

Selected Social Security Legislation Introduced in the 111th Congress, 2009-2010

Bill Number	Date	Sponsor (State)	Number of co-sponsors	Status	Title -- Description of provisions
<i>Stimulus Provisions Related to Social Security</i>					
H.R. 1 (See also H.R. 679)	1/26/2009	Obey (WI)	9	Passed in House	American Recovery and Reinvestment Act of 2009--Includes \$900 million funding for upgrading SSA computers (\$400 million for national computer center) and reducing DI backlogs (\$500 million, \$40 million of which should go to Health IT to facilitate DI claims processing).
H.R. 1 (Engrossed Amndmnt agreed to by Senate)				Passed in Senate	Senate version of above--Authorizes \$300 one-time payments to Title II Beneficiaries (within 120 days of enactment, payments would not be taxable). Allocates up to \$890 million to SSA (\$750 million for National Computer Center, \$140 million to IT acquisitions and research, which may include research/activities to facilitate adoption of electronic medical records in disability claims and transfer of funds to SSI; \$3 million to the Inspector General for oversight and audit).
House-Senate H.R. 1 Conference Report				Signed by President	Authorizes \$250 one-time payments (not taxable, not available to child beneficiaries except Disabled Adult Children, funded from General Funds, not OASDI Trust Funds). Allocates up to \$1 billion to Social Security Administration (\$500 million for National Computer Center, \$500 million for backload processing, including IT, \$2 million to the Inspector General).
H.R. 746	1/28/2009	Adler (NJ)	11	Referred to Subcommittee on Health	Provide \$500 one-time payments to OASDI beneficiaries (within 120 days of enactment, payments would not be taxable).
<i>Personal Accounts, Including Multiple Provision Personal Account Plans</i>					
H.R. 107	1/6/2009	Flake (AZ)	2	Referred to Education & Labor, Ways & Means, Rules, Budget, and Energy & Commerce	Securing Medicare and Retirement for Tomorrow Act of 2009 or SMART Act of 2009--Add a new part B (Personal Social Security Savings Program) to OASDI under which each employer shall establish and maintain for each participating employee a personal Social Security account under a Social Security payroll deduction plan. Provides for the participation by self-employed individuals and the investment of personal Social Security account funds in one qualified Social Security mutual fund designated by the participating individual. Prohibits collection of the FICA tax with respect to individuals who have attained retirement age.
<i>Other Multiple Provision Solvency Plans</i>					
S. 426	2/12/2009	Bennett (UT)	0	Referred to Finance	Social Security Solvency Act of 2009--Provide for progressive indexing of OAI benefits for newly retired and aged surviving spouses (becoming initially eligible for benefits in or after 2012). Modifies PIA factors to reflect life expectancy changes (longevity indexing); computes revised PIA for individuals who have a disability period; accelerates the retirement age increase to 67; automatically appropriates funds to maintain the balance ratio of Social Security Trust Funds at not less than 100% for calendar year commencing during each fiscal year.
<i>FICA / SECA Payroll Tax Issues (Geared at Improving Solvency)</i>					
H.R. 1863	4/1/2009	Wexler (FL)	0	Referred to Ways & Means	Social Security Forever Act of 2009 -- Impose a 3 percent tax (each for employers and employees) on the amount of wages in excess of the contribution and benefit base.

