

117TH CONGRESS
1ST SESSION

H. R. 3443

To amend title II of the Social Security Act to establish a disability benefit offset for Purple Heart recipients, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. AUSTIN SCOTT of Georgia (for himself, Mr. BISHOP of Georgia, Mr. TURNER, Mr. KIM of New Jersey, Mr. ALLEN, Mr. DESJARLAIS, Mr. STEWART, Mr. VAN DREW, Mr. HUDSON, Mr. RICE of South Carolina, Mr. KELLY of Mississippi, Mr. MCHENRY, Mr. TAYLOR, Mr. LAMB, Mr. C. SCOTT FRANKLIN of Florida, Mr. BACON, Mr. GOHMERT, Mr. BUCHANAN, Mr. HICE of Georgia, Mr. NORMAN, Mr. PALAZZO, Mrs. RODGERS of Washington, and Mr. WALTZ) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to establish a disability benefit offset for Purple Heart recipients, 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 “Purple Heart Freedom
5 to Work Act”.

1 **SEC. 2. DISABILITY BENEFIT OFFSET FOR PURPLE HEART**
2 **RECIPIENTS.**

3 (a) IN GENERAL.—Section 223(e) of the Social Secu-
4 rity Act (42 U.S.C. 423(e)) is amended—

5 (1) in paragraph (1), by striking “(1) No ben-
6 efit” and inserting “(1)(A) Except as provided in
7 paragraph (2), No benefit”;

8 (2) in paragraph (2)—

9 (A) by striking “(2) No benefit” and in-
10 serting “(B) No benefit”; and

11 (B) by striking “paragraph (1)” and in-
12 serting “subparagraph (A)”; and

13 (3) by adding at the end the following:

14 “(2)(A) Notwithstanding subsection (a)(1) of this
15 section, in any case in which an individual is entitled to
16 a monthly insurance benefit under such subsection based
17 on a disability that is attributable to an injury for which
18 the individual was awarded the Purple Heart, such indi-
19 vidual shall be deemed to continue to be entitled to such
20 benefit without regard to the individual’s termination
21 month, except that payment of such benefit for any month
22 shall be subject to the reduction described in subpara-
23 graph (B).

24 “(B)(i) Any benefit described in subparagraph (A)
25 otherwise payable to an individual described in such sub-
26 paragraph for a month shall be reduced by \$1 for each

1 \$4 by which the individual’s earnings derived from services
2 for such month exceeds the amount specified for such
3 month in clause (ii), except that such benefit may not be
4 reduced below \$0.

5 “(ii) The amount specified in this clause with respect
6 to an individual for a month is the amount of earnings
7 derived from services, applicable to the individual for such
8 month under subsection (d)(4)(A), sufficient to dem-
9 onstrate the individual’s ability to engage in substantial
10 gainful activity.

11 “(C) In the case of a benefit otherwise payable to
12 an individual for a month under section 202 on the basis
13 of the wages and self-employment income of an individual
14 whose benefit is reduced pursuant to subparagraph (B),
15 such benefit shall be reduced for such month by the same
16 proportion as the reduction made pursuant to subpara-
17 graph (B).”.

18 (b) CONFORMING AMENDMENTS.—Section 223(a)(2)
19 of such Act (42 U.S.C. 423(a)(2)) is amended by striking
20 “and section 215(b)(2)(A)(ii)” and inserting “, section
21 215(b)(2)(A)(ii), and subsection (e) of this section”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to benefits payable
24 for months beginning after the date that is 6 months after
25 the date of the enactment of this Act.

1 **SEC. 3. APPLICATION OF HIGHER SGA AMOUNT FOR PUR-**
2 **PLE HEART RECIPIENTS.**

3 (a) **IN GENERAL.**—Section 223(d)(4)(A) of the Social
4 Security Act (42 U.S.C. 423(d)(4)(A)) is amended by in-
5 serting after “who is blind” the following: “or who is enti-
6 tled to a monthly insurance benefit under subsection
7 (a)(1) based on a disability that is attributable to an in-
8 jury for which the individual was awarded the Purple
9 Heart”.

10 (b) **EFFECTIVE DATE.**—The amendments made by
11 subsection (a) shall apply with respect to benefits payable
12 for months beginning after the date that is 6 months after
13 the date of the enactment of this Act.

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