) IN GENERAL.—Section 202(d)(1)(B)(i) of  
 14 the Social Security Act (42 U.S.C. 402(d)(1)(B)(i))  
 15 is amended by striking “age of 18” and inserting  
 16 “applicable full-time attendance age”.

17 (2) APPLICABLE FULL-TIME ATTENDANCE  
 18 AGE.—Section 202(d)(7) of such Act (42 U.S.C.  
 19 402(d)(7)) is amended by adding at the end the fol-  
 20 lowing:



1           “(E) The ‘applicable full-time attendance age’  
2           is—

3                   “(i) the age of 18 (in the case of an indi-  
4                   vidual who becomes entitled to child’s insurance  
5                   benefits before 2019), and

6                   “(ii) the age of 15 (in the case of an indi-  
7                   vidual who becomes entitled to child’s insurance  
8                   benefits in or after 2019).”.

9           (3) CONFORMING AMENDMENTS.—

10                   (A) TERMINATION.—Section 202(d)(1) of  
11                   such Act (42 U.S.C. 402(d)(1)) is amended in  
12                   each of subparagraphs (E), (F), and (G) by  
13                   striking “age of 18” each place it appears and  
14                   inserting “applicable full-time attendance age”.

15                   (B) REENTITLEMENT.—Section 202(d)(6)  
16                   of such Act (42 U.S.C. 402(d)(6)) is amended  
17                   by striking “age of 18” and inserting “applica-  
18                   ble full-time attendance age”.

## 19           **TITLE II—REWARDING WORK**

### 20           **SEC. 201. STRENGTHENING SOCIAL SECURITY FOR LONG** 21                   **CAREER WORKERS.**

22                   (a) IN GENERAL.—Section 215(a)(1) of the Social  
23                   Security Act (42 U.S.C. 415(a)(1)) (as amended by sec-  
24                   tion 101) is further amended—

1           (1) by redesignating subparagraph (E) (as re-  
2           designated by section 101) as subparagraph (F);  
3           and

4           (2) by inserting after subparagraph (D) (as re-  
5           designated by section 101) the following new sub-  
6           paragraph:

7           “(E)(i) In the case of an individual who initially be-  
8           comes eligible for old-age or disability insurance benefits,  
9           or who dies (before becoming eligible for such benefits),  
10          in any calendar year after 2022, the primary insurance  
11          amount computed under subparagraph (A) with respect  
12          to the individual shall not be less than the greater of—

13                  “(I) the minimum amount computed under sub-  
14          paragraph (C), or

15                  “(II) except as provided in clause (iv), in the  
16          case of an individual who has at least 10 years of  
17          work (as defined in clause (iii)), the minimum  
18          amount determined under clause (ii).

19          “(ii)(I) The minimum amount determined under this  
20          clause is the dollar amount equal to  $\frac{1}{12}$  of the applicable  
21          percentage of the national average wage index (as defined  
22          in section 209(k)(1)) for the second year prior to the year  
23          for which the amount is computed.

24          “(II) For purposes of subclause (I), the applicable  
25          percentage is the percentage specified in connection with

1 the number of years of work, as set forth in the following  
 2 table:

<b>“If the number of years of work is:</b>	<b>The applicable percentage is:</b>
11 .....	3
12 .....	6
13 .....	9
14 .....	12
15 .....	15
16 .....	16
17 .....	17
18 .....	18
19 .....	19
20 .....	25
21 .....	25 <sup>2</sup> / <sub>3</sub>
22 .....	26 <sup>1</sup> / <sub>3</sub>
23 .....	27
24 .....	27 <sup>2</sup> / <sub>3</sub>
25 .....	28 <sup>1</sup> / <sub>3</sub>
26 .....	29
27 .....	29 <sup>2</sup> / <sub>3</sub>
28 .....	30 <sup>1</sup> / <sub>3</sub>
29 .....	31
30 .....	31 <sup>2</sup> / <sub>3</sub>
31 .....	32 <sup>1</sup> / <sub>3</sub>
32 .....	33
33 .....	33 <sup>2</sup> / <sub>3</sub>
34 .....	34 <sup>1</sup> / <sub>3</sub>
35 or greater .....	35.

3 “(iii)(I) For purposes of this subparagraph, the term  
 4 ‘year of work’ means, with respect to an individual, a year  
 5 to which there is credited wages and self-employment in-  
 6 come earned or derived by such individual in an amount  
 7 equal to not less than, in the case of any such year,  
 8 \$10,875, multiplied by the ratio that the national average  
 9 wage index (as defined in section 209(k)(1)) for the sec-  
 10 ond year prior to such year bears to the national average  
 11 wage index (as so defined) for 2017.