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<i>Issues Related to Government Pension Offset and/or Windfall Elimination Provision</i>					
H.R. 235	1/7/2009	Berman (CA)	158	Referred to Ways & Means	Social Security Fairness Act of 2009--Repeal the Government pension offset and windfall elimination provisions.
S. 484	2/25/2009	Feinstein (CA)	14	Referred to Finance	Social Security Fairness Act of 2009--Repeal the Government pension offset and windfall elimination provisions.
S. 490	2/26/2009	Hutchison (TX)	0	Referred to Finance	Public Servant Retirement Protection Act of 2009--Repeal the windfall elimination provision.
H.R. 1221	2/26/2009	Brady (TX)	16	Referred to Ways & Means	Public Servant Retirement Protection Act of 2009--Repeal the windfall elimination provision.
H.R. 2145	4/28/2009	Frank (MA)	0	Referred to Ways & Means	Windfall Elimination Provision Relief Act of 2009--Restrict application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds \$2,500 (COLA-adjusted), with graduated implementation of the provision on amounts above this amount.
<i>Earnings Test / Delayed Retirement Credits</i>					
H.R. 322	1/8/2009	Green (TX)	0	Referred to Ways & Means	Social Security Earnings Test Repeal Act of 2009--Remove the limitation on the amount of outside income which a beneficiary may earn (earnings test) without incurring a reduction in benefits.
H.R. 2021	4/22/2009	Boehner (OH)	21	Referred to Education & Labor, Ways & Means	To help rebuild retirement, college, and personal savings--Double the Social Security earnings limit (RET exempt amount) from \$14,160 to \$28,320 (plus multiple other provisions not directly related to Social Security).
<i>Other (Commissions, Social Security Statements, Direct Deposit/Garnishment)</i>					
S. 276	1/6/2009	Feinstein (CA)	1	Referred to Finance	Social Security and Medicare Solvency Commission Act--Establishes National Commission on Entitlement Solvency to review and report to President and Congress on OASDI and Medicare with respect to: (1) their current and long-term actuarial financial condition; (2) problems that may threaten their long-term solvency, and potential solutions; and (3) recommendations and proposed legislative language that will ensure their long-term solvency and the provision of appropriate benefits. Provides for expedited congressional consideration of recommendations.

Bill Number	Date	Sponsor (State)	Number of co-sponsors	Status	Title -- Description of provisions
H.R. 1557	3/17/2009	Cooper (TN)	66	Referred to Budget and Rules	Securing America's Future Economy Commission Act (SAFE) Commission Act--Establishes SAFE Commission to develop legislation to address: (1) unsustainable imbalance between long-term federal spending commitments, projected revenues; (2) increases in net national savings to provide for domestic investment, economic growth; (3) implications of foreign ownership of federally issued debt instruments; (4) revision of the budget process to place greater emphasis on long-term fiscal issues. Requires Commission to: (1) develop method(s) for estimating the cost of legislation as an alternative to current Congressional Budget Office (CBO) method; (2) hold at least one town-hall style public hearing within each federal reserve district. Requires Commission to submit legislative proposal to Congress, the President. Authorizes President to submit to Congress an alternative proposal. Authorizes the Committee on the Budget of either chamber to publish its own alternative proposal in the Congressional Record. Sets forth procedures for consideration of such legislation.
H.R. 2440	5/14/2009	McCarthy (CA)	2	Referred to Ways & Means	More Transparent and Honest Communications with American Workers Reform Act of 2009--Provide that annual Social Security account statements indicate, in estimating eligible individuals' projected benefit levels, effects on benefit levels of reductions which may be necessary, absent future legislative remedies, by reason of anticipated Social Security Trust Fund insolvency.
S. 1042	5/14/2009	Kohl (WI)	1	Referred to Finance	Prohibit the use of funds to promote direct deposit of Veterans and Social Security benefits until adequate safeguards are established to prevent attachment and garnishment of such benefits.
Trust Fund Issues					
H.R. 219	1/6/2009	Paul (TX)	9	Referred to Ways & Means	Social Security Preservation Act of 2009--Ensure that annual OASDI Trust Fund surplus is invested in: marketable U.S. interest-bearing obligations or U.S-guaranteed obligations or certificates of deposit in insured depository institutions. Outlines requirements for determining annual Trust Fund surplus. Prohibits disinvestment of OASDI Trust Fund amounts from public debt obligations, refraining from making such investments, or delay in making normal deposits in such Trust Funds for public debt limit-related purposes. Authorizes, with certain conditions, the sale of Trust Fund public debt obligations to pay cash benefits and administrative expenses.
S. 86	1/6/2009	Vitter (LA)	1	Referred to Budget	Lock-Box Act of 2009--Provide a point of order against consideration of any: (1) budget resolution that sets forth OASDI Trust Fund totals for any fiscal year that are less than Trust Fund totals for that fiscal year as calculated using a current services baseline; or (2) spending or tax legislation that would cause totals to be less than Funds totals for covered fiscal year. Makes the point of order in (2) inapplicable to OASDI reform legislation. Requires any federal budget the President submits that recommends Fund totals for any fiscal year that are less than the Funds totals for that fiscal year to include a detailed OASDI reform legislation proposal (defined as a bill or joint resolution to save OASDI that specifies that it constitutes reform legislation.). Makes this Act inapplicable upon enactment of such legislation.
H.R. 1276	3/3/2009	Moore (KS)	4	Referred to Ways & Means	Social Security Protection and Truth in Budgeting Act of 2009--Ensure that the receipts and disbursements of the OASDI trust funds are not included in a unified Federal budget and mandate that Trust Fund monies cannot be diverted to create private accounts.

