

114TH CONGRESS
2D SESSION

H. R. 6489

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

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

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:

“For the year:	The applicable percentage is:
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:

“If the year in which the indi- vidual first becomes eligible is:	The applicable percentage is:
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 (B) by inserting “subparagraphs (B) and
18 (C) and” after “Except as provided in”; and

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

21 “(B)(i) Effective with respect to a husband or di-
22 vorced husband of an individual entitled to old-age or dis-
23 ability insurance benefits who initially becomes eligible for
24 such benefits after 2022, such husband’s insurance benefit
25 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:

“If the year in which the indi- vidual first becomes eligible is:	The applicable percentage is:
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:

“If the year in which the indi- vidual first becomes eligible is:	The applicable reduction percentage is:
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:

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

“For the calendar year:	The applicable phase-in percentage is:
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:

“For taxable years beginning in calendar year—	The amount is—
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:

“For taxable years beginning in calendar year—	The amount is—
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:

“If the number of years is:	The applicable percentage is:
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.

○