

118TH CONGRESS
1ST SESSION

S. 2280

To protect our Social Security system and improve benefits for current and future generations.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2023

Mr. BLUMENTHAL (for himself, Mr. WHITEHOUSE, Mr. PADILLA, Ms. DUCKWORTH, and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To protect our Social Security system and improve benefits for current and future generations.

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 2100
5 Act”.

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—STRENGTHENING BENEFITS

Sec. 101. Across-the-board benefit increase.

1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—The amendments made by
3 this section shall apply with respect to monthly in-
4 surance benefits payable for months in calendar
5 years 2025 through 2034.

6 (2) RECOMPUTATION OF PRIMARY INSURANCE
7 AMOUNTS.—Notwithstanding section 215(f) of the
8 Social Security Act, the Commissioner of Social Se-
9 curity shall recompute primary insurance amounts
10 to the extent necessary—

11 (A) to carry out the amendments made by
12 this section; and

13 (B) to account for the nonapplication of
14 such amendments after calendar year 2034.

15 (c) RULE OF CONSTRUCTION.—For purposes of ap-
16 plying subparagraphs (A) and (B) of section 215(i)(1) of
17 the Social Security Act in any calendar year, nothing in
18 this section or the amendments made by this section shall
19 be considered a general benefit increase under title II of
20 such Act.

21 **SEC. 102. MORE ACCURATE COST-OF-LIVING ADJUSTMENT.**

22 (a) IN GENERAL.—

23 (1) IN GENERAL.—Section 215(i)(1)(D) of the
24 Social Security Act (42 U.S.C. 415(i)(1)(D)) is
25 amended by striking “Consumer Price Index” and

1 all that follows through “such index” and inserting
2 “Consumer Price Index for Urban Wage Earners
3 and Clerical Workers (CPI–W, as published by the
4 Bureau of Labor Statistics of the Department of
5 Labor) or Consumer Price Index for Elderly Con-
6 sumers (CPI–E, as published by such Bureau)
7 (whichever such index results in the higher percent-
8 age under this subparagraph) exceeds the same such
9 index”.

10 (2) CONFORMING AMENDMENT.—Section
11 215(i)(1)(G) of the Social Security Act (42 U.S.C.
12 415(i)(1)(G)) is amended by inserting “applicable
13 for purposes of subparagraph (D)” after “Consumer
14 Price Index”.

15 (b) APPLICATION TO PRE-1979 LAW.—

16 (1) IN GENERAL.—Section 215(i) of the Social
17 Security Act as in effect in December 1978, and as
18 applied in certain cases under the provisions of such
19 Act as in effect after December 1978, is amended—

20 (A) in paragraph (1)(B), by striking “Con-
21 sumer Price Index” and all that follows through
22 “such index” and inserting “Consumer Price
23 Index for Urban Wage Earners and Clerical
24 Workers (CPI–W, as published by the Bureau
25 of Labor Statistics of the Department of

1 Labor) or Consumer Price Index for Elderly
 2 Consumers (CPI-E, as published by such Bu-
 3 reau of such Department) (whichever such
 4 index results in the higher per centum under
 5 this subparagraph) exceeds, by not less than 3
 6 per centum, the same such Index”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)(ii), by strik-
 9 ing “Consumer Price Index for such cost-
 10 of-living computation quarter” and insert-
 11 ing “Consumer Price Index applicable for
 12 such year under paragraph (1)(B)”; and

13 (ii) in subparagraph (C)(i), by strik-
 14 ing “Consumer Price Index as published
 15 for any month exceeds by 2.5 percent or
 16 more the level of such index” and inserting
 17 “Consumer Price Index for Urban Wage
 18 Earners and Clerical Workers or Consumer
 19 Price Index for Elderly Consumers as pub-
 20 lished for any month exceeds by 2.5 per-
 21 cent or more the level of such index”.

22 (2) CONFORMING CHANGES.—Section 215(i)(4)
 23 of the Social Security Act (42 U.S.C. 415(i)(4)) is
 24 amended by inserting “and by section 102 of Social
 25 Security 2100 Act” after “1986”.

1 (c) NO EFFECT ON ADJUSTMENTS UNDER OTHER
2 LAWS.—Section 215(i) of the Social Security Act (42
3 U.S.C. 415(i)) is amended by adding at the end the fol-
4 lowing:

5 “(6) With respect to any provision of law (other than
6 in this title, title VIII, or title XVI) which provides for
7 an adjustment of an amount under such provision of law
8 in the same percentage as a cost-of-living adjustment ap-
9 plied to benefit amounts under this title, such provision
10 of law shall be applied and administered as if the percent-
11 age of such cost-of-living adjustment applied to benefit
12 amounts under this title were determined without regard
13 to the amendments made by subsections (a) and (b) of
14 section 102 of Social Security 2100 Act.”.

15 (d) PUBLICATION OF CONSUMER PRICE INDEX FOR
16 ELDERLY CONSUMERS.—The Bureau of Labor Statistics
17 of the Department of Labor shall prepare and publish an
18 index for each calendar month to be known as the “Con-
19 sumer Price Index for Elderly Consumers” that indicates
20 changes over time in expenditures for consumption which
21 are typical for individuals in the United States who have
22 attained age 62.

23 (e) TRANSITION RULE.—Prior to the publication of
24 the Consumer Price Index for Elderly Consumers (CPI-
25 E) pursuant to subsection (d), the reference to such index

1 made in each of the amendments made by subsections (a)
2 and (b) shall be deemed to be a reference to the research
3 price index prepared by the Bureau of Labor Statistics
4 of the Department of Labor known as the Consumer Price
5 Index for Americans 62 years of age and older (R-CPI-
6 E).

7 (f) EFFECTIVE DATE.—

8 (1) IN GENERAL.—The amendments made by
9 this section shall apply only to determinations made
10 with respect to cost-of-living computation quarters
11 (as defined in section 215(i)(1)(B) of the Social Se-
12 curity Act (42 U.S.C. 415(i)(1)(B))) ending on Sep-
13 tember 30 of calendar years 2024 through 2033.

14 (2) NONAPPLICATION AFTER 2033.—

15 (A) COLA REDETERMINATIONS.—For pur-
16 poses of subparagraph (B) and determinations
17 made with respect to cost-of-living computation
18 quarters (as so defined) ending on September
19 30 of any calendar year after 2033, section
20 215(i) of the Social Security Act shall be ap-
21 plied as if the determinations described in para-
22 graph (1) had been made without regard to the
23 amendments made by this section.

24 (B) INCREASES BASED ON COLA DETER-
25 MINATIONS.—Notwithstanding section 215(f) of

1 the Social Security Act, the Commissioner of
2 Social Security shall, for benefits payable under
3 title II for months after November 2034 and
4 for benefits payable under title XVI for months
5 after December 2034, recompute primary insur-
6 ance amounts, dollar amounts adjusted under
7 section 1617, and any other amounts subject to
8 increase on the basis of a determination made
9 with respect to cost-of-living computation quar-
10 ters under section 215(i) of the Social Security
11 Act to the extent necessary to apply the rede-
12 terminations made under subparagraph (A).

13 **SEC. 103. INCREASING THE MINIMUM BENEFIT FOR LONG-**
14 **TERM LOW EARNERS.**

15 (a) IN GENERAL.—Section 215(a)(1) of the Social
16 Security Act (42 U.S.C. 415(a)(1)) is amended—

17 (1) by redesignating subparagraph (D) as sub-
18 paragraph (E); and

19 (2) by inserting after subparagraph (C) the fol-
20 lowing new subparagraph:

21 “(D)(i) Effective with respect to the benefits of indi-
22 viduals who become eligible for old-age insurance benefits
23 or disability insurance benefits (or die before becoming so
24 eligible) after 2024, no primary insurance amount com-

1 puted under subparagraph (A) may be less than the great-
2 er of—

3 “(I) the minimum monthly amount computed
4 under subparagraph (C); or

5 “(II) in the case of an individual who has more
6 than 10 years of work (as defined in clause (iv)(I)),
7 the alternative minimum amount determined under
8 clause (ii).

9 “(ii)(I) The alternative minimum amount determined
10 under this clause is the applicable percentage of 1/12 of
11 the annual dollar amount determined under clause (iii) for
12 the year in which the amount is determined.

13 “(II) For purposes of subclause (I), the applicable
14 percentage is the percentage specified in connection with
15 the number of years of work, as set forth in the following
16 table:

“If the number of years of work is:	The applicable percentage is:
11	6.25 percent
12	12.50 percent
13	18.75 percent
14	25.00 percent
15	31.25 percent
16	37.50 percent
17	43.75 percent
18	50.00 percent
19	56.25 percent
20	62.50 percent
21	68.75 percent
22	75.00 percent
23	81.25 percent
24	87.50 percent
25	93.75 percent
26	100.00 percent
27	106.25 percent

“If the number of years of work is:	The applicable percentage is:
28	112.50 percent
29	118.75 percent
30 or more	125.00 percent.

1 “(iii) The annual dollar amount determined under
2 this clause is—

3 “(I) for calendar year 2025, the poverty guide-
4 line for 2024; and

5 “(II) for any calendar year after 2025, the an-
6 nual dollar amount established for the calendar year
7 preceding such calendar year, or, if larger, the an-
8 nual dollar amount for 2025 multiplied by the ratio
9 of—

10 “(aa) the national average wage index (as
11 defined in section 209(k)(1)) for the second cal-
12 endar year preceding the calendar year for
13 which the determination is made, to

14 “(bb) the national average wage index (as
15 so defined) for 2023.

16 “(iv) For purposes of this subparagraph—

17 “(I) the term ‘year of work’ means, with re-
18 spect to an individual, a year to which 4 quarters of
19 coverage have been credited based on such individ-
20 ual’s wages and self-employment income; and

21 “(II) the term ‘poverty guideline for 2024’
22 means the annual poverty guideline for 2024 (as up-
23 dated annually in the Federal Register by the De-

1 partment of Health and Human Services under the
2 authority of section 673(2) of the Omnibus Budget
3 Reconciliation Act of 1981) as applicable to a single
4 individual.”.

5 (b) CONFORMING AMENDMENT.—Section 209(k)(1)
6 of such Act (42 U.S.C. 409(k)(1)) is amended by inserting
7 “215(a)(1)(E),” after “215(a)(1)(D),”.

8 (c) EFFECTIVE DATE.—

9 (1) IN GENERAL.—The amendments made by
10 this section shall apply with respect to monthly in-
11 surance benefits payable for months in calendar
12 years 2025 through 2034.

13 (2) RECOMPUTATION OF PRIMARY INSURANCE
14 AMOUNTS.—Notwithstanding section 215(f) of the
15 Social Security Act, the Commissioner of Social Se-
16 curity shall recompute primary insurance amounts
17 to the extent necessary—

18 (A) to carry out the amendments made by
19 this section; and

20 (B) to account for the nonapplication of
21 such amendments after calendar year 2034.

1 **SEC. 104. INCREASING THRESHOLD AMOUNTS FOR INCLU-**
2 **SION OF SOCIAL SECURITY BENEFITS IN IN-**
3 **COME.**

4 (a) IN GENERAL.—Subsection (a) of section 86 of the
5 Internal Revenue Code of 1986 is amended to read as fol-
6 lows:

7 “(a) IN GENERAL.—Gross income for the taxable
8 year of any taxpayer described in subsection (b) (notwith-
9 standing section 207 of the Social Security Act) includes
10 Social Security benefits in an amount equal to the lesser
11 of—

12 “(1) 85 percent of the Social Security benefits
13 received during the taxable year, or

14 “(2) one-half of the excess described in sub-
15 section (b)(1).”.

16 (b) BASE AMOUNT.—Subsection (c) of section 86 of
17 such Code is amended to read as follows:

18 “(c) BASE AMOUNT.—For purposes of this section,
19 the term ‘base amount’ means—

20 “(1) except as otherwise provided in this para-
21 graph, \$35,000,

22 “(2) \$50,000 in the case of a joint return, and

23 “(3) zero in the case of a taxpayer who—

24 “(A) is married as of the close of the tax-
25 able year (within the meaning of section 7703)

1 but does not file a joint return for such year,
2 and

3 “(B) does not live apart from his spouse at
4 all times during the taxable year.”.

5 (c) TRANSFERS TO TRUST FUNDS.—

6 (1) HOSPITAL INSURANCE TRUST FUND HELD
7 HARMLESS.—Of the total revenue from taxation of
8 social security benefits, there are appropriated to the
9 Federal Hospital Insurance Trust Fund such
10 amounts as would be transferred to such fund under
11 section 121(e) of the Social Security Amendments of
12 1983 (42 U.S.C. 401 note) and section 86 of such
13 Code as such sections were in effect on the day be-
14 fore the date of the enactment of this Act, at such
15 times and in such manner as would be provided
16 therein.

17 (2) TRANSFERS TO PAYOR FUNDS.—Of the bal-
18 ance of the total revenue from taxation of social se-
19 curity benefits remaining after appropriations under
20 paragraph (1) have been made, there are appro-
21 priated to each payor fund amounts equivalent to
22 the portion of such balance equal to a fraction—

23 (A) the numerator of which is the amount
24 equivalent to the net revenues received in the
25 Treasury attributable to the application of sec-

1 tions 86 and 871(a)(3) of such Code to pay-
2 ments from such payor fund made in taxable
3 years beginning after December 31, 2024, and
4 before January 1, 2035; and

5 (B) the denominator of which is the total
6 revenue from taxation of social security bene-
7 fits.

8 (3) TRANSFERS.—The amounts appropriated
9 by paragraph (2) to any payor fund shall be trans-
10 ferred from time to time (but not less frequently
11 than quarterly) from the general fund of the Treas-
12 ury on the basis of estimates made by the Secretary
13 of the Treasury of the amounts referred to in such
14 paragraph. Any such quarterly payment shall be
15 made on the first day of such quarter and shall take
16 into account social security benefits estimated to be
17 received during such quarter. Proper adjustments
18 shall be made in the amounts subsequently trans-
19 ferred to the extent prior estimates were in excess
20 of or less than the amounts required to be trans-
21 ferred.

22 (4) DEFINITIONS.—For purposes of this sub-
23 section—

24 (A) TOTAL REVENUE FROM TAXATION OF
25 SOCIAL SECURITY BENEFITS.—The term “total

1 revenue from taxation of social security bene-
2 fits” means the amount equivalent to the net
3 revenues received in the Treasury attributable
4 to the application of sections 86 and 871(a)(3)
5 of the Internal Revenue Code of 1986 to pay-
6 ments from any payor fund made in taxable
7 years beginning after December 31, 2024, and
8 before January 1, 2035.

