

Selected Social Security Legislation Introduced in the 110th Congress, 2007-2008

Bill Number	Date	Sponsor (Party-State)	Number of co-sponsors	Title -- Description of provisions
<i>Personal Accounts, Including Multiple Provision Personal Account Plans</i>				
H.R.1090	2/15/2007	R. Lewis (R-KY)	2	Social Security Guarantee Plus Act of 2007 -- Create personal accounts, restore solvency, repeal earnings test, increase widow(ers) benefits, no age restriction on disabled widow(er)s, no 7-year restriction on disability for widow(er)s, spouse benefit two-year remarriage provision, child care credits, reduce government pension offset.
H.R.2002	4/25/2007	S. Johnson (R-TX)	0	Change Social Security into a system of individual accounts for workers born in 1986 or later, as well as electing workers born from 1953 to 1985, have ownership of, control over the investment of their retirement funds in various investment vehicles: (1) Tier I Investment Fund; (2) Tier II Investment Fund; and (3) Tier III Investment Accounts.
H.R.4181	11/14/2007	Flake (R-AZ)	6	Securing Medicare and Retirement for Tomorrow (SMART) Act of 2007 -- Establish personal accounts (the assets of which are not subject to personal income tax); remove FICA tax for individuals who have reached retirement age; use chained CPI for COLA.
H.R.4922	12/19/2007	Sessions (R-TX)	0	Savings Account for Every American Act of 2007 -- Voluntary Social Security accounts, a trust created exclusively for the benefit of an individual or his/her beneficiaries. Requires: employers of electing employees to establish payroll deduction program to make employee contributions (6.2% of wages) to the accounts; employer matching contributions after a participating employee has maintained an account for 15 years. Penalizes employers who fail to make required payroll deductions or pay deducted wages to the accounts. Exempt account participants from OASDI taxes, exclude them from OASDI coverage.
S. 2765	3/13/2008	Hagel (R-NE)	0	Saving Social Security Act of 2008 -- Create personal accounts (for those born 1963 or later); provide a minimum monthly Social Security benefit; exempt the SAFE Investment Fund, SAFE Accounts from income taxation, but subject personal Social Security savings account to certain other taxes; treat any federal annuity payment under the new part B program as Social Security benefit for purposes of OASDI and tier 1 railroad retirement benefits; include any distribution of excess SAFE Account assets from gross income.
H.R.6110	5/21/2008	Ryan (R-WI)	0	Roadmap for America's Future Act of 2008 -- Multiple program/tax plan; Social Security provisions include offering workers born 1/1/1954 or later the option of investing "over 1/3" of their OASDI taxes into personal retirement accounts, which will be personal property and fully inheritable; include guarantee that no one's total Social Security benefits from personal accounts will be less than they would have been if the worker had chosen to stay in the current system. Adjust schedule for NRA increases, eventually index to longevity. Progressive indexing for old age and spousal benefits. Enhanced minimum for low-earners.