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H.R. 1712	3/25/2009	Blackburn (TN)	7	Referred to Ways & Means	Savings for Seniors Act of 2009--Establish a Social Security Surplus Protection Account in the Federal OASI Trust Fund to hold the Social Security surplus, to provide for suspension of investment of amounts held in the Account until enactment of legislation providing for investment of the Trust Fund in investment vehicles other than obligations of the U.S., and establish a Social Security Investment Commission to make recommendations for alternative forms of investment of the Social Security surplus in the Trust Fund.
<i>Disability Insurance Issues</i>					
H.R. 33	1/6/2009	McIntyre (NC)	0	Referred to Ways & Means	Disability Benefit Fairness Act of 2009--Eliminate 5-month waiting period for disability, including disabled widow(er), benefit entitlement and eliminate reconsideration as intervening step between initial entitlement decisions and subsequent hearings on the record.
H.R. 678	1/26/2009	Filner (CA)	3	Referred to Ways & Means	Huntington's Disease Parity Act of 2009--Revise the medical criteria for evaluating disability in a person diagnosed with Huntington's Disease.
H.R. 723	1/27/2009	Neal (MA)	7	Referred to Ways & Means	Eliminate the 5-month waiting period for Social Security disability in the cases of individuals with disabling burn injuries. Require the status of the disability be reviewed at least once every three years.
S. 366	2/3/2009	Kerry (MA)	0	Referred to Finance	Senate version of above.
H.R. 886	2/4/2009	Lewis (GA)	0	Referred to Ways & Means	Blind Persons Return to Work Act of 2009--Apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.
H.R. 1289	3/3/2009	Wilson (OH)	0	Referred to Ways & Means	Social Security Fairness for the Terminally Ill Act of 2009-- Eliminate the five-month waiting period for DI if an applicant is considered to be terminally ill (the individual has a medical prognosis that the individual's life expectancy is 6 months or less).
H.R. 1735	3/26/2009	DeFazio (OR)	2	Referred to Judiciary	Provide for the direct payment of attorney fees to the attorney representing a prevailing party in certain Social Security DI and Supplemental Security Income claims, and for other purposes.
H.R. 2263	5/5/2009	Sutton (OH)	0	Referred to Ways & Means	Disability Equity Act--Eliminate the waiting periods for people with disabilities for entitlement to disability benefits (and also Medicare).
S. 998	5/7/2009	Brown (OH)	2	Referred to Finance	Arthur Woolweaver, Jr., Social Security Act Improvements for the Terminally Ill Act--Eliminate the five-month waiting period in the disability insurance program.
<i>Issues Related to Income Taxation of Benefits</i>					
H.R. 161	1/6/2009	Paul (TX)	6	Referred to Ways & Means	Social Security Beneficiary Tax Reduction Act--Repeal, effective January 1, 2009, the 1993 increase in income taxes on OASDI benefits.