9 (B) PAYOR FUND.—The term “payor
10 fund” means any trust fund or account from
11 which payments of social security benefits are
12 made.

13 (C) SOCIAL SECURITY BENEFITS.—The
14 term “social security benefits” has the meaning
15 given such term by section 86(d)(1) of the In-
16 ternal Revenue Code of 1986.

17 (5) CONFORMING AMENDMENT.—Section
18 121(e) of the Social Security Amendments of 1983
19 (42 U.S.C. 401 note) is repealed.

20 (d) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to taxable years beginning after
22 December 31, 2024, and before January 1, 2035.

23 **SEC. 105. IMPROVING BENEFITS FOR WIDOWS AND WID-**
24 **OWERS IN TWO-INCOME HOUSEHOLDS.**

25 (a) IN GENERAL.—

1 (1) WIDOWS.—Section 202(e) of the Social Se-
2 curity Act (42 U.S.C. 402(e)) is amended—

3 (A) in paragraph (1)—

4 (i) in subparagraph (B), by inserting
5 “and” at the end;

6 (ii) in subparagraph (C)(iii), by strik-
7 ing “and” at the end;

8 (iii) by striking subparagraph (D);

9 (iv) by redesignating subparagraphs
10 (E) and (F) as subparagraphs (D) and
11 (E), respectively; and

12 (v) in the flush matter following sub-
13 paragraph (E)(ii), as so redesignated, by
14 striking “becomes entitled to an old-age in-
15 surance benefit” and all that follows
16 through “such deceased individual,”;

17 (B) by striking subparagraph (A) in para-
18 graph (2) and inserting the following:

19 “(2)(A) Except as provided in subsection
20 (k)(5), subsection (q), and subparagraph (D) of this
21 paragraph, such widow’s insurance benefit for each
22 month shall be equal to the greater of—

23 “(i) the primary insurance amount (as de-
24 termined for purposes of this subsection after

1 application of subparagraphs (B) and (C)) of
2 such deceased individual, or

3 “(ii) subject to paragraph (9), in the case
4 of a fully insured widow, 75 percent of the sum
5 of any old-age or disability insurance benefit for
6 which the widow is entitled for such month and
7 the primary insurance amount (as determined
8 for purposes of this subsection after application
9 of subparagraphs (B) and (C)) of such deceased
10 individual.”;

11 (C) in paragraph (5)—

12 (i) in subparagraph (A), by striking
13 “paragraph (1)(F)” and inserting “para-
14 graph (1)(E)”; and

15 (ii) in subparagraph (B), by striking
16 “paragraph (1)(F)(i)” and inserting
17 “paragraph (1)(E)(i)”; and

18 (D) by adding at the end the following:

19 “(9) For purposes of paragraph (2)(A)(ii), the
20 amount determined under such paragraph shall not
21 exceed the primary insurance amount for such
22 month of a hypothetical individual—

23 “(A) who became entitled to old-age insur-
24 ance benefits upon attaining early retirement
25 age during the month in which the deceased in-

1 dividual referred to in paragraph (1) became
 2 entitled to old-age or disability insurance bene-
 3 fits, or died (before becoming entitled to such
 4 benefits), and

5 “(B) to whom wages and self-employment
 6 income were credited in each of such hypo-
 7 thetical individual’s elapsed years (within the
 8 meaning of section 215(b)(2)(B)(iii)) in an
 9 amount equal to the national average wage
 10 index (as described in section 209(k)(1)) for
 11 each such year.”.

12 (2) WIDOWERS.—Section 202(f) of the Social
 13 Security Act (42 U.S.C. 402(f)) is amended—

14 (A) in paragraph (1)—

15 (i) in subparagraph (B), by inserting
 16 “and” at the end;

17 (ii) in subparagraph (C)(iii), by strik-
 18 ing “and” at the end;

19 (iii) by striking subparagraph (D);

20 (iv) by redesignating subparagraphs
 21 (E) and (F) as subparagraphs (D) and
 22 (E), respectively; and

23 (v) in the flush matter following sub-
 24 paragraph (E)(ii), as so redesignated, by
 25 striking “or becomes entitled to an old-age

1 insurance benefit” and all that follows
2 through “such deceased individual,”;

3 (B) by striking subparagraph (A) in para-
4 graph (2) and inserting the following:

5 “(2)(A) Except as provided in subsection
6 (k)(5), subsection (q), and subparagraph (D) of this
7 paragraph, such widower’s insurance benefit for
8 each month shall be equal to the greater of—

9 “(i) the primary insurance amount (as de-
10 termined for purposes of this subsection after
11 application of subparagraphs (B) and (C)) of
12 such deceased individual, or

13 “(ii) subject to paragraph (9), in the case
14 of a fully insured widower, 75 percent of the
15 sum of any old-age or disability insurance ben-
16 efit for which the widower is entitled for such
17 month and the primary insurance amount (as
18 determined for purposes of this subsection after
19 application of subparagraphs (B) and (C)) of
20 such deceased individual.”;

21 (C) in paragraph (5)—

22 (i) in subparagraph (A), by striking
23 “paragraph (1)(F)” and inserting “para-
24 graph (1)(E)”;

1 (ii) in subparagraph (B), by striking
2 “paragraph (1)(F)(i)” and inserting
3 “paragraph (1)(E)(i)”; and
4 (D) by adding at the end the following:

5 “(9) For purposes of paragraph (2)(A)(ii), the
6 amount determined under such paragraph shall not
7 exceed the primary insurance amount for such
8 month of a hypothetical individual—

9 “(A) who became entitled to old-age insur-
10 ance benefits upon attaining early retirement
11 age during the month in which the deceased in-
12 dividual referred to in paragraph (1) became
13 entitled to old-age or disability insurance bene-
14 fits, or died (before becoming entitled to such
15 benefits), and

16 “(B) to whom wages and self-employment
17 income were credited in each of such hypo-
18 thetical individual’s elapsed years (within the
19 meaning of section 215(b)(2)(B)(iii)) in an
20 amount equal to the national average wage
21 index (as described in section 209(k)(1)) for
22 each such year.”.

23 (b) CONFORMING AMENDMENT.—Section 209(k)(1)
24 of the Social Security Act (42 U.S.C. 409(k)(1)), as

1 amended by section 103(c), is further amended by insert-
 2 ing “202(e)(9), 202(f)(9),” after “sections”.

3 (c) EFFECTIVE DATE.—The amendments made by
 4 this section shall apply with respect to widow’s or wid-
 5 ower’s insurance benefits payable for months in calendar
 6 years 2025 through 2034.

7 **SEC. 106. INCREASING BENEFITS FOR BENEFICIARIES**
 8 **AFTER 15 YEARS OF ELIGIBILITY.**

9 (a) IN GENERAL.—Section 202 of the Social Security
 10 Act (42 U.S.C. 402) is amended by adding at the end the
 11 following new subsection:

12 “(aa) INCREASE IN BENEFIT AMOUNTS ON ACCOUNT
 13 OF LONG-TERM ELIGIBILITY.—(1) In the case of an indi-
 14 vidual who is a qualified beneficiary for a calendar year
 15 after 2024, the amount of any monthly insurance benefit
 16 of such qualified beneficiary under this section or section
 17 223 for any month in such calendar year shall be in-
 18 creased in accordance with paragraph (3).

19 “(2)(A) For purposes of this subsection, the term
 20 ‘qualified beneficiary’ for a calendar year means an indi-
 21 vidual in any case in which such calendar year is at least
 22 the 16th year beginning after the applicable year of eligi-
 23 bility for such individual.

24 “(B) For purposes of this subsection, the applicable
 25 year of eligibility for an individual is the year in which

1 the individual on whose wages and self-employment in-
 2 come the monthly insurance benefit is based initially be-
 3 came eligible (or died before becoming eligible) for old-
 4 age insurance benefits under subsection (a) or disability
 5 insurance benefits under section 223.

6 “(3)(A) The increase required under paragraph (1)
 7 with respect to the monthly insurance benefit of an indi-
 8 vidual who is a qualified beneficiary for a calendar year
 9 shall be equal to the applicable percentage (specified for
 10 such benefit in subparagraph (B)) of the full increase
 11 amount for such calendar year (determined under sub-
 12 paragraph (C)).

13 “(B) The applicable percentage specified for a
 14 monthly insurance benefit under this subparagraph for a
 15 calendar year is the percentage specified, in connection
 16 with the year described in the following table, as follows:

“If the year described is:	The applicable percentage is:
the 16th year beginning after the applicable year of eligi- bility	20 percent
the 17th year beginning after the applicable year of eligi- bility	40 percent
the 18th year beginning after the applicable year of eligi- bility	60 percent
the 19th year beginning after the applicable year of eligi- bility	80 percent
the 20th year beginning after the applicable year of eligi- bility or later	100 percent.

17 “(C)(i) Except as provided in clause (ii), the full in-
 18 crease amount determined under this subparagraph for a
 19 calendar year in connection with the monthly insurance

1 benefit of a qualified beneficiary is a dollar amount equal
2 to 5 percent of the primary insurance amount of a puta-
3 tive individual if—

4 “(I) such primary insurance amount were de-
5 termined for January of such calendar year;

6 “(II) on January 1 of the applicable year of eli-
7 gibility for the qualified beneficiary, such putative
8 individual were fully insured, attained retirement
9 age (as defined in section 216(l)(2)) and were other-
10 wise eligible for, and applied for, old-age insurance
11 benefits; and

12 “(III) such putative individual’s average in-
13 dexed monthly earnings taken into account in deter-
14 mining such primary insurance amount were equal
15 to $\frac{1}{12}$ of the national average wage index (as de-
16 fined in section 209(k)(1)) for the second year prior
17 to such applicable year of eligibility.

18 “(ii)(I) In the case of a monthly insurance benefit
19 under subsection (b) or (c), the full increase amount deter-
20 mined under this subparagraph shall be one-half the
21 amount determined under clause (i).

22 “(II) in the case of a monthly insurance benefit under
23 subsection (d), (g), or (h), the full increase amount deter-
24 mined under this subparagraph shall be the percentage of
25 the amount determined under clause (i) equal to the ratio

1 which the amount of such benefit bears to the primary
2 insurance amount (before the application of section
3 203(a)) of the individual on whose wages and self-employ-
4 ment income the monthly insurance benefit is based.

5 “(4) In the case of a qualified beneficiary who is enti-
6 tled to two or more monthly insurance benefits under this
7 title for the same month—

8 “(A) the earliest applicable year of eligibility for
9 such beneficiary with respect to such benefits shall
10 be treated as the applicable year of eligibility for
11 such beneficiary for the purposes of this subsection;
12 and

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

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

19 (b) CONFORMING AMENDMENTS.—

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

22 (A) in the last sentence of subsection (a),
23 by striking “subsection (q) and subsection (w)”
24 and inserting “subsections (q), (w), and (aa)”;

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

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

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

10 (E) in subsection (e)(2)(A), by striking
11 “subsection (k)(5), subsection (q), and subpara-
12 graph (D) of this paragraph” and inserting
13 “subsection (k)(5), subsection (q), subsection
14 (aa), and subparagraph (D) of this paragraph”;

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

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

23 (H) in subsection (h)(2)(A), by inserting
24 “and subsection (aa)” after “subparagraphs
25 (B) and (C)”; and

1 “(B) The term ‘qualifying year’ does not in-
2 clude any year ending after the date on which such
3 individual attains retirement age (as defined in sec-
4 tion 216(l)).

5 “(2) The term ‘dependent relative’ means, in
6 connection with an individual—

7 “(A) a child, grandchild, niece, or nephew
8 (of such individual or such individual’s spouse
9 or domestic partner), or a child to which the in-
10 dividual or the individual’s spouse or domestic
11 partner is standing in loco parentis, who is
12 under the age of 12; or

13 “(B) a child, grandchild, niece, or nephew
14 (of such individual or such individual’s spouse
15 or domestic partner), a child to which the indi-
16 vidual or the individual’s spouse or domestic
17 partner is standing in loco parentis, a parent,
18 grandparent, sibling, aunt, or uncle (of such in-
19 dividual or his or her spouse or domestic part-
20 ner), or such individual’s spouse or domestic
21 partner, if such child, grandchild, niece, neph-
22 ew, parent, grandparent, sibling, aunt, uncle,
23 spouse, or domestic partner is a chronically de-
24 pendent individual.

1 “(3)(A) The term ‘chronically dependent indi-
2 vidual’ means an individual who—

3 “(i) is dependent on a daily basis on verbal
4 reminding, physical cueing, supervision, or
5 other assistance provided to the individual by
6 another person in the performance of at least
7 two of the activities of daily living (described in
8 subparagraph (B)) or instrumental activities of
9 daily living (described in subparagraph (C));
10 and

11 “(ii) without the assistance described in
12 clause (i), could not perform such activities of
13 daily living or instrumental activities of daily
14 living.

15 “(B) The ‘activities of daily living’ referred to
16 in subparagraph (A) means basic personal everyday
17 activities, including—

18 “(i) eating;

19 “(ii) bathing;

20 “(iii) dressing;

21 “(iv) toileting; and

22 “(v) transferring in and out of a bed or in
23 and out of a chair.

24 “(C) The ‘instrumental activities of daily living’
25 referred to in subparagraph (A) means activities re-

1 lated to living independently in the community, in-
2 cluding—

3 “(i) meal planning and preparation;

4 “(ii) managing finances;

5 “(iii) shopping for food, clothing, or other
6 essential items;

7 “(iv) performing essential household
8 chores;

9 “(v) communicating by phone or other
10 form of media; and

11 “(vi) traveling around and participating in
12 the community.

13 “(b) DEEMED WAGES OF CAREGIVER.—(1)(A) For
14 purposes of determining entitlement to and the amount
15 of any monthly benefit for any month after December
16 2024, or entitlement to any lump-sum death payment in
17 the case of a death after such month, payable under this
18 title on the basis of the wages and self-employment income
19 of any individual, including for purposes of determining
20 such individual’s insured status for purposes of sections
21 214, 216(i)(3), and 223(c), such individual shall be
22 deemed to have been paid during each qualifying year (in
23 addition to wages or self-employment income actually paid
24 to or derived by such individual during such year) at an
25 amount per year equal to—

1 “(i) in the case of a qualifying year during
2 which no wages, self-employment income, or earn-
3 ings from noncovered service were actually paid to
4 or derived by such individual, 50 percent of the na-
5 tional average wage index (as defined in section
6 209(k)(1)) for the second calendar year preceding
7 such calendar year; and

8 “(ii) in the case of any other qualifying year,
9 the excess of the amount determined under clause (i)
10 over $\frac{1}{2}$ of the wages, self-employment income, and
11 earnings from noncovered service actually paid to or
12 derived by such individual during such year.