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<i>Earnings Test / Delayed Retirement Credits</i>				
H.R. 149	1/4/2007	G. Grene (D-TX)	0	Social Security Earnings Test Repeal Act of 2007 -- Remove the limitation on the amount of outside income that an individual may earn while receiving benefits.
S. 2933	4/29/2008	Smith (R-OR)	2	Incentives for Older Workers Act -- Allow delayed retirement Social Security credits until age 72; reduce OASDI benefit offset resulting from certain earnings.
<i>Trust Fund Issues</i>				
S.J. Res. 1	1/4/2007	Craig (R-ID)	1	Propose a Constitutional amendment to require balanced budget, protect OASDI surpluses.
H.R. 219	1/4/2007	Paul (R-TX)	10	Social Security Preservation Act of 2007 -- Require the Managing Trustee to invest annual OASDI trust fund surplus in marketable interest-bearing United States obligations and certificates of deposit in depository Federal Deposit Insurance Corporation-insured institutions, and protect such trust funds from public debt limit.
S. 302	1/16/2007	Vitter (R-LA)	0	Social Security Lock-Box Act of 2007 -- Provide a point of order against consideration of any: budget resolution that sets forth totals for any fiscal year with respect to OASDI Trust Funds that are less than total fiscal year OASDI Trust Funds as calculated in accordance with a current services baseline; or spending or tax legislation that would cause any totals to be less than the Funds totals for the covered fiscal year.
H.R.581	1/19/2007	Blackburn (R-TN)	19	Savings for Seniors Act of 2007 -- Establish a Social Security Surplus Protection Account in OASI Trust Fund to hold the Social Security surplus, suspend investment of amounts held in the Account until enactment of legislation providing for Trust Fund investment in vehicles other than United States obligations, establish a Social Security Investment Commission to recommend alternative forms of investment of the OASDI Trust Fund surplus.
H.R.1353	3/6/2007	Moore (D-KS)	17	Social Security Protection and Truth in Budgeting Act of 2007 -- Ensure that the receipts and disbursements of the Social Security trust funds are not included in a unified Federal budget and provide that OASDI contributions cannot be diverted to create private accounts.
S. 15	5/22/2007	Gregg (R-NH)	26	Stop Over Spending Act of 2007 -- Establishes National Commission on Entitlement Solvency and Commission on Congressional Budgetary Accountability and Review of Federal Agencies. Various budget rules.
H.R. 4338	12/6/2007	Walberg (R-MI)	3	Social Security and Medicare Lock-Box Act -- Make it out of order in House of Representatives or Senate to consider any concurrent resolution on the budget (or related measure) that would set forth a surplus for any fiscal year less than the Federal Hospital Insurance Trust Fund surplus for that fiscal year (exceptions for OASDI and HI reform legislation). Declares that budget should have a Social Security plan when this occurs.
H.R. 4664	12/13/2007	Kuhl (R-NY)	0	Social Security Surplus Protection Act of 2007 -- Ensure that annual surplus amounts in either the OASI or DI Trust Fund for any calendar year are made available to the Social Security Surplus Investment Board (SSSIB) on a timely basis for purposes of investment.

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H.R. 4896	12/19/2007	Gohmert (R-TX)	0	Social Security Trust Funds Investment Act of 2007 -- Ensure that the assets of trust funds are not diverted, and authorize investment of such trust funds in securities that are not limited to United States obligations or obligations guaranteed as to principal and interest by the U.S.
<i>Disability Insurance Issues</i>				
H.R. 69	1/4/2007	McIntyre (D-NC)	1	Disability Benefit Fairness Act of 2007 -- Eliminate the 5-month waiting period for entitlement to disability benefits and eliminate reconsideration as an intervening step between initial benefit entitlement decisions and subsequent hearings on the record on such decisions.
H.R. 385	1/10/2007	Goode (R-VA)	0	Social Security Disability Determination Simplification Act of 2007 -- Eliminate reconsideration as an intervening step between initial benefit entitlement decisions and subsequent hearings on the record on such decisions.
H.R. 1159	2/16/2007	Lowey (D-NY)	0	Provide full benefits for disabled widow(er)s regardless of age.
H.R. 1162	2/16/2007	Lowey (D-NY)	0	Repeal 7-year restriction on eligibility for widow(er)'s insurance benefits based on disability.
H.R. 2713	6/14/2007	Pickering (R-MS)	4	Joseph H. Seall Act of 2007 -- Allow commissioner to waive 5-month DI waiting period for terminally ill when undue hardship will result.
H.R. 2944	6/28/2007	Shays (R-CT)	0	Claire Collier Social Security Disability Insurance Fairness Act -- Provide that the eligibility requirement for DI benefits (20 quarters of OASDI coverage in the 40 quarters preceding a disability) shall not apply when a disabled individual suffers from a covered terminal disease.
S. 1736	6/28/2007	Dodd (D-CT)	0	Same as above, Senate version.
S. 2050	9/12/2007	Brown (D-OH)	1	Arthur Woolweaver, Jr. Social Security Act Improvements for the Terminally Ill Act -- Eliminate 5 month DI waiting period for those terminally ill (< 6 months to live).
H.R. 3834	10/15/2007	Lewis (D-GA)	38	Blind Persons Earnings Fairness Act of 2007 -- Increase the earnings level under which no individual who is blind is determined to have demonstrated ability to engage in substantial gainful activity for purposes of determining disability.
S. 2559	1/25/2008	Dodd (D-CT)	5	Blind Persons Earnings Fairness Act of 2008 -- Senate version of above.
S. 2570	1/29/2008	Murkowski (R-AL)	1	Robert James Act of 2008 -- Authorize Social Security Commissioner to waive the 5-month waiting period for benefit entitlement based on disability in cases in which the Commissioner determines the waiting period would cause terminally ill beneficiaries undue hardship.
H. R. 5812	4/15/2008	Young (D-AL)	2	Robert James Act of 2008 -- House version of above.
H. R. 5510	2/28/2008	Wilson (D-OH)	0	Social Security Fairness for the Terminally Ill Act of 2008 -- Eliminate the five-month waiting period in the DI program (individual's life expectancy is 6 months or less).
H. R. 5833	4/17/2008	DeFazio (D-OR)	6	Provide for direct payment of attorney fees and costs to attorney representing a prevailing party in certain Disability Insurance cases (SSI also). Declares that such fees/costs shall not be subject to offset due to a United States claim against the prevailing party.