12 “(II) For purposes of applying the table in clause (ii)  
 13 in the case of an individual entitled to disability insurance

1 benefits under section 223, the number of years of work  
2 of such individual shall be deemed to be the product of  
3 35 times the ratio of the actual number of years of work  
4 of such individual to the number of such individual's ben-  
5 efit computation years. Any such product which is not a  
6 multiple of one shall be rounded to the next higher mul-  
7 tiple of one.

8       “(III) In the case of a widow, surviving divorced wife,  
9 widower, surviving divorced husband, or surviving divorced  
10 parent (hereinafter in this subclause referred to as the  
11 ‘surviving beneficiary’) of an individual whose primary in-  
12 surance amount is otherwise determined, but for this sub-  
13 clause, under the preceding provisions of this subpara-  
14 graph (hereinafter in this subclause referred to as the ‘in-  
15 sured individual’), for purposes of determining the wid-  
16 ow’s, widower’s, mother’s, or father’s insurance benefit of  
17 the surviving beneficiary under subsection (e), (f), or (g)  
18 of section 202 on the basis of such primary insurance  
19 amount, such primary insurance amount shall be deemed  
20 to be equal to the primary insurance amount which would  
21 be determined under this subparagraph (before applica-  
22 tion of this subclause) if the number of years of work of  
23 the insured individual were equal to the product of 35  
24 times the ratio (not greater than one) of the actual num-  
25 ber of years of work of the surviving beneficiary to the

1 number of the benefit computation years of the insured  
 2 individual. Any such product which is not a multiple of  
 3 one shall be rounded to the next higher multiple of one.

4 “(iv) In the case of an individual who initially be-  
 5 comes eligible for old-age or disability insurance benefits,  
 6 or who dies (before becoming eligible for such benefits),  
 7 in any year during the 9-year period beginning with 2023,  
 8 the primary insurance amount computed under subpara-  
 9 graph (A) with respect to the individual shall not be less  
 10 than the greater of—

11 “(I) the minimum amount computed under sub-  
 12 paragraph (C), or

13 “(II) the applicable phase-in percentage (speci-  
 14 fied for such calendar year in the table set forth in  
 15 clause (v)) of the minimum amount determined  
 16 under clause (ii).

17 “(v) The table set forth in this clause is as follows:

<b>“For the calendar year:</b>	<b>The applicable phase-in percentage is:</b>
2023 .....	10
2024 .....	20
2025 .....	30
2026 .....	40
2027 .....	50
2028 .....	60
2029 .....	70
2030 .....	80
2031 .....	90.”.

18 (b) CONFORMING AMENDMENT.—Section 209(k)(1)  
 19 of such Act (42 U.S.C. 409(k)(1)) (as amended by section

1 101) is further amended by inserting “215(a)(1)(F),”  
2 after “215(a)(1)(E),”.

3 **SEC. 202. REPEAL OF THE RETIREMENT EARNINGS TEST.**

4 (a) IN GENERAL.—Subsections (b), (c)(1), (d), (f),  
5 (h), (j), and (k) of section 203 of the Social Security Act  
6 (42 U.S.C. 403) are repealed.

7 (b) CONFORMING AMENDMENTS.—Section 203 of  
8 such Act (as amended by subsection (a)) is further amend-  
9 ed—

10 (1) by redesignating subsections (c), (e), (g),  
11 and (l) as subsections (b), (c), (d), and (e), respec-  
12 tively;

13 (2) in subsection (b) (as so redesignated)—

14 (A) by striking “NONCOVERED WORK  
15 OUTSIDE THE UNITED STATES OR”;

16 (B) by redesignating paragraphs (2), (3),  
17 and (4) as paragraphs (1), (2), and (3), respec-  
18 tively;

19 (C) by striking “paragraphs (2), (3), and  
20 (4) of”; and

21 (D) by striking the last sentence;

22 (3) in subsection (c) (as so redesignated), by  
23 striking “subsections (c) and (d)” and inserting  
24 “subsection (b)”;

1 (4) in subsection (d) (as so redesignated), by  
2 striking “subsection (c)” each place it appears and  
3 inserting “subsection (b)”; and

4 (5) in subsection (e) (as so redesignated), by  
5 striking “subsection (g) or (h)(1)(A)” and inserting  
6 “subsection (d)”.

7 (c) ADDITIONAL CONFORMING AMENDMENTS.—

8 (1) PROVISIONS RELATING TO BENEFITS TER-  
9 MINATED UPON DEPORTATION.—Section 202(n)(1)  
10 of the Social Security Act (42 U.S.C. 402(n)(1)) is  
11 amended by striking “Section 203(b), (c), and (d)”  
12 and inserting “Section 203(b)”.

13 (2) PROVISIONS RELATING TO EXEMPTIONS  
14 FROM REDUCTIONS BASED ON EARLY RETIRE-  
15 MENT.—Section 202(q) of such Act (42 U.S.C.  
16 402(q)) is amended—

17 (A) in paragraph (5)(B), by striking “sec-  
18 tion 203(c)(2)” and inserting “section  
19 203(b)(1)”; and

20 (B) in paragraph (7)(A), by striking “de-  
21 ductions under section 203(b), 203(c)(1),  
22 203(d)(1), or 222(b)” and inserting “deduc-  
23 tions on account of work under section 203 or  
24 deductions under section 222(b)”.