13 “(B) In any case in which there are more than 5
14 qualifying years for an individual, the 5 qualifying years
15 taken into account for purposes of this section shall be
16 the 5 qualifying years (whether or not consecutive) which
17 result in the largest monthly benefits payable under this
18 title on the basis of the wages and self-employment income
19 of the individual for months after December 2024.

20 “(C) For purposes of this paragraph, the term ‘earn-
21 ings from noncovered service’ means earnings for service
22 which did not constitute ‘employment’ as defined in sec-
23 tion 210 for purposes of this title.

24 “(2) Paragraph (1) shall not be applicable in the case
25 of any monthly benefit or lump-sum death payment if a

1 larger such benefit or payment, as the case may be, would
2 be payable without its application.

3 “(3) Any assistance or support services provided to
4 caregivers under section 1720G of title 38, United States
5 Code, shall not be considered wages or self-employment
6 income for the purposes of this section.

7 “(c) RULES AND REGULATIONS.—(1) Not later than
8 1 year after the date of the enactment of this section, the
9 Commissioner of Social Security shall promulgate such
10 regulations as are necessary to carry out this section and
11 to prevent fraud and abuse with respect to the benefits
12 under this section, including regulations establishing pro-
13 cedures for the application and certification requirements
14 described in paragraph (2).

15 “(2) A qualifying year shall not be taken into account
16 under this section with respect to an individual unless—

17 “(A) the individual submits to the Commis-
18 sioner of Social Security an application under this
19 section that includes—

20 “(i) the name and identifying information
21 of the dependent relative with respect to whom
22 the individual was engaged in providing care
23 during such year;

24 “(ii) if the dependent relative is not a child
25 under the age of 12, documentation from the

1 physician of the dependent relative explaining
2 why the dependent relative is a chronically de-
3 pendent individual; and

4 “(iii) such other information as the Com-
5 missioner may require to verify the status of
6 the dependent relative; and

7 “(B) for every qualifying year that occurs after
8 the first qualifying year, the individual certifies, in
9 such form and manner as the Commissioner shall re-
10 quire, that the information provided in the individ-
11 ual’s application under this section has not
12 changed.”.

13 (b) CONFORMING AMENDMENT.—Section 209(k)(1)
14 of such Act (42 U.S.C. 409(k)(1)) is amended—

15 (1) by striking “and” before “230(b)(2)” the
16 first time it appears; and

17 (2) by inserting “and 235(b)(1)(A)(i),” after
18 “1977),”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to individuals who be-
21 come eligible for monthly insurance benefits (or die before
22 becoming so eligible) after 2024 and before 2035, except
23 that such amendments shall not apply for purposes of de-
24 termining continuing eligibility or monthly benefit

1 amounts for monthly insurance benefits for any month
2 after calendar year 2034.

3 **SEC. 108. ELIMINATING THE 5-MONTH WAITING PERIOD**
4 **FOR DISABILITY BENEFITS.**

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

7 (1) in paragraph (1), in the matter following
8 subparagraph (E), by striking “(i) for each month”
9 and all that follows through “under such disability,”
10 and inserting “for each month beginning with the
11 first month during all of which the individual is
12 under a disability and in which the individual be-
13 comes entitled to such insurance benefits”; and

14 (2) in paragraph (2)—

15 (A) by striking “as though he had attained
16 age 62” and all that follows through “and as
17 though” and inserting “as though he had at-
18 tained age 62 in the first month for which he
19 becomes entitled to such disability insurance
20 benefits, and as though”; and

21 (B) by striking “in or before the first
22 month referred to in subparagraph (A) or (B)
23 of such sentence, as the case may be,” and in-
24 serting “in or before such month,”.

1 (b) DISABLED SURVIVING SPOUSES.—Section 202 of
2 the Social Security Act (42 U.S.C. 402) is amended—

3 (1) in subsection (e)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (C)(ii)(III), by
6 striking “paragraph (8)” and inserting
7 “paragraph (6)”; and

8 (ii) by striking “beginning with—”
9 and all that follows through “and ending”
10 and inserting “beginning with the first
11 month in which she becomes so entitled to
12 such insurance benefits and ending”; and

13 (B) by striking paragraph (5) and redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

16 (2) in subsection (f)—

17 (A) in paragraph (1)—

18 (i) in subparagraph (C)(ii)(III), by
19 striking “paragraph (8)” and inserting
20 “paragraph (6)”; and

21 (ii) by striking “beginning with—”
22 and all that follows through “and ending”
23 and inserting “beginning with the first
24 month in which he becomes so entitled to
25 such insurance benefits and ending”; and

1 (B) by striking paragraph (5) and redesignig-
2 nating paragraphs (6) through (8) as para-
3 graphs (5) through (7), respectively.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to any individual who
6 becomes entitled to monthly insurance benefits in any case
7 in which the period of disability during which the indi-
8 vidual became so entitled begins in a month in calendar
9 years 2025 through 2034.

10 (d) SPECIAL RULES FOR NONAPPLICATION BEFORE
11 2025 AND AFTER 2034.—

12 (1) BEFORE 2025.—In the case of any indi-
13 vidual who would be in a waiting period (as defined
14 in section 223(c)(2) of the Social Security Act) as
15 of January 2024, the last month of such individual's
16 waiting period shall be deemed to be December
17 2024.

18 (2) AFTER 2034.—In the case of an individual
19 who would be in a waiting period (as so defined) as
20 of January 2035 but for the amendments made by
21 this section, such individual's waiting period shall be
22 deemed—

23 (A) to begin with the month of January
24 2035; and

1 (B) to consist of a number of months equal
 2 to the difference of 5 minus the number of
 3 months in the applicable period of disability of
 4 the individual that elapsed during 2034.

5 **SEC. 109. ESTABLISHING A GRADUAL OFFSET FOR DIS-**
 6 **ABILITY BENEFICIARIES WITH EARNINGS.**

7 (a) **ELIMINATION OF TERMINATION OF BENEFITS**
 8 **DUE TO WORK ACTIVITY.—**

9 (1) **DATE OF TERMINATION OF DISABILITY**
 10 **BENEFITS; ELIMINATION OF EXTENDED PERIOD OF**
 11 **ELIGIBILITY.—**Section 223(a)(1) of the Social Secu-
 12 rity Act (42 U.S.C. 423(a)(1)) is amended, in the
 13 matter following subparagraph (E), by striking “the
 14 earlier of” and all that follows through “the 36
 15 months following such period of trial work in which
 16 he engages or is determined able to engage in sub-
 17 stantial gainful activity” and inserting “the third
 18 month following the earliest month after the end of
 19 such period of trial work with respect to which such
 20 individual is determined to no longer be suffering
 21 from a disabling physical or mental impairment”.

22 (2) **DATE OF TERMINATION OF CHILD’S BENE-**
 23 **FITS.—**Section 202(d)(1)(G)(i) of such Act (42
 24 U.S.C. 402(d)(1)(G)(i)) is amended by striking “the
 25 earlier of” and all that follows through “substantial

1 gainful activity),” and inserting “the third month
2 following the earliest month after the end of such
3 period of trial work with respect to which such indi-
4 vidual is determined to no longer be suffering from
5 a disabling physical or mental impairment,”.

6 (3) DATE OF TERMINATION OF WIDOW’S AND
7 WIDOWER’S BENEFITS.—Subsections (e)(1) and
8 (f)(1) of section 202 of such Act (42 U.S.C. 402)
9 are each amended, in the matter following subpara-
10 graph (E), by striking “the earlier of” and all that
11 follows through the end of the paragraph and insert-
12 ing “the third month following the earliest month
13 after the end of such period of trial work with re-
14 spect to which such individual is determined to no
15 longer be suffering from a disabling physical or men-
16 tal impairment.”.

17 (4) ELIMINATION OF WORK-RELATED TERMI-
18 NATION OF HOSPITAL INSURANCE BENEFITS.—Sec-
19 tion 226(b) of such Act (42 U.S.C. 426(b)) is
20 amended, in the matter following paragraph (2), by
21 striking “For purposes of this subsection” and all
22 that follows through the end.

23 (5) CONFORMING AMENDMENT RELATED TO
24 EXPEDITED REINSTATEMENT.—Section 223 of such

1 Act (42 U.S.C. 423) is amended by striking sub-
2 section (i).

3 (b) BENEFIT REDUCTION BASED ON EARNINGS DE-
4 RIVED FROM SERVICES.—

5 (1) IN GENERAL.—Section 223(e) of such Act
6 (42 U.S.C. 423(e)) is amended to read as follows:

7 “(e)(1) Any benefit otherwise payable to an individual
8 for a month under subsection (d)(1)(B)(ii), (d)(6)(A)(ii),
9 (d)(6)(B), (e)(1)(B)(ii), or (f)(1)(B)(ii) of section 202 or
10 under subsection (a)(1) of this section shall be reduced
11 by \$1 for each \$2 by which the individual’s earnings de-
12 rived from services for such month exceeds the amount
13 specified in paragraph (2) with respect to such month, ex-
14 cept that—

15 “(A) in the case of an individual who has a pe-
16 riod of trial work (as defined in section 222(c)), no
17 reduction may be applied to any benefit of such indi-
18 vidual under this title for any month prior to the
19 third month after the end of the individual’s period
20 of trial work; and

21 “(B) such benefit may not be reduced below \$0.

22 “(2) The amount specified in this paragraph with re-
23 spect to a month shall be the amount of monthly earnings
24 derived from services established by the Commissioner
25 (under regulations issued pursuant to section

1 223(d)(4)(A)) to represent substantial gainful activity in
2 the case of a blind individual for such month.

3 “(3) In the case of a benefit otherwise payable to an
4 individual for a month under section 202 on the basis of
5 the wages and self-employment income of an individual
6 whose benefit is reduced pursuant to paragraph (1), such
7 benefit shall be reduced for such month by the same pro-
8 portion as the reduction made pursuant to paragraph
9 (1).”.

10 (2) CONFORMING AMENDMENT.—Section
11 223(a)(2) of such Act (42 U.S.C. 423(a)(2)) is
12 amended by striking “and section 215(b)(2)(A)(ii)”
13 and inserting “, section 215(b)(2)(A)(ii), and sub-
14 section (e) of this section”.

15 (c) TICKET TO WORK EMPLOYMENT NETWORKS.—
16 Section 1148(h)(5) of such Act (42 U.S.C. 1320b-
17 19(h)(5)) is amended by redesignating subparagraph (C)
18 as subparagraph (D) and inserting:

19 “(C) The Commissioner may alter require-
20 ments to receive a payment under this section
21 to the extent that the Commissioner determines
22 that altering such requirements is necessary to
23 ensure that sufficient employment networks are
24 available and that each beneficiary receiving
25 services under the Program has reasonable ac-

1 cess to employment services, vocational rehabili-
2 tation services, and other support services.”.

3 (d) **EFFECTIVE DATE.**—The amendments made by
4 this section shall apply with respect to months in calendar
5 years 2025 through 2034.

6 **SEC. 110. REPEALING THE GOVERNMENT PENSION OFFSET**
7 **AND WINDFALL ELIMINATION PROVISIONS.**

8 (a) **REPEAL OF GOVERNMENT PENSION OFFSET**
9 **PROVISION.**—

10 (1) **IN GENERAL.**—Section 202(k) of the Social
11 Security Act (42 U.S.C. 402(k)) is amended by
12 striking paragraph (5).

13 (2) **CONFORMING AMENDMENTS.**—

14 (A) Section 202(b)(2) of the Social Secu-
15 rity Act (42 U.S.C. 402(b)(2)) is amended by
16 striking “subsections (k)(5) and (q)” and in-
17 serting “subsection (q)”.

18 (B) Section 202(c)(2) of such Act (42
19 U.S.C. 402(c)(2)) is amended by striking “sub-
20 sections (k)(5) and (q)” and inserting “sub-
21 section (q)”.

22 (C) Section 202(e)(2)(A) of such Act (42
23 U.S.C. 402(e)(2)(A)) is amended by striking
24 “subsection (k)(5), subsection (q),” and insert-
25 ing “subsection (q)”.

1 (D) Section 202(f)(2)(A) of such Act (42
2 U.S.C. 402(f)(2)(A)) is amended by striking
3 “subsection (k)(5), subsection (q)” and insert-
4 ing “subsection (q)”.

5 (b) REPEAL OF WINDFALL ELIMINATION PROVI-
6 SIONS.—

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

9 (A) in subsection (a), by striking para-
10 graph (7);

11 (B) in subsection (d), by striking para-
12 graph (3); and

13 (C) in subsection (f), by striking para-
14 graph (9).

15 (2) CONFORMING AMENDMENTS.—Subsections
16 (e)(2) and (f)(2) of section 202 of such Act (42
17 U.S.C. 402) are each amended by striking “section
18 215(f)(5), 215(f)(6), or 215(f)(9)(B)” in subpara-
19 graphs (C) and (D)(i) and inserting “paragraph (5)
20 or (6) of section 215(f)”.

21 (c) EFFECTIVE DATE.—

22 (1) IN GENERAL.—The amendments made by
23 this section shall apply with respect to monthly in-
24 surance benefits payable for months in calendar
25 years 2025 through 2034.

1 (2) RECOMPUTATION OF PRIMARY INSURANCE
2 AMOUNTS.—Notwithstanding section 215(f) of the
3 Social Security Act, the Commissioner of Social Se-
4 curity shall recompute primary insurance amounts
5 to the extent necessary—

6 (A) to carry out the amendments made by
7 this section; and

8 (B) to account for the nonapplication of
9 such amendments after calendar year 2034
10 such that each individual’s monthly insurance
11 benefit for a month after 2034 shall be equal
12 to the monthly insurance benefit that such indi-
13 vidual would have received for such month if
14 the amendments made under this section had
15 not been made.

16 **SEC. 111. EXTENDING THE CHILD’S BENEFIT FOR POST-**
17 **SECONDARY SCHOOL STUDENTS UNDER AGE**
18 **26.**

19 (a) IN GENERAL.—Section 202(d)(1)(B) of the So-
20 cial Security Act (42 U.S.C. 402(d)(1)(B)) is amended to
21 read as follows:

22 “(B) at the time such application was filed
23 was unmarried and—

24 “(i) had not attained the age of 18,

1 “(ii) was a full-time elementary or
2 secondary school student and had not at-
3 tained the age of 22,

4 “(iii) was a qualifying post-secondary
5 school student and had not attained the
6 age of 26, or

7 “(iv) is under a disability (as defined
8 in section 223(d)) which began before he
9 attained the age of 22, and”.