Bill Number	Date	Sponsor (Party-State)	Number of co-sponsors	Title -- Description of provisions
H. R. 6485	7/14/2008	Castor (D-FL)	13	Timely Due Process for the Disabled Act of 2008 -- Provide that disability determinations on the basis of hearings by the Social Security Commissioner are made on a timely basis and require Commissioner to establish a program for annually monitoring the number of disability determinations which are in reconsideration.
<i>Issues Related to Government Pension Offset and/or Windfall Elimination Provision</i>				
H.R. 82	1/4/2007	Berman (D-CA)	344	Social Security Fairness Act of 2007 -- Repeals: government pension offset requirements applicable to husband's/wife's, widow(er)'s, and mother's/father's benefits with respect to OASDI payments; and windfall elimination requirements with respect to computation of an individual's primary insurance amount.
S. 206	1/9/2007	Feinstein (D-CA)	36	Social Security Fairness Act of 2007 -- Repeal the Government pension offset and windfall elimination provisions -- Senate version of above.
H.R. 726	1/30/2007	Frank (D-MA)	16	Windfall Elimination Provision Relief Act of 2007 -- Restrict application of windfall elimination provision to individuals whose combined monthly income from benefits and other monthly periodic payments exceeds a minimum COLA-adjusted amount of \$2,500 and provide for a graduated implementation of such provision on amounts above this minimum.
S. 1647	6/19/2007	Hutchinson (TX)	0	Public Servant Retirement Protection Act of 2007 -- Repeal windfall elimination provision.
H.R.2772	6/19/2007	K. Brady (R-TX)	21	Public Servant Retirement Protection Act of 2007 -- Repeal windfall elimination provision -- Same as above, House version.
S. 1254	5/1/2007	Mikulski (D-MD)	8	Government Pension Offset Reform Act -- Provide that required reductions in OASDI benefits for spouses and surviving spouses who also receive certain government pensions shall equal the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.
H.R. 2988	7/10/2007	Wynn (D-MD)	0	Government Pension Offset Reform Act -- Same as above, House version.
<i>Issues Related to Income Taxation of Benefits</i>				
H.R. 191	1/4/2007	Paul (R-TX)	12	Senior Citizens Tax Elimination Act -- Repeal inclusion of OASDI benefits in gross income, transfer funds (from general revenue?) to make up for funds lost.
H.R. 192	1/4/2007	Paul (R-TX)	20	Social Security Beneficiary Tax Reduction Act -- Repeal 1993 income tax increase on OASDI benefits.
H.R.1349	3/6/2007	P. King (R-NY)	1	Repeal 1993 increases on taxes on OASDI benefits.
H.R. 2158	5/3/2007	S. Johnson (R-TX)	27	Social Security Benefits Tax Relief Act of 2007 -- Repeal 1993 income tax increase on OASDI benefits.
H.R. 2507	5/24/2007	Franks (R-AZ)	5	Seniors Financial Security Act of 2007 -- Repeal the inclusion in gross income for income tax purposes of OASDI and tier 1 railroad retirement benefits.