1           (3) PROVISIONS RELATING TO EXEMPTIONS  
2 FROM REDUCTIONS BASED ON DISREGARD OF CER-  
3 TAIN ENTITLEMENTS TO CHILD’S INSURANCE BENE-  
4 FITS.—Section 202(s) of such Act (42 U.S.C.  
5 402(s)) is amended—

6           (A) in paragraph (1), by striking “para-  
7 graphs (2), (3), and (4) of section 203(c)” and  
8 inserting “paragraphs (1), (2), and (3) of sec-  
9 tion 203(b)”;

10           (B) in paragraph (3), by striking “The last  
11 sentence of subsection (c) of section 203, sub-  
12 section (f)(1)(C) of section 203, and sub-  
13 sections” and inserting “Subsections”.

14           (4) PROVISIONS RELATING TO SUSPENSION OF  
15 ALIENS’ BENEFITS.—Section 202(t)(7) of such Act  
16 (42 U.S.C. 402(t)(7)) is amended by striking “Sub-  
17 sections (b), (c), and (d)” and inserting “Subsection  
18 (b)”.

19           (5) PROVISIONS RELATING TO REDUCTIONS IN  
20 BENEFITS BASED ON MAXIMUM BENEFITS.—Section  
21 203(a)(3)(B)(iii) of such Act (42 U.S.C.  
22 403(a)(3)(B)(iii)) is amended by striking “and sub-  
23 sections (b), (c), and (d)” and inserting “and sub-  
24 section (b)”.



1           (6) PROVISIONS RELATING TO PENALTIES FOR  
2 MISREPRESENTATIONS CONCERNING EARNINGS FOR  
3 PERIODS SUBJECT TO DEDUCTIONS ON ACCOUNT OF  
4 WORK.—Section 208(a)(1)(C) of such Act (42  
5 U.S.C. 408(a)(1)(C)) is amended by striking “under  
6 section 203(f) of this title for purposes of deductions  
7 from benefits” and inserting “under section 203 for  
8 purposes of deductions from benefits on account of  
9 work”.

10           (7) PROVISIONS TAKING INTO ACCOUNT EARN-  
11 INGS IN DETERMINING BENEFIT COMPUTATION  
12 YEARS.—Clause (I) in the next to last sentence of  
13 section 215(b)(2)(A) of such Act (42 U.S.C.  
14 415(b)(2)(A)) is amended by striking “no earnings  
15 as described in section 203(f)(5) in such year” and  
16 inserting “no wages, and no net earnings from self-  
17 employment (in excess of net loss from self-employ-  
18 ment), in such year”.

19           (8) PROVISIONS RELATING TO ROUNDING OF  
20 BENEFITS.—Section 215(g) of such Act (42 U.S.C.  
21 415(g)) is amended by striking “and any deduction  
22 under section 203(b)”.

23           (9) PROVISIONS DEFINING INCOME FOR PUR-  
24 POSES OF SSI.—Section 1612(a) of such Act (42  
25 U.S.C. 1382a(a)) is amended—

1 (A) in paragraph (1)(A), by striking “as  
2 determined under section 203(f)(5)(C)” and in-  
3 serting “as defined in the last two sentences of  
4 this subsection”; and

5 (B) by adding at the end (after and below  
6 paragraph (2)(H)) the following:

7 “For purposes of paragraph (1)(A), the term ‘wages’  
8 means wages as defined in section 209, but computed  
9 without regard to the limitations as to amounts of remuneration  
10 specified in paragraphs (1), (6)(B), (6)(C),  
11 (7)(B), and (8) of section 209(a). In making the computa-  
12 tion under the preceding sentence, (A) services which do  
13 not constitute employment as defined in section 210, per-  
14 formed within the United States by an individual as an  
15 employee or performed outside the United States in the  
16 active military or naval services of the United States, shall  
17 be deemed to be employment as so defined if the remuneration  
18 for such services is not includible in computing  
19 the individual’s net earnings or net loss from self-employ-  
20 ment for purposes of title II, and (B) the term ‘wages’  
21 shall be deemed not to include (i) the amount of any pay-  
22 ment made to, or on behalf of, an employee or any of his  
23 or her dependents (including any amount paid by an em-  
24 ployer for insurance or annuities, or into a fund, to pro-  
25 vide for any such payment) on account of retirement, or

1 (ii) any payment or series of payments by an employer  
 2 to an employee or any of his or her dependents upon or  
 3 after the termination of the employee’s employment rela-  
 4 tionship because of retirement after attaining an age spec-  
 5 ified in a plan referred to in section 209(a)(11)(B) or in  
 6 a pension plan of the employer.”.