10 (b) DEFINITION OF QUALIFYING POST-SECONDARY
11 SCHOOL STUDENT.—

12 (1) IN GENERAL.—Section 202(d)(7) of such
13 Act (42 U.S.C. 402(d)(7)) is amended—

14 (A) in subparagraph (A)—

15 (i) by inserting “and a ‘qualifying
16 post-secondary school student’ is an indi-
17 vidual who is in at least half-time attend-
18 ance as a student at a post-secondary edu-
19 cational institution” before “, as deter-
20 mined by the Commissioner”;

21 (ii) by inserting “or a ‘qualifying post-
22 secondary school student’” before “if he is
23 paid by his employer”;

1 (iii) by inserting “or a post-secondary
2 educational institution, as applicable,” be-
3 fore “at the request”;

4 (iv) by inserting “or a ‘qualifying
5 post-secondary school student’” before
6 “for the purpose of this section”; and

7 (v) by inserting “or a qualifying post-
8 secondary school student” before “shall be
9 deemed”; and

10 (B) in subparagraph (B)—

11 (i) by inserting “or a qualifying post-
12 secondary school student” before “during
13 any period”;

14 (ii) by inserting “or, in the case of a
15 qualifying post-secondary school student,
16 any period of nonattendance at a post-sec-
17 ondary educational institution at which the
18 individual has been in at least half-time at-
19 tendance” after “full-time attendance”;
20 and

21 (iii) inserting “or, in the case of a
22 qualifying post-secondary school student,
23 in at least half-time attendance at a post-
24 secondary educational institution” before

1 “immediately following such period” each
2 place it appears.

3 (2) TRANSITION FROM ELEMENTARY OR SEC-
4 ONDARY SCHOOL.—Section 202(d)(7)(B) of such Act
5 (42 U.S.C. 402(d)(7)(B)) is amended by adding at
6 the end the following sentence: “An individual who
7 has been in full-time attendance at an elementary or
8 secondary school shall, during a succeeding period of
9 nonattendance at such school, be deemed to be a
10 qualifying post-secondary school student if (i) such
11 period is 4 calendar months or less, and (ii) the indi-
12 vidual shows to the satisfaction of the Commissioner
13 that he intends to be in at least half-time attendance
14 at a post-secondary educational institution imme-
15 diately following such period.”.

16 (c) DEFINITION OF POST-SECONDARY EDUCATIONAL
17 INSTITUTION.—Section 202(d)(7)(C) of such Act (42
18 U.S.C. 402(d)(7)(C)) is amended by adding at the end the
19 following:

20 “(iii) A ‘post-secondary educational
21 institution’ is an institution described in
22 section 102 of the Higher Education Act
23 of 1965 (20 U.S.C. 1002).”.

24 (d) CONFORMING AMENDMENTS.—

1 (1) Section 202(d)(1)(E) of such Act (42
2 U.S.C. 402(d)(1)(E)) is amended by inserting “or a
3 qualifying post-secondary school student” after “stu-
4 dent”.

5 (2) Section 202(d)(1)(F) of such Act (42
6 U.S.C. 402(d)(1)(F)) is amended by striking “the
7 earlier of—” and all that follows through “the age
8 of 19,” and inserting the following: “the earlier of—

9 “(i) the first month during no part of
10 which the child is a full-time elementary or
11 secondary school student or a qualifying
12 post-secondary school student,

13 “(ii) the month in which the child at-
14 tains the age of 22, but only if the child
15 is not a qualifying post-secondary school
16 student during any part of such month, or

17 “(iii) the month in which the child at-
18 tains the age of 26,”.

19 (3) Section 202(d)(1)(G) of such Act (42
20 U.S.C. 402(d)(1)(G)) is amended by striking “(if
21 later)” and all that follows through the “the age of
22 19,” and inserting the following: “(if later) the ear-
23 lier of—

24 “(i) the first month during no part of
25 which the child is a full-time elementary or

1 secondary school student or a qualifying
2 post-secondary school student,

3 “(ii) the month in which the child at-
4 tains the age of 22, but only if the child
5 is not a qualifying post-secondary school
6 student during any part of such month, or

7 “(iii) the month in which the child at-
8 tains the age of 26,”.

9 (4) Section 202(d)(6)(A) of such Act (42
10 U.S.C. 402(d)(6)(A)) is amended to read as follows:

11 “(A)(i) is a full-time elementary or sec-
12 ondary school student and has not attained the
13 age of 22,

14 “(ii) is a qualifying post-secondary school
15 student and has not attained the age of 26, or

16 “(iii) is under a disability (as defined in
17 section 223(d)) and has not attained the age of
18 22, or”.

19 (5) Section 202(d)(6)(D) of such Act (42
20 U.S.C. 402(d)(6)(D)) is amended to read as follows:

21 “(D) the earlier of—

22 “(i) the first month during no part of
23 which the child is a full-time elementary or
24 secondary school student or a qualifying
25 post-secondary school student,

1 “(ii) the month in which the child at-
2 tains the age of 22, but only if the child
3 is not a qualifying post-secondary school
4 student during any part of such month, or

5 “(iii) the month in which the child at-
6 tains the age of 26,

7 but only if he is not under a disability (as so
8 defined) in such earlier month; or”.

9 (6) Section 202(d)(6)(E) of such Act (42
10 U.S.C. 402(d)(6)(E)) is amended by striking “(if
11 later)” and all that follows to the end and inserting
12 the following: “(if later) the earlier of—

13 “(i) the first month during no part of
14 which the child is a full-time elementary or
15 secondary school student or a qualifying
16 post-secondary school student,

17 “(ii) the month in which the child at-
18 tains the age of 22, but only if the child
19 is not a qualifying post-secondary school
20 student during any part of such month, or

21 “(iii) the month in which the child at-
22 tains the age of 26.”.

23 (7) Section 202(d)(7)(D) of such Act (42
24 U.S.C. 402(d)(7)(D)) is amended—

1 (A) by striking “A child who” and insert-
2 ing “(i) A child who”;

3 (B) by striking “age 19” and inserting
4 “age 22”;

5 (C) by striking “clause (i) of paragraph
6 (1)(B)” and inserting “clause (ii) of paragraph
7 (1)(B)”;

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

9 “(ii) A child who attains age 26 at a time
10 when he is a qualifying post-secondary school
11 student (as defined in subparagraph (A) of this
12 paragraph and without application of subpara-
13 graph (B) of such paragraph) but has not (at
14 such time) completed the requirements for, or
15 received, a diploma or equivalent certificate
16 from a post-secondary educational institution
17 (as defined in subparagraph (C)(iii)) shall be
18 deemed (for purposes of determining whether
19 his entitlement to benefits under this subsection
20 has terminated under paragraph (1)(F) and for
21 purposes of determining his initial entitlement
22 to such benefits under clause (iii) of paragraph
23 (1)(B)) not to have attained such age until the
24 first day of the first month following the end of
25 the quarter or semester in which he is enrolled

1 at such time (or, if the post-secondary edu-
2 cational institution (as so defined) in which he
3 is enrolled is not operated on a quarter or se-
4 mester system, until the first day of the first
5 month following the completion of the course in
6 which he is so enrolled or until the first day of
7 the third month beginning after such time,
8 whichever first occurs).”.

9 (e) EFFECTIVE DATE.—The amendments made by
10 this section shall apply with respect to child’s insurance
11 benefits payable for months in calendar years 2025
12 through 2034, including for individuals who file applica-
13 tions for such benefits to begin with any such month, ex-
14 cept that such amendments shall not apply for purposes
15 of determining continuing eligibility for child’s insurance
16 benefits for any month after calendar year 2034.

17 **SEC. 112. INCREASING ACCESS TO BENEFITS FOR CHIL-**
18 **DREN WHO LIVE WITH GRANDPARENTS OR**
19 **OTHER RELATIVES.**

20 (a) IN GENERAL.—Title II of the Social Security Act
21 (42 U.S.C. 401 et seq.) is amended—

22 (1) in section 202(d)—

23 (A) in paragraph (1)(C), by inserting “ex-
24 cept as provided in paragraph (9),” before “was
25 dependent”; and

1 (B) by amending paragraph (9) to read as
2 follows:

3 “(9)(A) In the case of a child who is the child of an
4 individual under clause (3) of the first sentence of section
5 216(e) and is not a child of such individual under clause
6 (1) or (2) of such first sentence, the criteria specified in
7 subparagraph (B) shall apply instead of the criteria speci-
8 fied in subparagraph (C) of paragraph (1).

9 “(B) The criteria of this subparagraph are that—

10 “(i) the child has been living with such indi-
11 vidual in the United States for a period of not less
12 than 12 months;

13 “(ii) the child has been receiving not less than
14 $\frac{1}{2}$ of the child’s support from such individual for a
15 period of not less than 12 months; and

16 “(iii) the period during which the child was liv-
17 ing with such individual began before the child at-
18 tained age 18.

19 “(C) In the case of a child who is less than 12 months
20 old, such child shall be deemed to meet the requirements
21 of subparagraph (B) if, on the date the child attains 1
22 year of age, such child has lived with such individual in
23 the United States and received at least $\frac{1}{2}$ of the child’s
24 support from such individual for substantially all of the

1 period which began on the date of such child’s birth.”;
2 and

3 (2) in section 216(e), in the first sentence—

4 (A) by striking “grandchild or
5 stepgrandchild of an individual or his spouse”
6 and inserting “grandchild, stepgrandchild, or
7 other first-degree, second-degree, third-degree,
8 fourth-degree, or fifth-degree relative of an indi-
9 vidual or the individual’s spouse”;

10 (B) by striking “was no natural or adop-
11 tive parent” and inserting “is no living natural
12 or adoptive parent”;

13 (C) by striking “was under a disability”
14 and inserting “is under a disability”;

15 (D) by striking “living at the time” and all
16 that follows through “, or (B)” and inserting “,
17 (B)”;

18 (E) by inserting “, or (C) a court of com-
19 petent jurisdiction has issued an order granting
20 custody of such person to the individual or the
21 individual’s spouse” before the first period.

22 (b) CONFORMING AMENDMENTS.—Section 202(d)(1)
23 of the Social Security Act (42 U.S.C. 402(d)(1)) is amend-
24 ed—

1 (1) by striking “subparagraphs (A), (B), and
2 (C)” and inserting “subparagraphs (A) and (B) and
3 subparagraph (C) or paragraph (9) (as applicable)”;
4 and

5 (2) by striking “subparagraphs (B) and (C)”
6 and inserting “subparagraph (B) and subparagraph
7 (C) or paragraph (9) (as applicable)”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall apply with respect to monthly insurance
10 benefits payable for months in calendar years 2025
11 through 2034, including for individuals who file applica-
12 tions for such benefits to begin with any such month, ex-
13 cept that such amendments shall not apply for purposes
14 of determining continuing eligibility for monthly insurance
15 benefits for any month after calendar year 2034.

16 **SEC. 113. PREVENTING AN UNINTENDED DROP IN BENE-**
17 **FITS RELATING TO THE APPLICATION OF**
18 **THE NATIONAL AVERAGE WAGE INDEX.**

19 (a) MODIFICATIONS RELATED TO COMPUTATION OF
20 PRIMARY INSURANCE AMOUNT.—Section 215 of the So-
21 cial Security Act (42 U.S.C. 415) is amended—

22 (1) in subsection (a)(1)(B)(ii)—

23 (A) in subclause (I)—

24 (i) by striking “the national” and in-
25 serting “(aa) the national”; and

1 (ii) by striking “, by” at the end and
2 inserting “; or”; and

3 (B) by adding at the end of subclause (I)
4 the following:

5 “(bb) if higher (and if such second
6 calendar year is after 2024), the highest
7 national average wage index (as so de-
8 fined) for any calendar year before such
9 second calendar year, by”; and

10 (2) in subsection (b)(3)(A)(ii)—

11 (A) in subclause (I)—

12 (i) by striking “the national” and in-
13 serting “(aa) the national”; and

14 (ii) by striking “, by” at the end and
15 inserting “; or”; and

16 (B) by adding at the end of subclause (I)
17 the following:

18 “(bb) if higher (and if such second
19 calendar year is after 2024), the highest
20 national average wage index (as so de-
21 fined) for any calendar year before such
22 second calendar year, by”.

23 (b) MODIFICATION RELATED TO REDUCTION OF
24 BENEFITS BASED ON DISABILITY.—Section
25 224(f)(2)(B)(i) of such Act (42 U.S.C. 424(f)(2)(B)(i)) is

1 amended by inserting “(or if higher (and if such calendar
2 year is after 2024), the highest national average wage
3 index (as so defined) for any calendar year before such
4 calendar year)” after “made”.

5 **SEC. 114. HOLDING SSI, MEDICAID, AND CHIP BENE-**
6 **FICIARIES HARMLESS.**

7 (a) SSI, MEDICAID, AND CHIP DETERMINATIONS.—
8 For purposes of determining the income of an individual
9 to establish eligibility for, and the amount of, benefits pay-
10 able under title XVI of the Social Security Act, eligibility
11 for medical assistance under the State plan under title
12 XIX (or a waiver of such plan), or eligibility for child
13 health assistance under the State child health plan under
14 title XXI (or a waiver of the plan), the amount of any
15 benefit to which the individual is entitled under title II
16 of such Act shall be deemed not to exceed the amount of
17 the benefit that would have been determined for such indi-
18 vidual under such title if the amendments made by title
19 I of this Act had not been made.

20 (b) CONFORMING CHANGE REGARDING CERTAIN RE-
21 ENTITLEMENTS.—For purposes of determining the pri-
22 mary insurance amount under section 215(a)(2)(C) for
23 months after December 2034, the amount of any primary
24 insurance benefit to which the individual was entitled for
25 months in calendar years 2025 through 2034 under title

1 II of the Social Security Act shall be deemed to not exceed
 2 the primary insurance amounts that would have been de-
 3 termined for such months without regard to the amend-
 4 ments made by this Act.

5 **TITLE II—STRENGTHENING THE**
 6 **TRUST FUND**

7 **SEC. 201. DETERMINING WAGES AND SELF-EMPLOYMENT**
 8 **INCOME ABOVE CONTRIBUTION AND BEN-**
 9 **EFIT BASE AFTER 2024.**

10 (a) DETERMINATION OF WAGES ABOVE CONTRIBU-
 11 TION AND BENEFIT BASE AFTER 2024.—

12 (1) AMENDMENTS TO THE INTERNAL REVENUE
 13 CODE OF 1986.—

14 (A) REPEAL OF PRESENT LAW LIMITA-
 15 TION.—Section 3121(a) of the Internal Revenue
 16 Code of 1986 is amended by striking paragraph
 17 (1).