Bill Number	Date	Sponsor (Party-State)	Number of co-sponsors	Title -- Description of provisions
H.R. 6242	6/11/2008	Musgrave (R-CO)	0	Senior Citizens' Tax Relief Act of 2008 -- Amends Internal Revenue Code to repeal the 85 percent maximum tax rate on OASDI, Railroad Retirement benefits. Appropriates from general fund to HI Trust Fund amounts equal to the revenue reduction resulting from this repeal.
<i>Immigrant and Totalization Issues</i>				
S. 43	1/4/2007	Ensign (R-NV)	17	STAR Act -- Require that both Houses of Congress approve a totalization agreement before an agreement, giving foreign workers Social Security benefits, can go into effect.
H.R. 279	1/5/2007	Cubin (R-WY)	20	House version of above.
H.R. 190	1/4/2007	Paul (R-TX)	11	Social Security for Americans Only Act of 2007 – Prospectively, provide that wages and self-employment income earned by non-citizens or non-nationals of the United States shall not be credited toward OASDI coverage, provide President authority to enter into agreements with other nations taking into account such wage/self-employment income crediting limitations.
H.R. 332	1/9/2007	Carter (R-TX)	37	Provide that wages earned, and self-employment income derived, by individuals while such individuals were not citizens or nationals of the United States and were illegally in U.S. shall not be credited for OASDI coverage.
H.R. 709	1/29/2007	Gallegly (R-CA)	0	Restrict totalization agreements between the United States and other countries to providing for appropriate exchange of Social Security taxes or contributions between the parties; prohibit crediting of individuals with earnings from employment or self-employment in the U.S. performed while they are not citizens, nationals, or lawful permanent residents of the U.S. and not authorized by law to be employed in the U.S.
H.R. 736	1/30/2007	Rohrabacher (R-CA)	25	No Social Security for Illegal Immigrants Act of 2007 -- Exclude creditable wages/self-employment income earned while illegally in U.S.
S. 1666	6/20/2007	Baucus (D-MT)	1	Revise process for congressional consideration of international social security agreements.
H.R. 5515	2/28/2008	Johnson (R-TX)	31	New Employee Verification Act of 2008 -- (OASDI-specific provision) Deny credit toward earnings benefits from unauthorized work; revise totalization agreement provisions; prohibit survivor's lump sum death payments to individuals removed from United States under INA.
<i>Benefit Computation Issues (Includes COLA, Notch, Spouse/Survivor, Childrens, and other Issues)</i>				
H.R. 93	1/4/2007	Brown-Waite (R-FL)	0	Social Security Protection Act of 2007 -- Amend the Congressional Budget Act of 1974 to protect Social Security beneficiaries against any reduction in benefits.
H.R. 288	1/5/2007	Emerson (R-MO)	1	Notch Baby Act of 2007— For those who became eligible at age 62 for early retirement old-age insurance benefits after 1978 and before 1989, sets forth a schedule of additional benefit increases (and increases for related beneficiaries), with percentages declining from 60% to 10% keyed to the year an individual became eligible for (early retirement) benefits.