7 (d) EFFECTIVE DATE.—The amendments made by  
 8 this section shall apply with respect to taxable years end-  
 9 ing after December 31, 2022.

10 **TITLE III—IMPROVING**  
 11 **RETIREMENT SECURITY**

12 **SEC. 301. PHASEOUT OF TAX ON SOCIAL SECURITY BENE-**  
 13 **FITS RELATING TO THE SOCIAL SECURITY**  
 14 **TRUST FUNDS.**

15 (a) IN GENERAL.—Section 86 of the Internal Rev-  
 16 enue Code of 1986 is amended by adding at the end the  
 17 following new subsection:

18 “(g) PHASEOUT OF TAX RELATING TO THE SOCIAL  
 19 SECURITY TRUST FUNDS.—

20 “(1) IN GENERAL.—In the case of any taxable  
 21 year beginning after December 31, 2044, and before  
 22 January 1, 2054, the base amount shall be deter-  
 23 mined under subsection (c)(1) by—

1                   “(A) substituting for ‘\$25,000’ the amount  
 2                   determined in accordance with the following  
 3                   table:

<b>“For taxable years beginning in calendar year—</b>	<b>The amount is—</b>
2045 .....	\$32,500
2046 .....	\$40,000
2047 .....	\$47,500
2048 .....	\$55,000
2049 .....	\$62,500
2050 .....	\$70,000
2051 .....	\$77,500
2052 .....	\$85,000
2053 .....	\$92,500;

4                   and  
 5                   “(B) substituting for ‘\$32,000’ the amount  
 6                   determined in accordance with the following  
 7                   table:

<b>“For taxable years beginning in calendar year—</b>	<b>The amount is—</b>
2045 .....	\$65,000
2046 .....	\$80,000
2047 .....	\$95,000
2048 .....	\$110,000
2049 .....	\$125,000
2050 .....	\$140,000
2051 .....	\$155,000
2052 .....	\$170,000
2053 .....	\$185,000.

8                   “(2) TERMINATION AFTER 2053 OF TAX RELAT-  
 9                   ING TO THE SOCIAL SECURITY TRUST FUNDS.—In  
 10                  the case of any taxable year beginning after Decem-  
 11                  ber 31, 2053—

12                   “(A) subsection (a)(1) shall not apply, and  
 13                   “(B) the amount determined under para-  
 14                  graph (3)(A) shall be zero.

1           “(3) PRESERVATION OF TAX RELATING TO THE  
2 HOSPITAL INSURANCE TRUST FUND.—In the case of  
3 any taxable year beginning after December 31,  
4 2044, the amount determined under subsection  
5 (a)(2) shall be equal to the sum of—

6                   “(A) the amount determined under sub-  
7 section (a)(1) (after the application of para-  
8 graphs (1) and (2) of this subsection), plus

9                   “(B) the excess of—

10                           “(i) the amount determined under  
11 subsection (a)(2)—

12                                   “(I) without regard to this para-  
13 graph, and

14                                   “(II) by determining the base  
15 amount, and the amount determined  
16 under subsection (a)(1), without re-  
17 gard to paragraphs (1) and (2) of this  
18 subsection, over

19                           “(ii) the amount determined under  
20 subsection (a)(1) without regard to para-  
21 graphs (1) and (2) of this subsection.”.

22           (b) CONFORMING AMENDMENT.—Section  
23 871(a)(3)(A) of such Code is amended by inserting “(35  
24 percent in the case of taxable years beginning after De-  
25 cember 31, 2053)” after “85 percent”.

1           (c) TRANSFERS TO TRUST FUNDS.—With respect to  
2 tax liabilities determined for taxable years beginning after  
3 December 31, 2044, the aggregate increase in tax liabil-  
4 ities described in section 121(e)(1)(A)(ii) of the Social Se-  
5 curity Amendments of 1983 (and referred to in section  
6 121(e)(1)(B) of such Act) shall be equal to the aggregate  
7 increase in tax liabilities under chapter 1 of the Internal  
8 Revenue Code of 1986 which is attributable to section  
9 86(a)(2) of such Code (determined after application of  
10 section 86(g)(3) of such Code). With respect to tax liabil-  
11 ities for taxable years beginning after December 31, 2053,  
12 such aggregate shall be increased by the aggregate in-  
13 crease in such tax liabilities which is attributable to sec-  
14 tion 871(a)(3)(A) of such Code.

15           (d) EFFECTIVE DATES.—

16           (1) IN GENERAL.—Except as otherwise pro-  
17 vided in this subsection, the amendments made by  
18 this section shall apply to taxable years beginning  
19 after December 31, 2044.

20           (2) CONFORMING AMENDMENT.—The amend-  
21 ment made by subsection (b) shall apply to taxable  
22 years beginning after December 31, 2053.