18 (B) LIMITATION ON AMOUNT OF WAGES.—
 19 Section 3121 of the Internal Revenue Code of
 20 1986 is amended by adding at the end the fol-
 21 lowing:

22 “(aa) LIMITATION ON AMOUNT OF WAGES.—

23 “(1) IN GENERAL.—In the case of any calendar
 24 year in which the contribution and benefit base (as
 25 determined under section 230 of the Social Security

1 Act) is less than \$400,000, for purposes of the taxes
2 imposed by sections 3101(a) and 3111(a), the term
3 ‘wages’ does not include that part of the remunera-
4 tion which, after remuneration equal to such con-
5 tribution and benefit base with respect to employ-
6 ment has been paid to an individual by an employer
7 during the calendar year with respect to which such
8 contribution and benefit base is effective, is paid to
9 such individual by such employer during the cal-
10 endar year. The preceding sentence shall not apply
11 to that part of the remuneration paid to an indi-
12 vidual after remuneration of \$400,000 with respect
13 to employment has been paid to such individual by
14 an employer (or any person related to, or acting on
15 behalf of, such employer, as determined by the Sec-
16 retary) during the calendar year.

17 “(2) SUCCESSOR EMPLOYER.—If an employer
18 (hereinafter referred to as successor employer) dur-
19 ing any calendar year, acquires substantially all the
20 property used in a trade or business of another em-
21 ployer (hereinafter referred to as a predecessor), or
22 used in a separate unit of a trade or business of a
23 predecessor, and immediately after the acquisition
24 employs in his trade or business an individual who
25 immediately prior to the acquisition was employed in

1 the trade or business of such predecessor, then, for
 2 the purpose of determining whether the successor
 3 employer has paid remuneration with respect to em-
 4 ployment equal to the contribution and benefit base
 5 (as determined under section 230 of the Social Secu-
 6 rity Act) to such individual during such calendar
 7 year, any remuneration with respect to employment
 8 paid (or considered under this paragraph as having
 9 been paid) to such individual by such predecessor
 10 during such calendar year and prior to such acquisi-
 11 tion shall be considered as having been paid by such
 12 successor employer.

13 “(3) REMUNERATION.—For purposes of this
 14 subsection, the term ‘remuneration’ does not include
 15 remuneration referred to in any paragraph of sub-
 16 section (a).”.

17 (C) APPLICATION TO RAILROAD RETIRE-
 18 MENT.—

19 (i) IN GENERAL.—Section
 20 3231(e)(2)(A) of the Internal Revenue
 21 Code of 1986 is amended by adding at the
 22 end the following new clause:

23 “(iv) LIMITATION ON EXCLUSION.—
 24 For purposes of so much of the taxes im-
 25 posed by sections 3201(a), 3211(a) and

1 3221(a) as are determined by reference to
2 the rate in effect under section 3101(a) or
3 3111(a)—

4 “(I) in the case of any calendar
5 year in which the contribution and
6 benefit base (as determined under sec-
7 tion 230 of the Social Security Act) is
8 less than \$400,000, clause (i) shall
9 not apply to that part of the remu-
10 neration paid to an individual after
11 remuneration of \$400,000 for services
12 rendered as an employee has been
13 paid to such individual by an em-
14 ployer (or any person related to, or
15 acting on behalf of, such employer, as
16 determined by the Secretary) during
17 the calendar year, and

18 “(II) in the case of any calendar
19 year in which such contribution and
20 benefit base equals or exceeds
21 \$400,000, clause (i) shall not apply.”.

22 (ii) EXCLUSION OF REMUNERATION
23 WHICH IS NOT TREATED AS COMPENSA-
24 TION.—Section 3231(e)(2)(A)(ii) of the In-
25 ternal Revenue Code of 1986 is amended

1 by inserting “or (iv)” after “under clause
2 (i)”.

3 (D) CONFORMING AMENDMENT.—Section
4 3231(e)(2)(C) of the Internal Revenue Code of
5 1986 is amended by striking “the second sen-
6 tence of section 3121(a)(1)” and inserting “sec-
7 tion 3121(aa)(2)”.

8 (2) AMENDMENT TO THE SOCIAL SECURITY
9 ACT.—Section 209(a)(1)(I) of the Social Security
10 Act (42 U.S.C. 409(a)(1)(I)) is amended by insert-
11 ing before the semicolon at the end the following:
12 “except that this subparagraph shall apply only to
13 calendar years for which the contribution and ben-
14 efit base (as so determined) is less than \$400,000,
15 and, for such calendar years, only to the extent that
16 remuneration with respect to employment paid to
17 such employee does not exceed \$400,000”.

18 (b) DETERMINATION OF SELF-EMPLOYMENT IN-
19 COME ABOVE CONTRIBUTION AND BENEFIT BASE AFTER
20 2024.—

21 (1) AMENDMENTS TO INTERNAL REVENUE
22 CODE OF 1986.—

23 (A) IN GENERAL.—Section 1402(b) of the
24 Internal Revenue Code of 1986 is amended to
25 read as follows:

1 “(b) SELF-EMPLOYMENT INCOME.—

2 “(1) IN GENERAL.—The term ‘self-employment
3 income’ means the net earnings from self-employ-
4 ment derived by an individual, except that such term
5 shall not include net earnings from self-employment
6 if such net earnings for the taxable year are less
7 than \$400.

8 “(2) LIMITATION ON OASDI TAX.—For purposes
9 of section 1401(a), the term ‘self-employment in-
10 come’ shall not exceed the sum of—

11 “(A) the total compensation not in excess
12 of the contribution and benefit base (as deter-
13 mined under section 230 of the Social Security
14 Act) which is effective for the calendar year in
15 which such taxable year begins, reduced by the
16 amount of wages not in excess of such base
17 paid to such individual during the taxable year,
18 plus

19 “(B) the total compensation in excess of
20 the greater of—

21 “(i) \$400,000, or

22 “(ii) the amount of wages paid to
23 such individual during the taxable year.

24 “(3) DEFINITION AND SPECIAL RULES.—

1 “(A) TOTAL COMPENSATION.—For pur-
2 poses of paragraph (2), the term ‘total com-
3 pensation’ means the sum of the net earnings
4 from self-employment and the amount of wages
5 paid to such individual during the taxable year.

6 “(B) WAGES.—For purposes of this sub-
7 section, the term ‘wages’—

8 “(i) shall be determined without re-
9 gard to section 3121(aa); and

10 “(ii) includes—

11 “(I) such remuneration paid to
12 an employee for services included
13 under an agreement entered into pur-
14 suant to the provisions of section
15 3121(l) (relating to coverage of citi-
16 zens of the United States who are em-
17 ployees of foreign affiliates of Amer-
18 ican employers) as would be wages
19 under section 3121(a) if such services
20 constituted employment under section
21 3121(b), and

22 “(II) compensation which is sub-
23 ject to the tax imposed by section
24 3201 or 3211 (or would be so subject

1 but for paragraph (2) of section
2 3231(e).

3 “(C) NONRESIDENT ALIENS.—A non-
4 resident alien individual shall not be treated as
5 an individual for purposes of paragraph (1), ex-
6 cept as provided by an agreement under section
7 233 of the Social Security Act. An individual
8 who is not a citizen of the United States but
9 who is a resident of the Commonwealth of
10 Puerto Rico, the Virgin Islands, Guam, or
11 American Samoa shall not, for purposes of this
12 chapter, be considered to be a nonresident alien
13 individual.

14 “(D) CHURCH EMPLOYEE.—In the case of
15 church employee income, the special rules of
16 subsection (j)(2) shall apply for purposes of
17 paragraph (1).”.

18 (B) CONFORMING AMENDMENTS.—

19 (i) Section 1402(j)(2)(A) of the Inter-
20 nal Revenue Code of 1986 is amended by
21 striking all that precedes “shall be ap-
22 plied” and inserting:

23 “(A) SEPARATE APPLICATION OF DE MINI-
24 MIS RULE.—Subsection (b)(1)”.

1 (ii) Section 1402(j)(2)(B) of such
2 Code is amended by striking “paragraph
3 (2) of subsection (b)” and inserting “sub-
4 section (b)(1)”.

5 (2) AMENDMENT TO THE SOCIAL SECURITY
6 ACT.—

7 (A) IN GENERAL.—Section 211(b) of the
8 Social Security Act (42 U.S.C. 411(b)) is
9 amended to read as follows:

10 “(b) SELF-EMPLOYMENT INCOME.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
12 the term ‘self-employment income’ means the net
13 earnings from self-employment derived by an indi-
14 vidual, except that such term shall not include net
15 earnings from self-employment if such net earnings
16 for the taxable year are less than \$400.

17 “(2) LIMITATION.—The term ‘self-employment
18 income’ shall not exceed the sum of—

19 “(A) the total compensation not in excess
20 of the contribution and benefit base (as deter-
21 mined under section 230) which is effective for
22 the calendar year in which such taxable year
23 begins, reduced by the amount of wages not in
24 excess of such base paid to such individual dur-
25 ing the taxable year, plus

1 “(B) the total compensation in excess of
2 the greater of—

3 “(i) \$400,000, or

4 “(ii) the amount of wages paid to
5 such individual during the taxable year.

6 “(3) DEFINITION AND SPECIAL RULES.—

7 “(A) TOTAL COMPENSATION.—For pur-
8 poses of paragraph (2), the term ‘total com-
9 pensation’ means the sum of the net earnings
10 from self-employment and the amount of wages
11 paid to such individual during the taxable year.

12 “(B) WAGES.—For purposes of this sub-
13 section, the term ‘wages’ shall be determined
14 without regard to section 209(a)(1).

15 “(C) NONRESIDENT ALIENS.—A non-
16 resident alien individual shall not be treated as
17 an individual for purposes of paragraph (1), ex-
18 cept as provided by an agreement under section
19 233. An individual who is not a citizen of the
20 United States but who is a resident of the Com-
21 monwealth of Puerto Rico, the Virgin Islands,
22 Guam, or American Samoa shall not, for pur-
23 poses of this subsection, be considered to be a
24 nonresident alien individual.

1 “(D) CHURCH EMPLOYEE.—In the case of
2 church employee income, the special rules of
3 subsection (i)(2) shall apply for purposes of
4 paragraph (1).”.

5 (B) CONFORMING AMENDMENT.—Section
6 211(i)(2) of the Social Security Act (42 U.S.C.
7 411(i)(2)) is amended by striking “(b)(2)” and
8 inserting “(b)(1)” each place it appears.

9 (c) SPECIAL RULE FOR WAGES FROM MULTIPLE
10 EMPLOYERS WHICH TOTAL IN EXCESS OF \$400,000.—

11 (1) IN GENERAL.—Subchapter A of chapter 21
12 of the Internal Revenue Code of 1986 is amended by
13 adding at the end the following new section:

14 **“SEC. 3103. SPECIAL RULES FOR REMUNERATION FROM**
15 **MULTIPLE EMPLOYERS.**

16 “(a) IN GENERAL.—In the case of an employee re-
17 ceiving wages from more than one employer during a cal-
18 endar year, there is hereby imposed a tax on such em-
19 ployee (for the last taxable year beginning in the calendar
20 year the wages are received) equal to the excess (if any)
21 of—

22 “(1) the tax that would have been imposed by
23 section 3101(a) if such wages had been received
24 from one employer, over

1 “(2) the aggregate tax imposed by such section
2 with respect to such wages.

3 “(b) COORDINATION WITH SPECIAL REFUND PROVI-
4 SION.—No credit shall be determined under section 31(b)
5 with respect to any employee for any taxable year unless
6 the amount described in subsection (a)(1) with respect to
7 wages received during the calendar year in which such tax-
8 able year begins exceeds the amount described in sub-
9 section (a)(2) with respect to such wages, and the amount
10 of such credit so determined shall not exceed such excess.

11 “(c) WAGES.—For purposes of this section, the term
12 ‘wages’ shall have the same meaning as when used in sec-
13 tion 1402(b).

14 “(d) APPLICATION TO TIER I RAILROAD RETIRE-
15 MENT TAX.—In the case of compensation (as defined in
16 section 3231(e)), for purposes of applying subsections (a)
17 and (b), the reference to the tax that would have been
18 imposed by section 3101(a) shall be treated as including
19 a reference to so much of the tax that would have been
20 imposed on such compensation under section 3201(a) or
21 3211(a) (or would have been so imposed but for paragraph
22 (2) of section 3231(e)) as is determined by reference to
23 the rate of tax in effect under section 3101(a).”.

24 (2) FAILURE BY INDIVIDUAL TO PAY ESTI-
25 MATED INCOME TAX.—Subsection (m) of section

1 6654 of the Internal Revenue Code of 1986 is
2 amended to read as follows:

3 “(m) SPECIAL RULE FOR CERTAIN EMPLOYMENT
4 TAXES.—For purposes of this section, the tax imposed by
5 sections 3101(b)(2) (to the extent not withheld) and the
6 tax imposed by section 3103 shall be treated as taxes im-
7 posed by chapter 2.”.

8 (3) CLERICAL AMENDMENT.—The table of sec-
9 tions for subchapter A of chapter 21 of the Internal
10 Revenue Code of 1986 is amended by adding at the
11 end the following new item:

“Sec. 3103. Special rules for remuneration from multiple employers.”.

12 (d) CONFORMING CHANGE TO NATIONAL AVERAGE
13 WAGE INDEX.—Section 209(k) of the Social Security Act
14 (42 U.S.C. 409(k)) is amended—

15 (1) in paragraph (1), by inserting “and to para-
16 graph (4)” after “paragraph (2)”; and

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

18 “(4) For each calendar year after 2024, the na-
19 tional average wage index as defined in this section
20 for such calendar year shall be deemed to be the na-
21 tional average wage index determined under the pre-
22 ceding paragraphs of this section increased by the
23 following percentage:

24 “(A) For calendar years 2025 through
25 2030, 0.5 percent.

1 “(B) For calendar years 2031 through
2 2036, 0.6 percent.

3 “(C) For calendar years 2037 through
4 2042, 0.7 percent.

5 “(D) For calendar years 2043 through
6 2046, 0.8 percent.

7 “(E) For calendar years after 2046, 0.9
8 percent.”.

9 (e) EFFECTIVE DATES.—

10 (1) IN GENERAL.—The amendments made by
11 subsections (a) and (c) shall apply to remuneration
12 paid in calendar years after 2024.

13 (2) SELF-EMPLOYMENT INCOME.—The amend-
14 ments made by subsection (b) shall apply to net
15 earnings from self-employment derived in taxable
16 years beginning after December 31, 2024.