Bill Number	Date	Sponsor (Party-State)	Number of co-sponsors	Title -- Description of provisions
H.R. 340	1/9/2007	Duncan (R-TN)	0	Remarried Widows' and Widowers' Benefits Act of 2007 -- Allow remarried widow(er) and surviving divorced spouses to become or remain entitled to widow(er)'s insurance benefits if the prior marriage lasted at least 10 years.
H.R. 341	1/9/2007	Duncan (R-TN)	0	Provide payment of lump-sum death payments to spouse's spouse upon a spouse's death.
H.R. 368	1/10/2007	R. Hall (R-TX)	104	Notch Fairness Act of 2007 -- Allow workers who turn age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling \$5,000 or a new benefit computation formula under a new 10-year rule governing the transition to changes in benefit computation enacted in the 1977 Social Security Amendments.
H.R. 732	1/30/2007	Maloney (D-NY)	0	Reduce from 10 to 5 the number of years of marriage prior to divorce required for a divorced spouse to be eligible for Social Security.
H.R. 1158	2/16/2007	Lowey (D-NY)	0	Eliminate the two-year waiting period for divorced spouse's benefits following the divorce.
H.R. 1160	2/16/2007	Lowey (D-NY)	0	Provide for increases in widow(er)'s insurance benefits by reason of delayed retirement, also treatment of delayed retirement in cases of simultaneous entitlement to OASDI benefits and widow(er)'s insurance benefits.
H.R. 1161	2/16/2007	Lowey (D-NY)	0	Social Security Caregiver Credit Act of 2007 -- Credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service.
H.R. 1380	3/7/2007	Holden (D-PA)	21	Social Security Benefits Fairness Act of 2007 -- Provide that a monthly insurance benefit shall be paid for the month in which a recipient dies, subject to a 50 percent reduction if the recipient dies during the first 15 days of such month.
S. 816	3/8/2007	Brownback (R-KS)	0	Parents' Tax Relief Act of 2007 -- Primarily an income tax bill, but also awards social security credits to (non-working) parents who stay at home to care for children under age seven, authorizes general fund transfers to OASDI trust funds to cover the credits' cost.
H.R. 1668	3/23/2007	L. Davis (D-TN)	6	Proportionate Final Benefit Act of 2007 -- Provide that an individual's entitlement to an OASDI benefit shall continue through the month of his/her death (without affecting any other person's benefit entitlement that month) and his/her benefit shall be payable for such month only to the extent proportionate to the number of days preceding the individual's death date.
H. R. 1953	4/19/2007	Gonzalez (D-TX)	16	Consumer Price Index for Elderly Consumers Act -- Establish a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for OASDI.
H. R. 2032	4/25/2007	DeFazio (D-OR)	63	Consumer Price Index for Elderly Consumers Act of 2007 -- Establish a Consumer Price Index for Elderly Consumers to compute OASDI, Medicare cost-of-living increases.
H.R. 2987	7/10/2007	Weiner (D-NY)	0	COLA Fairness Act of 2007 -- Require establishment of regional consumer price indices to compute cost-of-living increases.
H.R. 4807	12/18/2007	Herseth Sandlin (D-SD)	26	Social Security COLA Protection Act of 2007 -- Limit Medicare premium increases (including Medicare Advantage) to 25 percent of COLA increases.