1 **SEC. 302. OPTION TO CLAIM DELAYED RETIREMENT CRED-**  
2 **IT IN PARTIAL LUMP SUM.**

3 Section 202(w) of the Social Security Act (42 U.S.C.  
4 402(w)) is amended by adding at the end the following:

5 “(7)(A) In any case in which an individual becomes  
6 entitled to an old-age insurance benefit in a calendar year  
7 after 2022, and such benefit is subject to a monthly in-  
8 crease under paragraph (1), such individual may elect to  
9 receive, in lieu of the monthly increase under paragraph  
10 (1)—

11 “(i) an alternate monthly increase as deter-  
12 mined under subparagraph (E); and

13 “(ii) in addition to such monthly benefit as in-  
14 creased under clause (i), a one-time lump sum pay-  
15 ment, payable at the time of such individual’s enti-  
16 tlement to such benefit, equal to the sum of the  
17 present values (as determined by the Commissioner  
18 of Social Security using reasonable assumptions) of  
19 the applicable percentage (determined under sub-  
20 paragraph (B)) of the amount of such monthly ben-  
21 efit (as determined before the application of such in-  
22 crease) for each month in the life expectancy period  
23 (determined under subparagraph (C)).

24 “(B) The applicable percentage determined under  
25 this subparagraph is the percentage equal to the product  
26 of—

1           “(i)  $\frac{1}{6}$  of 1 percent, multiplied by

2           “(ii) the number (if any) of the increment  
3 months for such individual.

4           “(C) The life expectancy period determined under  
5 this subparagraph is, with respect to an individual, the  
6 period—

7           “(i) beginning with the month in which the in-  
8 dividual becomes entitled to an old-age insurance  
9 benefit; and

10           “(ii) ending with the month before the last  
11 month of life expectancy (as determined by the Com-  
12 missioner of Social Security using reasonable actu-  
13 arial assumptions) for the cohort of individuals who  
14 become eligible for an old-age insurance benefit in  
15 the same month as the individual.

16           “(D) The Commissioner of Social Security shall cer-  
17 tify to the Managing Trustee of the Federal Old-Age and  
18 Survivors Insurance Trust Fund the amount of any lump  
19 sum payment payable to an individual under subpara-  
20 graph (A) and, upon receipt of such certification, the Man-  
21 aging Trustee shall make payment of such lump sum pay-  
22 ment to such individual from such Trust Fund.

23           “(E) An alternate monthly increase for an individual  
24 determined under this subparagraph shall be equal to the  
25 monthly increase for the individual that would be deter-



1 mined under paragraph (1) if such monthly increase were  
2 determined by substituting ‘ $\frac{1}{2}$ ’ for ‘ $\frac{2}{3}$ ’ in paragraph  
3 (6)(D).

4 “(F)(i) For purposes of determining the amount of  
5 any benefit payable under this title on the basis of the  
6 wages and self-employment income of an individual who  
7 makes an election under this paragraph, the amount of  
8 any such benefit shall be determined as if such individual’s  
9 old-age benefit had been increased under paragraph (1)  
10 without regard to this paragraph.

11 “(ii) For purposes of applying any reduction under  
12 subsection (k)(3)(A) to the monthly insurance benefit of  
13 an individual who makes an election under this paragraph,  
14 the amount of such individual’s old-age benefit shall be  
15 determined as if such old-age benefit had been increased  
16 under paragraph (1) without regard to this paragraph.”.

17 **SEC. 303. STRENGTHENING SOCIAL SECURITY FOR LOW-IN-**  
18 **COME SENIORS.**

19 (a) IN GENERAL.—Section 202 of the Social Security  
20 Act (42 U.S.C. 402) is amended by adding at the end the  
21 following:

22 “(aa) INCREASE IN BENEFIT AMOUNTS ON ACCOUNT  
23 OF LONG-TERM ELIGIBILITY.—(1) In the case of an indi-  
24 vidual who is a qualified beneficiary for a calendar year  
25 after 2022, the amount of any monthly insurance benefit

1 of such qualified beneficiary under this section or section  
2 223 for any month in such calendar year shall be in-  
3 creased in accordance with paragraph (3).

4 “(2)(A) For purposes of this subsection, the term  
5 ‘qualified beneficiary’ for a calendar year means an indi-  
6 vidual in any case in which—

7 “(i) such calendar year begins at least 20 years  
8 after the applicable date of eligibility for such indi-  
9 vidual; and

10 “(ii) such individuals’s modified adjusted gross  
11 income (applicable with respect to such calendar  
12 year as determined under subparagraph (C)) is less  
13 than (subject to subparagraph (D)) the applicable  
14 base amount for such calendar year, or in the case  
15 of a joint return (within the meaning of section  
16 7701(a)(38) of the Internal Revenue Code of 1986),  
17 double such applicable base amount.