17 **SEC. 202. INCLUDING EARNINGS OVER \$400,000 IN SOCIAL**
18 **SECURITY BENEFIT FORMULA.**

19 (a) INCLUSION OF EARNINGS OVER \$400,000 IN DE-
20 TERMINATION OF PRIMARY INSURANCE AMOUNTS.—Sec-
21 tion 215(a)(1)(A) of the Social Security Act (42 U.S.C.
22 415(a)(1)(A)) is amended—

23 (1) in clause (ii), by striking “and” at the end;

24 (2) in clause (iii), by inserting “and” at the
25 end; and

1 (3) by inserting after clause (iii) the following:

2 “(iv) 1 percent of the individual’s excess aver-
3 age indexed monthly earnings (as defined in sub-
4 section (b)(5)(A)).”.

5 (b) DEFINITION OF EXCESS AVERAGE INDEXED
6 MONTHLY EARNINGS.—Section 215(b) of the Social Secu-
7 rity Act (42 U.S.C. 415(b)) is amended—

8 (1) by striking “wages” and “self-employment
9 income” each place such terms appear and inserting
10 “basic wages” and “basic self-employment income”,
11 respectively; and

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

13 “(5)(A) An individual’s excess average indexed
14 monthly earnings shall be equal to the amount of the indi-
15 vidual’s average indexed monthly earnings that would be
16 determined under this subsection by substituting ‘excess
17 wages’ for ‘basic wages’ and ‘excess self-employment in-
18 come’ for ‘basic self-employment income’ each place such
19 terms appear in this subsection (except in this paragraph).

20 “(B) For purposes of this subsection—

21 “(i) the term ‘basic wages’ means that portion
22 of the wages of an individual paid in a year that
23 does not exceed the contribution and benefit base for
24 the year;

1 “(ii) the term ‘basic self-employment income’
2 means that portion of the self-employment income of
3 an individual credited to a year that does not exceed
4 an amount equal to the contribution and benefit
5 base for the year minus the amount of the wages
6 paid to the individual in the year;

7 “(iii) the term ‘excess wages’ means that por-
8 tion of the wages of an individual paid in a year
9 after 2024 that are not basic wages; and

10 “(iv) the term ‘excess self-employment income’
11 means that portion of the self-employment income of
12 an individual credited to a year after 2024 that is
13 not basic self-employment income.”.

14 (c) CONFORMING AMENDMENTS.—Title II of the So-
15 cial Security Act is amended—

16 (1) in section 203(a)(6)(A) (42 U.S.C.
17 403(a)(6)(A)), by striking “85 percent of such indi-
18 vidual’s average indexed monthly earnings” and in-
19 serting “the sum of 85 percent of such individual’s
20 average indexed monthly earnings and 1 percent of
21 such individual’s excess average indexed monthly
22 earnings (as defined in section 215(b)(5)(A))”;

23 (2) in section 212 (42 U.S.C. 412), by inserting
24 “excess average indexed monthly earnings,” after

1 “average indexed monthly earnings,” each place it
2 appears;

3 (3) in section 215(e)(1) (42 U.S.C. 415(e)(1)),
4 by inserting “and before 2025” after “after 1974”.

5 (d) EFFECTIVE DATE.—The amendments made by
6 this section shall apply with respect to remuneration paid
7 in calendar years after 2024 and to net earnings from self-
8 employment derived in taxable years beginning after De-
9 cember 31, 2024.

10 **SEC. 203. APPLICATION OF SOCIAL SECURITY TAX TO NET**
11 **INVESTMENT INCOME.**

12 (a) IN GENERAL.—Section 1411(a)(1) of the Internal
13 Revenue Code of 1986 is amended by striking “3.8 per-
14 cent” and all that follows and inserting “the sum of—

15 “(A) 3.8 percent of the lesser of—

16 “(i) net investment income for such
17 taxable year, or

18 “(ii) the excess (if any) of—

19 “(I) the modified adjusted gross
20 income for such taxable year, over

21 “(II) the medicare contribution
22 threshold amount, plus

23 “(B) 12.4 percent of the lesser of—

24 “(i) net investment income for such
25 taxable year, or

1 “(ii) the excess (if any) of—
2 “(I) the modified adjusted gross
3 income for such taxable year, over
4 “(II) the social security contribu-
5 tion threshold amount.”.

6 (b) APPLICATION TO ESTATES AND TRUSTS.—Sec-
7 tion 1411(a)(2) of such Code is amended by striking “3.8
8 percent” and all that follows and inserting “the sum of—
9 “(A) 3.8 percent of the lesser of—
10 “(i) the undistributed net investment
11 income for such taxable year, or
12 “(ii) the excess (if any) of—
13 “(I) the adjusted gross income
14 (as defined in section 67(e)) for such
15 taxable year, over
16 “(II) the dollar amount at which
17 the highest tax bracket in section 1(e)
18 begins for such taxable year, plus
19 “(B) 12.4 percent of the lesser of—
20 “(i) the amount described in subpara-
21 graph (A)(i), or
22 “(ii) the excess described in subpara-
23 graph (A)(ii).”.

24 (c) THRESHOLD AMOUNTS.—Section 1411(b) of such
25 Code is amended to read as follows:

1 “(b) THRESHOLD AMOUNTS.—For purposes of this
2 section—

3 “(1) MEDICARE CONTRIBUTION THRESHOLD
4 AMOUNT.—The term ‘medicare contribution thresh-
5 old amount’ means—

6 “(A) in the case of a taxpayer making a
7 joint return under section 6013 or a surviving
8 spouse (as defined in section 2(a)), \$250,000,

9 “(B) in the case of a married taxpayer (as
10 defined in section 7703) filing a separate re-
11 turn, $\frac{1}{2}$ of the dollar amount determined under
12 subparagraph (A), and

13 “(C) in any other case, \$200,000.

14 “(2) SOCIAL SECURITY CONTRIBUTION
15 THRESHOLD AMOUNT.—The term ‘social security
16 contribution threshold amount’ means \$400,000.”.

17 (d) CLERICAL AMENDMENT.—The heading of chap-
18 ter 2A of such Code (and the item relating to such chapter
19 in the table of chapters for subtitle A of chapter 1 of such
20 Code) are each amended by striking “medicare contribu-
21 tion” and inserting “contributions”.

22 (e) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable years beginning after
24 December 31, 2024.

1 **SEC. 204. ESTABLISHING THE SOCIAL SECURITY TRUST**
2 **FUND.**

3 (a) IN GENERAL.—Section 201(a) of the Social Secu-
4 rity Act (42 U.S.C. 401(a)) is amended to read as follows:

5 “(a) There is hereby created on the books of the
6 Treasury of the United States a trust fund to be known
7 as the ‘Social Security Trust Fund’. The Social Security
8 Trust Fund shall consist of the securities held by the Sec-
9 retary of the Treasury for the Federal Old-Age and Sur-
10 vivors Insurance Trust Fund and the Federal Disability
11 Insurance Trust Fund and the amount standing to the
12 credit of the Federal Old-Age and Survivors Insurance
13 Trust Fund and the Federal Disability Insurance Trust
14 Fund on the books of the Treasury on January 1 of the
15 first calendar year beginning after the date of the enact-
16 ment of section 203 of Social Security 2100 Act, which
17 securities and amount the Secretary of the Treasury is
18 authorized and directed to transfer to the Social Security
19 Trust Fund, and, in addition, such gifts and bequests as
20 may be made as provided in subsection (i)(1), and such
21 amounts as may be appropriated to, or deposited in, the
22 Social Security Trust Fund as hereinafter provided. There
23 is hereby appropriated to the Social Security Trust Fund
24 for the first fiscal year that begins after date of the enact-
25 ment of section 203 of Social Security 2100 Act, and for
26 each fiscal year thereafter, out of any moneys in the

1 Treasury not otherwise appropriated, amounts equivalent
2 to 100 percent of—

3 “(1) the taxes imposed by chapter 21 (other
4 than sections 3101(b) and 3111(b)) of the Internal
5 Revenue Code of 1986 with respect to wages (as de-
6 fined in section 3121 of such Code) reported to the
7 Secretary of the Treasury pursuant to subtitle F of
8 the Internal Revenue Code of 1986, as determined
9 by the Secretary of the Treasury by applying the ap-
10 plicable rates of tax under such chapter (other than
11 sections 3101(b) and 3111(b)) to such wages, which
12 wages shall be certified by the Commissioner of So-
13 cial Security on the basis of the records of wages es-
14 tablished and maintained by such Commissioner in
15 accordance with such reports;

16 “(2) the taxes imposed by chapter 2 (other than
17 section 1401(b)) of the Internal Revenue Code of
18 1986 with respect to self-employment income (as de-
19 fined in section 1402 of such Code) reported to the
20 Secretary of the Treasury on tax returns under sub-
21 title F of such Code, as determined by the Secretary
22 of the Treasury by applying the applicable rate of
23 tax under such chapter (other than section 1401(b))
24 to such self-employment income, which self-employ-
25 ment income shall be certified by the Commissioner

1 of Social Security on the basis of the records of self-
2 employment income established and maintained by
3 the Commissioner of Social Security in accordance
4 with such returns; and

5 “(3) the taxes imposed by paragraph (1)(B)
6 and (2)(B) of section 1411(a) of the Internal Rev-
7 enue Code of 1986.

8 The amounts appropriated by paragraphs (1), (2), and (3)
9 shall be transferred from time to time from the general
10 fund in the Treasury to the Social Security Trust Fund,
11 such amounts to be determined on the basis of estimates
12 by the Secretary of the Treasury of the taxes, specified
13 in paragraphs (1), (2), and (3), paid to or deposited into
14 the Treasury; and proper adjustments shall be made in
15 amounts subsequently transferred to the extent prior esti-
16 mates were in excess of or were less than the taxes speci-
17 fied in such paragraphs (1), (2), and (3). All amounts
18 transferred to the Social Security Trust Fund under the
19 preceding sentence shall be invested by the Managing
20 Trustee in the same manner and to the same extent as
21 the other assets of the Trust Fund. Notwithstanding the
22 preceding sentence, in any case in which the Secretary of
23 the Treasury determines that the assets of the Trust Fund
24 would otherwise be inadequate to meet the Trust Fund’s
25 obligations for any month, the Secretary of the Treasury

1 shall transfer to the Trust Fund on the first day of such
2 month the total amount which would have been trans-
3 ferred to the Trust Fund under this section as in effect
4 on October 1, 1990; and the Trust Fund shall pay interest
5 to the general fund on the amount so transferred on the
6 first day of any month at a rate (calculated on a daily
7 basis, and applied against the difference between the
8 amount so transferred on such first day and the amount
9 which would have been transferred to the Trust Fund up
10 to that day under the procedures in effect on January 1,
11 1983) equal to the rate earned by the investments of the
12 Trust Fund in the same month under subsection (d).”.

13 (b) REQUIRED ACTUARIAL ANALYSIS.—Section
14 201(c) of the Social Security Act is amended by striking
15 the fourth sentence in the matter following paragraph (5)
16 and inserting the following: “Such report shall also include
17 actuarial analysis of the benefit cost with respect to dis-
18 abled beneficiaries and their auxiliaries, to retired bene-
19 ficiaries and their auxiliaries, and to survivor bene-
20 ficiaries.”.

21 (c) BOARD OF TRUSTEES.—

22 (1) BOARD OF TRUSTEES OF SOCIAL SECURITY
23 TRUST FUND.—Section 201(c) of the Social Security
24 Act, as amended by subsection (b) of this section, is
25 further amended in the matter preceding paragraph

1 (1) by striking “the Federal Old-Age and Survivors
2 Insurance Trust Fund and the Federal Disability
3 Insurance Trust Fund (hereinafter in this title
4 called the ‘Trust Funds’)” and inserting “the Social
5 Security Trust Fund (in this title referred to as the
6 ‘Trust Fund’)”.

7 (2) CONTINUITY OF BOARD OF TRUSTEES.—
8 The Board of Trustees of the Social Security Trust
9 Fund created by the amendment made by subsection
10 (a) shall be a continuous body with the Board of
11 Trustees of the Federal Old-Age and Survivors In-
12 surance Trust Fund and the Federal Disability In-
13 surance Trust Fund in operation prior to the effec-
14 tive date of such amendment. Individuals serving as
15 members of the Board of Trustees of the Federal
16 Old-Age and Survivors Insurance Trust Fund and
17 the Federal Disability Insurance Trust Fund as of
18 the effective date of such amendment shall serve the
19 remainder of their term as members of the Board of
20 Trustees of the Social Security Trust Fund.

21 (d) CONFORMING AMENDMENTS RELATED TO SO-
22 CIAL SECURITY TRUST FUND.—

23 (1) AMENDMENT TO SECTION HEADING.—The
24 section heading for section 201 of the Social Secu-

1 rity Act is amended to read as follows: “SOCIAL SE-
2 CURITY TRUST FUND”.

3 (2) BOARD OF TRUSTEES.—Section 201(c) of
4 such Act, as amended by subsections (b) and (c)(1),
5 is further amended—

6 (A) in the matter preceding paragraph (1),
7 by striking “Board of Trustees of the Trust
8 Funds” and inserting “Board of Trustees of
9 the Trust Fund”;

10 (B) in paragraph (1), by striking “Trust
11 Funds” and inserting “Trust Fund”;

12 (C) in paragraph (2)—

13 (i) by striking “Trust Funds” and in-
14 serting “Trust Fund”; and

15 (ii) by striking “their” and inserting
16 “its”;

17 (D) in paragraph (3), by striking “either
18 of the Trust Funds” and inserting “the Trust
19 Fund”;

20 (E) in paragraph (5)—

21 (i) by striking “managing the Trust
22 Funds” and inserting “managing the
23 Trust Fund”; and

24 (ii) by striking “Trust Funds are”
25 and inserting “Trust Fund is”;

1 (F) in the matter following paragraph (5),
2 by striking “Trust Funds” each place it ap-
3 pears and inserting “Trust Fund”; and

4 (G) in the second sentence in the matter
5 following paragraph (5), by striking “whether
6 the Federal Old-Age and Survivors Insurance
7 Trust Fund and the Federal Disability Insur-
8 ance Trust Fund, individually and collectively,
9 are” and inserting “whether the Social Security
10 Trust Fund is”.

11 (3) INVESTMENTS.—Section 201 of such Act is
12 amended in subsections (d) and (e) by striking
13 “Trust Funds” each place it appears and inserting
14 “Trust Fund”.

15 (4) CREDITING OF INTEREST AND PROCEEDS
16 TO TRUST FUNDS.—Section 201(f) of such Act is
17 amended—

18 (A) by striking “the Federal Old-Age and
19 Survivors Insurance Trust Fund and the Fed-
20 eral Disability Insurance Trust Fund shall be
21 credited to and form a part of the Federal Old-
22 Age and Survivors Insurance Trust Fund and
23 the Disability Insurance Trust Fund, respec-
24 tively” and inserting “the Social Security Trust

1 Fund shall be credited to and form a part of
2 the Social Security Trust Fund”;

3 (B) by striking “either of the Trust
4 Funds” and inserting “the Trust Fund”; and

5 (C) by striking “such Trust Fund” and in-
6 serting “the Trust Fund”.