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S. 2501	12/18/2007	Johnson (D-SD)	8	Social Security COLA Protection Act of 2007 -- Senate version of above.
H.R. 6607	7/24/2008	Andrews (D-NJ)	0	Social Security Uninsured Children's Entitlement Act of 2008 -- Provide monthly benefits for certain uninsured children living without parents (not alive or no contact within two years and reasonable attempts to locate).
<i>FICA / SECA Payroll Tax Issues</i>				
H.R. 4684	12/13/2007	Paul (R-TX)	0	Cancer and Terminal Illness Patient Health Care Act of 2007 -- Waive the employee portion of OASDI taxes for individuals diagnosed as having cancer or a terminal disease.
H.R. 5175	1/29/2008	Foxx (R-NC)	19	Federal Tax Withholding Act of 2008 -- Amend the Internal Revenue Code of 1986 to repeal the withholding of income and Social Security taxes.
H.R. 5779	4/10/2008	Wexler (D-FL)	0	Social Security Forever Act of 2008 -- Impose a tax on the amount of wages in excess of the contribution and benefit base.
<i>Coverage Issues</i>				
H.R. 441	1/12/2007	Becerra (D-CA)	0	Retirement Security for America's Domestic Workers Act of 2007 -- Coordinate the threshold requirement for Social Security coverage of domestic employees with the amount required for a quarter of coverage.
S. 2154	10/4/2007	Johnson (D-SD)	4	Local Officials Tax Relief Act of 2007 -- Exempt certain employment as a member of a local governing board, commission, or committee from OASDI tax coverage
H.R. 6603	7/24/2008	Pomeroy (D-ND)	3	Local Officials Tax Relief Act of 2008 -- Exempt certain employment as a member of a local governing board, commission, or committee from OASDI tax coverage
<i>Other</i>				
S. 355	1/22/2007	Domenici (R-NM)	4	Social Security and Medicare Solvency Commissions Act -- Establish a National Commission on Entitlement Solvency.
H.R. 3724	10/2/2007	Fossella (R-NY)	5	Social Security and Medicare Solvency Commission Act -- Establish a National Commission on Entitlement Solvency (House version of 355 above).
S. 1195	4/24/2007	Hagel (R-NE)	1	Comprehensive Entitlement Reform Commission Act of 2007 -- Establish Comprehensive Entitlement Reform Commission to review OASDI, Medicare, Medicaid, make recommendations to sustain these programs' solvency and stability.
H.R. 3252	7/31/2007	Frank (D-MA)	0	Eliminate the time limitation for corrections to wage and self-employment income records.
S. 2063	9/18/2007	Conrad (D-ND)	18	Bipartisan Task Force for Responsible Fiscal Action Act of 2007 -- Establish Bipartisan Task Force for Responsible Fiscal Action to address and report to President/Congress on nation's long-term fiscal imbalances, including those related to Medicare and OASDI, provide for expedited legislative consideration of recommendations.
H.R. 3655	9/25/2007	Cooper (D-TN)	1	House version of above.

Bill Number	Date	Sponsor (Party-State)	Number of co-sponsors	Title -- Description of provisions
H.R. 4751	12/17/2007	McCarthy (R-CA)	0	More Transparent and Honest Communications with American Workers Reform Act of 2007 -- Provide that annual Social Security account statements indicate, in estimating eligible individuals' projected benefit levels, the effect of benefit reductions which may be necessary, absent future legislative remedies, due to anticipated OASDI Trust Fund insolvency.
H.R. 5110	1/23/2008	Higgins (D-NY)	36	Require Social Security Commissioner to submit annual SSA budget directly to Congress, President; specify budget contents (including funds to combat applicant/beneficiary fraud, number of pending cases/average processing time, employment statistics for hearing and field offices); prohibit Commissioner from closing/limiting a field office until 180 days after submitting report outlining, justifying selection to Congress; require Commissioner to document a revision 90 days before revising comprehensive work force plan which must accompany appropriations request for SSA staffing/personnel.

Last updated: July 2008

This list is a representative selection of legislation introduced in the current Congress, dealing with program adequacy, equity, efficiency, and solvency. It is not a comprehensive catalog, and excludes legislation on Social Security number protection, stimulus payments to beneficiaries, SSA employee compensation issues, and direct deposit issues. It also omits most resolutions that state opinion or sentiment without proposing any changes in law.

Notes:

COLA=Cost-of-Living Adjustment;

FICA=Federal Insurance Contributions Act; SECA=Self-Employment Contributions Act;

OASDI=Old-Age Survivors and Disability Insurance; DI=Disability Insurance; HI=Hospital Insurance (Medicare);

SSA=Social Security Administration;

SSI=Supplemental Security Income

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