18 “(B) For purposes of this subsection, the applicable  
19 date of eligibility for an individual is the date on which  
20 the individual on whose wages and self-employment in-  
21 come the monthly insurance benefit is based initially be-  
22 came eligible (or died before becoming eligible) for old-  
23 age insurance benefits under subsection (a) or entitled to  
24 disability insurance benefits under section 223.

1       “(C) An individual’s modified adjusted gross income  
2 applicable with respect to a calendar year shall be as de-  
3 termined for purposes of section 1839(i)(4) with respect  
4 to premiums for a month in such year.

5       “(D) For purposes of subparagraph (A)(ii), the appli-  
6 cable base amount for a calendar year is—

7           “(i) in the case of calendar year 2023, \$25,000;  
8       and

9           “(ii) in the case of any calendar year beginning  
10 after 2023, the product (rounded to the nearest mul-  
11 tiple of \$1,000) of \$25,000 and the percentage (if  
12 any) by which the average of the Chained Consumer  
13 Price Index for All Urban Consumers (C-CPI-U, as  
14 published in its initial version by the Bureau of  
15 Labor Statistics of the Department of Labor) for  
16 the 12-month period ending with August of the pre-  
17 ceding calendar year exceeds such average for the  
18 12-month period ending with August 2022.

19       “(3)(A) The increase required under paragraph (1)  
20 with respect to the monthly insurance benefit of an indi-  
21 vidual who is a qualified beneficiary for a calendar year  
22 shall be equal to the applicable percentage (specified for  
23 such benefit in subparagraph (B)) of the full increase  
24 amount for such calendar year (determined under sub-  
25 paragraph (C)).

1 “(B) The applicable percentage specified for a  
 2 monthly insurance benefit under this subparagraph for a  
 3 calendar year is the percentage specified, in connection  
 4 with the number of years ending after the applicable date  
 5 of eligibility for such individual and before such calendar  
 6 year, in the following table:

<b>“If the number of years is:</b>	<b>The applicable percentage is:</b>
20 .....	20
21 .....	40
22 .....	60
23 .....	80
24 or more .....	100.

7 “(C)(i) Except as provided in clauses (ii) and (iii),  
 8 the full increase amount determined under this subpara-  
 9 graph for a calendar year in connection with the monthly  
 10 insurance benefit of a qualified beneficiary is a dollar  
 11 amount equal to 5 percent of the primary insurance  
 12 amount of a hypothetical individual if—

13 “(I) such primary insurance amount is deter-  
 14 mined for January of such calendar year;

15 “(II) on January 1 of the calendar year in  
 16 which occurred the applicable date of eligibility with  
 17 respect to such qualified beneficiary, such hypo-  
 18 theoretical individual were fully insured, attained retire-  
 19 ment age (as defined in section 216(l)(2)) and were  
 20 otherwise eligible for, and applied for, old-age insur-  
 21 ance benefits; and

1           “(III) such hypothetical individual’s average in-  
2           dexed monthly earnings taken into account in deter-  
3           mining such primary insurance amount were equal  
4           to  $\frac{1}{12}$  of the national average wage index (as de-  
5           fined in section 209(k)(1)) for the second year prior  
6           to such calendar year.

7           “(ii)(I) In the case of a monthly insurance benefit  
8           under subsection (b) or (c), the full increase amount deter-  
9           mined under this subparagraph shall be one-half the  
10          amount determined under clause (i); or

11          “(II) in the case of a monthly insurance benefit under  
12          subsection (d), (g), or (h), the full increase amount deter-  
13          mined under this subparagraph shall be the percentage of  
14          the amount determined under clause (i) equal to the ratio  
15          which the amount of such benefit bears to the primary  
16          insurance amount (before the application of section  
17          203(a)) of the individual on whose wages and self-employ-  
18          ment income the monthly insurance benefit is based.

19          “(iii) In the case of an individual whose applicable  
20          date of eligibility is before 2019, the full increase amount  
21          determined under this subparagraph shall be the product  
22          of—

23                 “(I) the amount determined under clause (i)  
24                 (after application of any reduction under clause (ii));  
25                 and

1 “(II) a fraction—

2 “(aa) the numerator of which is the num-  
3 ber of calendar years in the period beginning  
4 with calendar year 2019 and ending with the  
5 first calendar year for which the individual is a  
6 qualified beneficiary; and

7 “(bb) the denominator of which is 24.

8 “(4) In the case of a qualified beneficiary who is enti-  
9 tled to 2 or more monthly insurance benefits under this  
10 title for the same month—

11 “(A) the earliest applicable date of eligibility for  
12 such beneficiary with respect to such benefits shall  
13 be treated as the applicable date of eligibility for  
14 such beneficiary for the purposes of this subsection;  
15 and

16 “(B) such beneficiary shall be entitled to an in-  
17 crease with respect only to one such benefit.