7 (5) ADMINISTRATIVE COSTS.—Section 201(g) of
8 such Act is amended—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A), by striking
11 “Of the amounts authorized to be made
12 available out of the Federal Old-Age and
13 Survivors Insurance Trust Fund and the
14 Federal Disability Insurance Trust Fund
15 under the preceding sentence” and all that
16 follows through “(Public Law 103–296).”;
17 and

18 (ii) in subparagraph (B)(i)—

19 (I) by striking subclauses (II)
20 and (III) and inserting the following:

21 “(II) the portion of such costs which
22 should have been borne by the Social Security
23 Trust Fund,”; and

1 (II) by redesignating subclauses
2 (IV) and (V) as subclauses (III) and
3 (IV);

4 (B) in paragraph (2)—

5 (i) by striking “Trust Funds” and in-
6 serting “Trust Fund”; and

7 (ii) by striking the last sentence; and

8 (C) in paragraph (4), by striking “Trust
9 Funds” each place it appears and inserting
10 “Trust Fund”.

11 (6) BENEFIT PAYMENTS.—Section 201(h) of
12 such Act is amended to read as follows:

13 “(h) All benefit payments required to be made under
14 this title shall be made only from the Social Security Trust
15 Fund.”.

16 (7) GIFTS.—Section 201(i) of such Act is
17 amended—

18 (A) in paragraph (1), by striking “the
19 Federal Old-Age and Survivors Insurance Trust
20 Fund, the Federal Disability Insurance Trust
21 Fund” and inserting “the Social Security Trust
22 Fund”; and

23 (B) in paragraph (2)(B), by striking “the
24 Federal Old-Age and Survivors Insurance Trust

1 Fund” and inserting “the Social Security Trust
2 Fund”.

3 (8) TRAVEL EXPENSES.—Section 201(j) of such
4 Act is amended by striking “the Federal Old-Age
5 and Survivors Insurance Trust Fund, or the Federal
6 Disability Insurance Trust Fund (as determined ap-
7 propriate by the Commissioner of Social Security)”
8 and inserting “the Social Security Trust Fund”.

9 (9) DEMONSTRATION PROJECTS.—Section
10 201(k) of such Act is amended by striking “the Fed-
11 eral Disability Insurance Trust Fund and the Fed-
12 eral Old-Age and Survivors Insurance Trust Fund,
13 as determined appropriate by the Commissioner of
14 Social Security” and inserting “the Social Security
15 Trust Fund”.

16 (10) BENEFIT CHECKS.—Section 201(m) of
17 such Act is amended—

18 (A) in paragraph (2), by striking “each of
19 the Trust Funds” and inserting “the Social Se-
20 curity Trust Fund”;

21 (B) in paragraph (3), by striking “one of
22 the Trust Funds” and inserting “the Trust
23 Fund”; and

1 (C) by striking “such Trust Fund” each
2 place it appears and inserting “the Trust
3 Fund”.

4 (11) CONFORMING REPEALS.—

5 (A) IN GENERAL.—Section 201 of such
6 Act is amended by striking subsections (b), (l),
7 and (n).

8 (B) REDESIGNATIONS.—Section 201 of
9 such Act is further amended—

10 (i) by redesignating subsections (c)
11 through (j) as subsections (b) through (i),
12 respectively;

13 (ii) by redesignating subsection (k) as
14 subsection (j); and

15 (iii) by redesignating subsection (m)
16 as subsection (k).

17 (C) REFERENCES TO REDESIGNATED SEC-
18 TIONS.—

19 (i) Section 201(a) of such Act, as
20 amended by subsection (a) of this section,
21 is further amended—

22 (I) by striking “subsection
23 (i)(1)” and inserting “subsection
24 (h)(1)”; and

1 (II) by striking “subsection (d)”
2 and inserting “subsection (c)”.

3 (ii) Section 1131(b)(1) of such Act is
4 amended by striking “section 201(g)(1)”
5 and inserting “section 201(f)(1)”.

6 (e) OTHER CONFORMING AMENDMENTS TO SOCIAL
7 SECURITY ACT.—

8 (1) TITLE II.—Title II of the Social Security
9 Act (42 U.S.C. 401 et seq.) is amended—

10 (A) in section 202(x)(3)(B)(iii), by striking
11 “the Federal Old-Age and Survivors Insurance
12 Trust Fund and the Federal Disability Insur-
13 ance Trust Fund, as appropriate,” and insert-
14 ing “the Social Security Trust Fund”;

15 (B) in section 206(d)(5), by striking “the
16 Federal Old-Age and Survivors Insurance Trust
17 Fund and the Federal Disability Insurance
18 Trust Fund, as appropriate” and inserting “the
19 Social Security Trust Fund”;

20 (C) in section 206(e)(3)(B), by striking
21 “the Federal Old-Age and Survivors Insurance
22 Trust Fund and the Federal Disability Insur-
23 ance Trust Fund” and inserting “the Social Se-
24 curity Trust Fund”;

1 (D) in section 208(b)(5)(A), by striking
2 “the Federal Old-Age and Survivors Insurance
3 Trust Fund and the Federal Disability Insur-
4 ance Trust Fund, as appropriate” and inserting
5 “the Social Security Trust Fund”;

6 (E) in section 215(i)(1)(F)—

7 (i) in clause (i)—

8 (I) by striking “the combined
9 balance in the Federal Old-Age and
10 Survivors Insurance Trust Fund and
11 the Federal Disability Insurance
12 Trust Fund” and inserting “the bal-
13 ance in the Social Security Trust
14 Fund”; and

15 (II) by striking “and reduced by
16 the outstanding amount of any loan
17 (including interest thereon) thereto-
18 fore made to either such Fund from
19 the Federal Hospital Insurance Trust
20 Fund under section 201(l)”;

21 (ii) in clause (ii)—

22 (I) by striking “the Federal Old-
23 Age and Survivors Insurance Trust
24 Fund and the Federal Disability In-
25 surance Trust Fund” and inserting

1 “the Social Security Trust Fund”;
2 and

3 (II) by striking “(other than pay-
4 ments” and all that follows through
5 “and reducing” and inserting “, but
6 reducing”;

7 (F) in section 221(e)—

8 (i) by striking “Trust Funds” each
9 place it appears and inserting “Trust
10 Fund”; and

11 (ii) by striking the last sentence;

12 (G) in section 221(f), by striking “Trust
13 Funds” and inserting “Trust Fund”;

14 (H) in section 222(d)—

15 (i) in the section heading, by striking
16 “TRUST FUNDS” and inserting “TRUST
17 FUND”;

18 (ii) in paragraph (1), by striking “to
19 the end that savings will accrue to the
20 Trust Funds as a result of rehabilitating
21 such individuals, there are authorized to be
22 transferred from the Federal Old-Age and
23 Survivors Insurance Trust Fund and the
24 Federal Disability Insurance Trust Fund”
25 and inserting “to the end that savings will

1 accrue to the Trust Fund as a result of re-
2 habilitating such individuals, there are au-
3 thorized to be transferred from the Social
4 Security Trust Fund”; and

5 (iii) by amending paragraph (4) to
6 read as follows:

7 “(4) The Commissioner of Social Security shall deter-
8 mine according to such methods and procedures as the
9 Commissioner may deem appropriate the total amount to
10 be reimbursed for the cost of services under this sub-
11 section.”;

12 (I) in section 228(g)—

13 (i) in the section heading, by striking
14 “FEDERAL OLD-AGE AND SURVIVORS IN-
15 SURANCE TRUST FUND” and inserting
16 “SOCIAL SECURITY TRUST FUND”; and

17 (ii) in the matter preceding paragraph
18 (1), by striking “Federal Old-Age and Sur-
19 vivors Insurance Trust Fund” and insert-
20 ing “Social Security Trust Fund”;

21 (J) in section 231(e), by striking “Trust
22 Funds” each place it appears and inserting
23 “Trust Fund”; and

24 (K) in section 234(a)(1), by striking
25 “Trust Funds” and inserting “Trust Fund”.

1 (2) TITLE VII.—Title VII of the Social Security
2 Act (42 U.S.C. 901 et seq.) is amended—

3 (A) in section 703(j), by striking “Federal
4 Disability Insurance Trust Fund, the Federal
5 Old-Age and Survivors Insurance Trust Fund,”
6 and inserting “Social Security Trust Fund”;

7 (B) in section 708(c), by striking “the
8 ‘OASDI trust fund ratio’ under section 201(l),”
9 after “computing”;

10 (C) in section 709—

11 (i) in subsection (a), by striking “Fed-
12 eral Old-Age and Survivors Insurance
13 Trust Fund and the Federal Disability In-
14 surance Trust Fund” and inserting “Social
15 Security Trust Fund”; and

16 (ii) in subsection (b)—

17 (I) in paragraph (1), by striking
18 “section 201(l) or”; and

19 (II) in paragraph (2), by striking
20 “Federal Old-Age and Survivors In-
21 surance Trust Fund and the Federal
22 Disability Insurance Trust Fund” and
23 inserting “Social Security Trust
24 Fund”; and

25 (D) in section 710—

1 (i) in subsection (a), by striking “Fed-
2 eral Old-Age and Survivors Insurance
3 Trust Fund and the Federal Disability In-
4 surance Trust Fund” and inserting “Social
5 Security Trust Fund”; and

6 (ii) in subsection (b)—

7 (I) by striking “any Trust Fund
8 specified in subsection (a)” and in-
9 serting “the Social Security Trust
10 Fund”; and

11 (II) by striking “payments from
12 any such Trust Fund” and inserting
13 “payments from the Social Security
14 Trust Fund”.

15 (3) TITLE XI.—Title XI of the Social Security
16 Act (42 U.S.C. 1301 et seq.) is amended—

17 (A) in section 1106(b), by striking “the
18 Federal Old-Age and Survivors Insurance Trust
19 Fund, the Federal Disability Insurance Trust
20 Fund” and inserting “the Social Security Trust
21 Fund”;

22 (B) in section 1129(e)(2)(A), by striking
23 “the Federal Old-Age and Survivors Insurance
24 Trust Fund or the Federal Disability Insurance
25 Trust Fund, as determined appropriate by the

1 Secretary” and inserting “the Social Security
2 Trust Fund”;

3 (C) in sections 1131(b)(2) and 1140(c)(2),
4 by striking “the Federal Old-Age and Survivors
5 Insurance Trust Fund” and inserting “the So-
6 cial Security Trust Fund”;

7 (D) in section 1145(c)—

8 (i) by striking paragraphs (1) and (2)
9 and inserting the following:

10 “(1) the Social Security Trust Fund;” and

11 (ii) by redesignating paragraphs (3)
12 and (4) as paragraphs (2) and (3), respec-
13 tively; and

14 (E) in section 1148(j)(1)(A)—

15 (i) in the first sentence, by striking
16 “the Federal Old-Age and Survivors Insur-
17 ance Trust Fund and the Federal Dis-
18 ability Insurance Trust Fund” and insert-
19 ing “the Social Security Trust Fund”; and

20 (ii) by striking the second sentence.

21 (4) TITLE XVIII.—Title XVIII of the Social Se-
22 curity Act (42 U.S.C. 1395) is amended—

23 (A) in section 1817(g), by striking “Fed-
24 eral Old-Age and Survivors Insurance Trust
25 Fund and from the Federal Disability Insur-

1 ance Trust Fund” and inserting “Social Secu-
2 rity Trust Fund”;

3 (B) in section 1840(a)(2), by striking
4 “Federal Old-Age and Survivors Insurance
5 Trust Fund or the Federal Disability Insurance
6 Trust Fund” and inserting “Social Security
7 Trust Fund”; and

8 (C) in section 1841(f), by striking “Fed-
9 eral Old-Age and Survivors Insurance Trust
10 Fund and from the Federal Disability Insur-
11 ance Trust Fund” and inserting “Social Secu-
12 rity Trust Fund”.

13 (f) CONFORMING AMENDMENTS OUTSIDE OF SOCIAL
14 SECURITY ACT.—

15 (1) BUDGET.—

16 (A) OFF-BUDGET EXEMPTION.—Section
17 405(a) of the Congressional Budget Act of
18 1974 (2 U.S.C. 655(a)) is amended by striking
19 “Federal Old-Age and Survivors Insurance and
20 Federal Disability Insurance Trust Funds” and
21 inserting “Social Security Trust Fund”.

22 (B) SEQUESTRATION EXEMPTION.—Sec-
23 tion 255(g)(1)(A) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985 (2
25 U.S.C. 905(g)(1)(A)) is amended by striking

1 “Payments to Social Security Trust Funds”
2 and inserting “Payments to the Social Security
3 Trust Fund”.

4 (2) TAX.—

5 (A) TAXABLE WAGES.—Section 3121(l)(4)
6 of the Internal Revenue Code of 1986 is
7 amended by striking “Federal Old-Age and
8 Survivors Insurance Trust Fund and the Fed-
9 eral Disability Insurance Trust Fund” and in-
10 serting “Social Security Trust Fund”.

11 (B) OVERPAYMENTS.—

12 (i) Section 6402(d)(3)(C) of the Inter-
13 nal Revenue Code of 1986 is amended by
14 striking “Federal Old-Age and Survivors
15 Insurance Trust Fund or the Federal Dis-
16 ability Insurance Trust Fund, whichever is
17 certified to the Secretary as appropriate by
18 the Commissioner of Social Security” and
19 inserting “Social Security Trust Fund”.

20 (ii) Subsection (f)(2)(B) of section
21 3720A of title 31, United States Code, is
22 amended by striking “Federal Old-Age and
23 Survivors Insurance Trust Fund or the
24 Federal Disability Insurance Trust Fund,
25 whichever is certified to the Secretary of

1 the Treasury as appropriate by the Com-
2 missioner of Social Security” and inserting
3 “Social Security Trust Fund”.

4 (3) FALSE CLAIMS PENALTIES.—Subsection
5 (g)(2) of section 3806 of title 31, United States
6 Code, is amended—

7 (A) in subparagraph (B)—

8 (i) by striking “Secretary of Health
9 and Human Services” and inserting “Com-
10 missioner of Social Security”; and

11 (ii) by striking “Federal Old-Age and
12 Survivors Insurance Trust Fund” and in-
13 sserting “Social Security Trust Fund”; and

14 (B) in subparagraph (C)—

15 (i) by striking “Secretary of Health
16 and Human Services” and inserting “Com-
17 missioner of Social Security”; and

18 (ii) by striking “Federal Disability In-
19 surance Trust Fund” and inserting “Social
20 Security Trust Fund”.

21 (4) RAILROAD RETIREMENT BOARD.—Section 7
22 of the Railroad Retirement Act of 1974 (45 U.S.C.
23 231f) is amended—

24 (A) in subsection (b)(2), by striking “Fed-
25 eral Old-Age and Survivors Insurance Trust

1 Fund and the Federal Disability Insurance
2 Trust Fund” and inserting “Social Security
3 Trust Fund”;

4 (B) in subsection (c)(2)—

5 (i) by striking “Secretary of Health,
6 Education, and Welfare” each time it ap-
7 pears and inserting “Commissioner of So-
8 cial Security”; and

9 (ii) by striking “Federal Old-Age and
10 Survivors Insurance Trust Fund, the Fed-
11 eral Disability Insurance Trust Fund,”
12 each time it appears and inserting “Social
13 Security Trust Fund”; and

14 (C) in subsection (c)(4), by striking “Fed-
15 eral Old-Age and Survivors Insurance Trust
16 Fund, the Federal Disability Insurance Trust
17 Fund,” and inserting “Social Security Trust
18 Fund”.

19 (g) RULE OF CONSTRUCTION.—Effective beginning
20 on January 1, 2025, any reference in law (other than sec-
21 tion 201(a) of the Social Security Act) to the “Federal
22 Old-Age and Survivors Insurance Trust Fund” or the
23 “Federal Disability Insurance Trust Fund” is deemed to
24 be a reference to the Social Security Trust Fund.

1 (h) EFFECTIVE DATE.—The amendments made by
 2 this section shall take effect on January 1, 2025.

3 **TITLE III—STRENGTHENING**
 4 **SERVICE DELIVERY**

5 **SEC. 301. CLARIFYING THE REQUIREMENT TO MAIL SOCIAL**
 6 **SECURITY ACCOUNT STATEMENTS.**

7 (a) IN GENERAL.—Section 1143 of the Social Secu-
 8 rity Act (42 U.S.C. 1320b–13) is amended—

9 (1) in subsection (a)(1), by adding at the end
 10 the following: “Such statement shall be provided by
 11 mail unless the requesting individual chooses elec-
 12 tronic delivery for that request.”; and

13 (2) in subsection (c)(2)—

14 (A) by striking “Beginning not later than”
 15 and inserting “(A) Beginning not later than”;

16 (B) by inserting “by mail” after “provide”;
 17 and

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

19 “(B) In any case in which an eligible individual de-
 20 scribed in subparagraph (A) responds to an annual inquiry
 21 by the Commissioner relating to the mailing of the individ-
 22 ual’s statement by making an election that such statement
 23 for such year be provided in electronic form only, the re-
 24 quirements of this paragraph shall be deemed to be satis-
 25 fied for such year with respect to the individual.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply with respect to Social Security
3 account statements required to be provided on or after
4 January 1, 2025.

5 **SEC. 302. PREVENTING CLOSURE OF FIELD AND HEARING**
6 **OFFICES AND RESIDENT OR RURAL CONTACT**
7 **STATIONS.**

8 (a) MORATORIUM ON CLOSURE OR CONSOLIDATION
9 OF FIELD OR HEARING OFFICES OR NEW LIMITATIONS
10 ON ACCESS TO SUCH OFFICES.—

11 (1) IN GENERAL.—Except as provided in para-
12 graphs (2) and (3), the Commissioner of Social Se-
13 curity shall take no action on or after the date of
14 enactment of this Act to close or consolidate field or
15 hearing offices of the Social Security Administration
16 or to otherwise impose any new limitation on access
17 to such offices.

18 (2) EXCEPTION FOR EMERGENCY CLOSURES.—
19 Paragraph (1) shall not apply with respect to any
20 temporary action by the Commissioner to close or
21 otherwise limit access to field or hearing offices in
22 response to an emergency.

23 (3) CESSATION OF MORATORIUM UPON REPORT
24 TO CONGRESS.—Paragraph (1) shall cease to be ef-
25 fective 180 days after the Commissioner submits to

1 the Committee on Ways and Means of the House of
2 Representatives and the Committee on Finance of
3 the Senate a detailed report outlining and justifying
4 the process for selecting field or hearing offices to be
5 closed or consolidated or otherwise to have limited
6 access. Such report shall include—

7 (A) an analysis of the criteria used for se-
8 lecting field or hearing offices for closure, con-
9 solidation, or limited access;

10 (B) a description of how the Commissioner
11 has analyzed and considered relevant factors,
12 including but not limited to transportation and
13 communication burdens faced by individuals
14 serviced by the offices, including elderly and
15 disabled citizens; and

16 (C) a description of any method of cost-
17 benefit analysis applied by the Commissioner in
18 connection with closures and consolidations of
19 field or hearing offices, and other limitations on
20 access to field or hearing offices, including any
21 analysis that takes into account—

22 (i) the anticipated savings resulting
23 from the closure, consolidation, or limita-
24 tion on access;

1 (ii) the anticipated costs associated
2 with replacing services lost by the closure,
3 consolidation, or limitation on access;

4 (iii) the anticipated effects on employ-
5 ees of the offices affected;

6 (iv) how the loss of access resulting
7 from the closure, consolidation, or limita-
8 tion on access will be replaced by the es-
9 tablishment of a new field or hearing of-
10 fice, increased access at a different office,
11 or some other means, and the factors con-
12 sidered by the Commissioner in deter-
13 mining how to replace such lost access;
14 and

15 (v) such other relevant factors as may
16 be determined by the Commissioner, in-
17 cluding but not limited to transportation
18 and communication burdens faced by indi-
19 viduals serviced by the offices, including el-
20 derly and disabled citizens.

21 (b) REQUIREMENTS FOR FUTURE CLOSURES, CON-
22 SOLIDATIONS, AND NEW LIMITATIONS ON ACCESS.—

23 (1) IN GENERAL.—Section 704 of the Social
24 Security Act (42 U.S.C. 904) is amended by adding
25 at the end the following new subsection:

1 “Field and Hearing Offices

2 “(f)(1) Subject to paragraph (6), the Commissioner
3 may not close a field or hearing office of the Administra-
4 tion, consolidate two or more such offices, or otherwise
5 impose any new limitation on public access to any such
6 office, unless the Commissioner complies with the require-
7 ments of paragraphs (2), (3), (4), and (5) in connection
8 with the closure, consolidation, or limitation on public ac-
9 cess.

10 “(2)(A) The requirements of this paragraph are met
11 in connection with a closure, consolidation, or new limita-
12 tion on access referred to in paragraph (1) only if—

13 “(i) not later than 120 days before the date of
14 the closure, consolidation, or limitation on access,
15 the Commissioner provides effective public notice of
16 the proposed closure, consolidation, or limitation on
17 access (including, to the extent practicable, notice by
18 direct mailing and through community outlets such
19 as newspapers and posting in heavily frequented
20 public spaces) to individuals residing in the area
21 serviced by the affected office or offices;

22 “(ii) the public notice issued pursuant to clause
23 (i) includes information on—

24 “(I) how the Commissioner will, not later
25 than 30 days after the date of the closure, con-

1 solidation, or limitation on access, replace the
2 loss in access resulting from the closure, con-
3 solidation, or limitation on access by estab-
4 lishing a new office, increasing public access to
5 a different office, or some other means; and

6 “(II) how to contact the Administration if
7 an individual experiences service delays or prob-
8 lems as a result of the closure, consolidation, or
9 limitation on access; and

10 “(iii) not earlier than 30 days after the
11 issuance of public notice pursuant to clause (i) and
12 not later than 45 days before the date of the pro-
13 posed closure, consolidation, or limitation on access,
14 the Commissioner conducts at least 2 public hear-
15 ings (scheduled so that the first and last such hear-
16 ings are separated by at least 10 days), at which the
17 Commissioner presents the justifications for the clo-
18 sure, consolidation, or limitation on access described
19 in subparagraph (B) and provides for attendees an
20 opportunity to present their views regarding the pro-
21 posed closure, consolidation, or limitation on access.

22 “(B) The justifications referred to in subparagraph
23 (A)(iii) shall consist of the following:

1 “(i) an analysis of the criteria used for selecting
2 the field or hearing office or offices for closure, con-
3 solidation, or limited access;

4 “(ii) a description of how the Commissioner has
5 analyzed and considered relevant factors, including
6 but not limited to transportation and communication
7 burdens faced by individuals serviced by the offices,
8 including elderly and disabled citizens; and

9 “(iii) a description of a method of cost-benefit
10 analysis which shall be applied by the Commissioner
11 in connection with the closure, consolidation, or limi-
12 tation on access, and which shall take into ac-
13 count—

14 “(I) the anticipated savings resulting from
15 the closure, consolidation, or limitation on ac-
16 cess;

17 “(II) the anticipated costs associated with
18 replacing services lost by the closure, consolida-
19 tion, or limitation on access;

20 “(III) the anticipated effects on employees
21 of the offices affected; and

22 “(IV) such other relevant factors as may
23 be determined by the Commissioner, including
24 but not limited to transportation and commu-
25 nication burdens faced by individuals serviced

1 by the offices, including elderly and disabled
2 citizens.

3 “(C) The notice provided pursuant to subparagraph
4 (A)(i) shall include notice of the time and place of the
5 public hearings to be conducted pursuant to clause (A)(iii)
6 and of the right of aggrieved individuals to appeal to the
7 Commissioner regarding the proposed closure, consolida-
8 tion, or limitation on access pursuant to paragraph (4).

9 “(3) The requirements of this paragraph are met in
10 connection with a closure, consolidation, or limitation on
11 access referred to in paragraph (1) only if, not later than
12 30 days before the date of the proposed closure, consolida-
13 tion, or limitation on access, the Commissioner submits
14 to the Committee on Ways and Means of the House of
15 Representatives, the Committee on Finance of the Senate,
16 and each Member of the Congress representing a State
17 or congressional district in which the affected office or of-
18 fices are located a detailed final report in support of the
19 closure, consolidation, or limitation on access. Such report
20 shall include—

21 “(A) the justifications described in paragraph
22 (2)(B), (including any amendments made to such
23 justifications after the public hearings conducted
24 pursuant to paragraph (2)(A));

1 “(B) any findings made by the Commissioner
2 pursuant to the public hearings;

3 “(C) the status of any appeals regarding the
4 closure, consolidation, or new limitation on access
5 which were commenced pursuant to paragraph (4)
6 before the date of the report;

7 “(D) the final decision of the Commissioner re-
8 garding the closure, consolidation, or new limitation
9 on access; and

10 “(E) such other information as the Commis-
11 sioner considers relevant.

12 “(4)(A) Upon timely request by any individual who
13 makes a showing in writing described in subparagraph (B)
14 in connection with a proposed closure, consolidation, or
15 limitation on access referred to in subparagraph (A), the
16 Commissioner shall give such individual an opportunity for
17 a hearing with respect to the closure, consolidation, or lim-
18 itation on access. The request for the hearing shall be con-
19 sidered timely only if it is made not later than 30 days
20 before the proposed date of the closure, consolidation, or
21 limitation on access. The Commissioner shall submit to
22 the Committee on Ways and Means of the House of Rep-
23 resentatives, the Committee on Finance of the Senate, and
24 each Member of the Congress representing a State or con-
25 gressional district in which the affected office or offices

1 are located the Commissioner’s findings based on the
2 hearing and a description of any action taken or to be
3 taken by the Commissioner on the basis of such findings.

4 “(B) A showing described in subparagraph (A) shall
5 consist of a showing that—

6 “(i) the determination of the Commissioner to
7 close a field or hearing office, consolidate field or
8 hearing offices, or impose a new limitation on access
9 to a field or hearing office is arbitrary, capricious,
10 an abuse of discretion, not in accordance with law,
11 or not based on substantial evidence; or

12 “(ii) the Commissioner has failed to observe
13 procedures required by law in connection with the
14 closure, consolidation, or new limitation on access.

15 “(5) The requirement of this paragraph is met in
16 connection with a closure, consolidation, or limitation on
17 access referred to in paragraph (1) only if such closure,
18 consolidation, or limitation on access will not result in the
19 total number of field or hearing offices of the Administra-
20 tion falling below the total number of such offices that
21 were in operation on September 30, 2022.

22 “(6) Paragraph (1) shall not apply with respect to
23 any temporary action by the Commissioner to close or oth-
24 erwise limit access to field or hearing offices in response
25 to an emergency.”.

1 (2) EFFECTIVE DATE.—The amendment made
2 by paragraph (1) of this subsection shall apply with
3 respect to closures and consolidations of field or
4 hearing offices and impositions of new limitations on
5 access to such offices occurring after the cessation
6 of the moratorium under subsection (a) of this sec-
7 tion.

8 **SEC. 303. ENSURING ACCESS TO PROFESSIONAL REP-**
9 **RESENTATION.**

10 (a) IN GENERAL.—Section 206(a)(2)(A) of the Social
11 Security Act (42 U.S.C. 406(a)(2)(A)) is amended by
12 striking “The Commissioner of Social Security shall” and
13 all that follows through the end and inserting the fol-
14 lowing: “Notwithstanding the previous sentence, in the
15 case of an agreement described in this subparagraph en-
16 tered into on or after the date of enactment of Social Secu-
17 rity 2100 Act, there shall be substituted for the dollar
18 amount specified in clause (ii)(II) an amount equal to such
19 dollar amount (as increased pursuant to the previous sen-
20 tence) in effect for the calendar year preceding such cal-
21 endar year or, if larger, the product (rounded to the near-
22 est dollar) of \$4,000 and the ratio of the national average
23 wage index (as defined in section 209(k)(1)) for the sec-
24 ond calendar year preceding such calendar year to the na-
25 tional average wage index (as so defined) for 1989. Not

1 later than November 1 of each calendar year after 2022,
2 the Commissioner of Social Security shall publish in the
3 Federal Register the dollar amount applicable to agree-
4 ments entered into in the succeeding calendar year.”.

5 (b) CONFORMING AMENDMENT.—Section 209(k)(1)
6 of such Act (42 U.S.C. 409(k)(1)), as amended by sections
7 103(c) and 106(b), is further amended by inserting
8 “206(a)(2)(A),” after “203(f)(8)(B)(ii),”.

9 (c) PUBLICATION OF TRANSITION AMOUNT.—The
10 Commissioner of Social Security shall publish in the Fed-
11 eral Register the dollar amount applicable to agreements
12 entered into during the portion of 2023 occurring on or
13 after the date of enactment of this Act not later than 3
14 months after such date of enactment.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall apply with respect to agreements entered
17 into on or after the date of enactment of this Act.

○