18 “(5) This subsection shall be applied to monthly in-  
19 surance benefits after any increase under subsection (w)  
20 and any applicable reductions and deductions under this  
21 title.

22 “(6) In any case in which an individual is entitled  
23 to benefits under both this section and section 223, the  
24 increase under this subsection shall be paid from the Fed-  
25 eral Old-Age and Survivors Insurance Trust Fund.”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) Section 202 of such Act (42 U.S.C. 402) is  
3 amended—

4 (A) in the last sentence of subsection (a),  
5 by striking “subsection (q) and subsection (w)”  
6 and inserting “subsections (q), (w), and (aa)”;

7 (B) in subsection (b)(2), by striking “sub-  
8 sections (k)(5) and (q)” and inserting “sub-  
9 sections (k)(5), (q), and (aa)”;

10 (C) in subsection (c)(2), by striking “sub-  
11 sections (k)(5) and (q)” and inserting “sub-  
12 sections (k)(5), (q), and (aa)”;

13 (D) in subsection (d)(2), by adding at the  
14 end the following: “This paragraph shall apply  
15 subject to subsection (aa).”;

16 (E) in subsection (e)(2)(A), by striking  
17 “subsection (k)(5), subsection (q), and subpara-  
18 graph (D) of this paragraph” and inserting  
19 “subsection (k)(5), subsection (q), subsection  
20 (aa), and subparagraph (D) of this paragraph”;

21 (F) in subsection (f)(2)(A), by striking  
22 “subsection (k)(5), subsection (q), and subpara-  
23 graph (D) of this paragraph” and inserting  
24 “subsection (k)(5), subsection (q), subsection  
25 (aa), and subparagraph (D) of this paragraph”;

1 (G) in subsection (g)(2), by striking  
2 “Such” and inserting “Except as provided in  
3 subsections (k)(5) and (aa), such”;

4 (H) in subsection (h)(2)(A), by inserting  
5 “and subsection (aa)” after “subparagraphs  
6 (B) and (C)”; and

7 (I) in section 223(a)(2), by striking “sec-  
8 tion 202(q)” and inserting “sections 202(q) and  
9 202(aa)”.

10 (2) Section 203(a)(4) of such Act (42 U.S.C.  
11 403(a)(4)) is amended by inserting after “section  
12 222(b)” the following: “and before any increase  
13 under section 202(aa)”.

14 (3) Section 209(k)(1) of such Act (42 U.S.C.  
15 409(k)(1)) is amended by inserting  
16 “202(aa)(2)(D)(i), 202(aa)(3)(C)(i)(II),” before  
17 “203(f)(8)(B)(ii)”.

18 **SEC. 304. END 7-YEAR LIMITATION FOR DISABLED SUR-**

19 **VIVING SPOUSES.**

20 (a) **WIDOW’S INSURANCE BENEFITS.—**

21 (1) **IN GENERAL.—**Section 202(e) of the Social  
22 Security Act (42 U.S.C. 402(e)) is amended—

23 (A) in paragraph (1)(B)(ii), by striking  
24 “which began before the end of the period spec-  
25 ified in paragraph (4)”;



1 (B) in paragraph (1)(F)(ii), by striking  
2 “(I) in the period specified in paragraph (4)  
3 and (II)”;

4 (C) by striking paragraph (4) and by re-  
5 designating paragraphs (5) through (8) as  
6 paragraphs (4) through (7), respectively; and

7 (D) in paragraph (4)(A)(ii) (as redesignig-  
8 nated by subparagraph (C)), by striking  
9 “whichever” and all that follows through “be-  
10 gins” and inserting “the first day of the seven-  
11 teenth month before the month in which her ap-  
12 plication is filed”.

13 (2) CONFORMING AMENDMENTS.—

14 (A) Section 202(e)(1)(F)(i) of such Act  
15 (42 U.S.C. 402(e)(1)(F)(i)) is amended by  
16 striking “paragraph (5)” and inserting “para-  
17 graph (4)”.

18 (B) Section 202(e)(1)(C)(ii)(III) of such  
19 Act (42 U.S.C. 402(e)(2)(C)(ii)(III)) is amend-  
20 ed by striking “paragraph (8)” and inserting  
21 “paragraph (6)”.

22 (C) Section 226(e)(1)(A)(i) of such Act  
23 (42 U.S.C. 426(e)(1)(A)(i)) is amended by  
24 striking “202(e)(4),”.

25 (b) WIDOWER’S INSURANCE BENEFITS.—

1           (1) IN GENERAL.—Section 202(f) of such Act  
2 (42 U.S.C. 402(f)) is amended—

3           (A) in paragraph (1)(B)(ii), by striking  
4 “which began before the end of the period spec-  
5 ified in paragraph (4)”;

6           (B) in paragraph (1)(F)(ii), by striking  
7 “(I) in the period specified in paragraph (4)  
8 and (II)”;

9           (C) by striking paragraph (4) and by re-  
10 designating paragraphs (5) through (8) as  
11 paragraphs (4) through (7), respectively; and

12           (D) in paragraph (4)(A)(ii) (as redesign-  
13 ated by subparagraph (C)), by striking  
14 “whichever” and all that follows through “be-  
15 gins” and inserting “the first day of the seven-  
16 teenth month before the month in which his ap-  
17 plication is filed”.

18           (2) CONFORMING AMENDMENTS.—

19           (A) Section 202(f)(1)(F)(i) of such Act (42  
20 U.S.C. 402(f)(1)(F)(i)) is amended by striking  
21 “paragraph (5)” and inserting “paragraph  
22 (4)”.

23           (B) Section 202(f)(1)(C)(ii)(III) of such  
24 Act (42 U.S.C. 402(f)(2)(C)(ii)(III)) is amend-

1 ed by striking “paragraph (8)” and inserting  
2 “paragraph (6)”.

3 (C) Section 226(e)(1)(A)(i) of such Act (as  
4 amended by subsection (a)(2)(C)) is further  
5 amended by striking “202(f)(1)(B)(ii), and  
6 202(f)(4)” and inserting “and  
7 202(f)(1)(B)(ii)”.

8 (c) EFFECTIVE DATE.—The amendments made by  
9 this section shall apply with respect to benefits payable  
10 for months after December 2022 and for which applica-  
11 tions are filed after December 2022.

12 **SEC. 305. BENEFITS FOR DISABLED SURVIVING SPOUSES.**

13 (a) IN GENERAL.—

14 (1) ELIGIBILITY FOR WIDOW’S INSURANCE  
15 BENEFITS.—Section 202(e)(1)(B)(ii) of the Social  
16 Security Act (42 U.S.C. 402(e)(1)(B)(ii)) is amend-  
17 ed by striking “has attained age 50 but has not at-  
18 tained age 60 and”.

19 (2) ELIGIBILITY FOR WIDOWER’S INSURANCE  
20 BENEFITS.—Section 202(f)(1)(B)(ii) of such Act (42  
21 U.S.C. 402(f)(1)(B)(ii)) is amended by striking “has  
22 attained age 50 but has not attained age 60 and”.

23 (3) CONFORMING AMENDMENT.—Section  
24 202(q)(3)(A) of such Act (42 U.S.C. 402(q)(3)(A))  
25 is amended by striking “If the first month” and all

1 that follows through “widow’s or widower’s insur-  
2 ance benefit)” and inserting “If the first month for  
3 which an individual both is entitled to a wife’s or  
4 husband’s insurance benefit and has attained age 62  
5 or for which an individual is entitled to a widow’s or  
6 widower’s insurance benefit”.

7 (b) PRECLUSION OF ENTITLEMENT AFTER EARLY  
8 REMARRIAGE.—

9 (1) WIDOW’S INSURANCE BENEFITS.—Section  
10 202(e)(1)(B)(ii) of such Act (42 U.S.C.  
11 402(e)(1)(B)(ii)) is amended by inserting “and has  
12 not remarried prior to attaining the age which is 12  
13 years less than early retirement age (as defined in  
14 section 216(l)(2))” before the comma.

15 (2) WIDOWER’S INSURANCE BENEFITS.—Sec-  
16 tion 202(f)(1)(B)(ii) of such Act (42 U.S.C.  
17 402(f)(1)(B)(ii)) is amended by inserting “and has  
18 not remarried prior to attaining the age which is 12  
19 years less than early retirement age (as defined in  
20 section 216(l)(2))” before the comma.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall apply with respect to benefits payable  
23 for months after December 2022 and for which applica-  
24 tions are filed after December 2022.

1 **SEC. 306. WAIVE 2-YEAR DURATION OF DIVORCE REQUIRE-**  
2 **MENT.**

3 (a) WIFE'S INSURANCE BENEFITS.—Section  
4 202(b)(4)(A) of the Social Security Act (42 U.S.C.  
5 402(b)(4)(A)) is amended by adding at the end the fol-  
6 lowing new sentence: “The criterion for entitlement under  
7 clause (ii) shall be deemed met upon the remarriage of  
8 the insured individual to someone other than the applicant  
9 during the 2-year period referred to in such clause.”.

10 (b) HUSBAND'S INSURANCE BENEFITS.—Section  
11 202(c)(4)(A) of such Act (42 U.S.C. 402(c)(4)(A)) is  
12 amended by adding at the end the following new sentence:  
13 “The criterion for entitlement under clause (ii) shall be  
14 deemed met upon the remarriage of the insured individual  
15 to someone other than the applicant during the 2-year pe-  
16 riod referred to in such clause.”.

17 (c) EFFECTIVE DATE.—The amendments made by  
18 this section shall apply with respect to benefits payable  
19 for months after December 2022 and for which applica-  
20 tions are filed after December 2022.

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