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H.R. 162	1/6/2009	Paul (TX)	2	Referred to Ways & Means	Senior Citizens Tax Elimination Act--Repeal the inclusion of any OASDI or tier I railroad retirement benefits in gross income. Appropriates funds to cover reductions in transfers to the OASDI and Railroad Retirement Trust Funds resulting from the enactment of this Act. Expresses the sense of Congress against using tax increases to provide revenue necessary to carry out this Act.
H.R. 541	1/14/2009	Platts (PA)	1	Referred to Ways & Means	Social Security Tax Relief Act of 2009--Allow a cost-of-living adjustment after 2009 to the base amounts used to determine the amount of OASDI benefits includible in gross income for income tax purposes.
H.R. 883	2/4/2009	King (NY)	0	Referred to Ways & Means	Repeal the 1993 increase in income taxes on OASDI benefits.
H.R. 1058	2/13/2009	Franks (AZ)	17	Referred to Ways & Means	Seniors Financial Security Act of 2009--Repeal the inclusion in gross income of Social Security benefits.
H.R. 1519	3/16/2009	Johnson (TX)	5	Referred to Ways & Means	Social Security Benefits Tax Relief Act of 2009--Repeal the 1993 income tax increase on Social Security benefits.
S. Amdt. 817 to S. Con. Res. 13	4/2/2009	Bunning (KY)	0	Agreed to in Senate (Unanimous Consent)	Provide a deficit-neutral reserve fund for the repeal of the 1993 increase in the income tax on Social Security benefits.
<i>Immigrant and Totalization Issues</i>					
H.R. 132	1/6/2009	Gallegly (CA)	0	Referred to Ways & Means	Total Overhaul of Totalization Agreements Law of 2009--Revise requirements for agreements establishing totalization arrangements between the U.S. and another country with respect to the exchange of funds/information between the countries on behalf of citizens, nationals, or permanent residents of one country who become entitled to cash benefits under the other's social security system. Prohibits, in computing an individual's AIME, the crediting of individuals under OASDI with wages from employment or self-employment in the U.S. performed while such individuals: 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. 160	1/6/2009	Paul (TX)	3	Referred to Ways & Means	Social Security for Americans Only Act of 2009--Provide prospectively that wages earned, and self-employment income derived, by individuals who are not citizens or nationals of the U.S. shall not be credited for coverage under OASDI program, and to provide the President with authority to enter into agreements with other nations taking into account such limitation on crediting of wages and self-employment income.

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S. 42	1/6/2009	Ensign (NV)	8	Referred to Finance	Social Security Totalization Agreement Reform Act of 2009 (STAR Act)--Provide that any agreement to establish a totalization arrangement shall enter into force with respect to the U.S. if (and only if): (1) the President, at least 90 calendar days before the date on which he enters into the agreement, notifies each House of Congress of his intention to enter into it, and promptly thereafter publishes notice of such intention in the Federal Register; (2) he transmits the text of such agreement to each House of the Congress; and (3) a joint resolution regarding such agreement has passed both Houses of Congress and been enacted into federal law.
S. 115	1/6/2009	Vitter (LA)	0	Referred to Finance	Provide that wages earned, and self-employment income derived, by individuals while such individuals were not citizens or nationals of the U.S. and were illegally in the U.S. shall not be credited for coverage under the OASDI program.
H.R. 2028	4/22/2009	Johnson (TX)	5	Referred to Rules, Ways & Means, Education & Labor, Judiciary	New Employee Verification Act of 2009--Amend the Social Security Act to prevent unauthorized earnings from being credited toward title II benefits and make improvements in provisions governing totalization agreements, amend the Social Security Act and the Immigration and Nationality Act to prevent unauthorized employment, and improve coordination of the provisions of these Acts.
H. Res. 394	5/4/2009	Culberson (TX)	19	Referred to Ways & Means	Expressing disapproval by the House of Representatives of the totalization agreement between the United States and Mexico signed by the Commissioner of Social Security and the Director General of the Mexican Social Security Institute on June 29, 2004.
H.R. 2287	5/6/2009	Rohrabacher (CA)	16	Referred to Ways & Means	No Social Security for Illegal Immigrants Act of 2009--Exclude from creditable wages and self-employment income wages earned for services by aliens illegally performed in the United States and self-employment income derived from a trade or business illegally conducted in the United States
<i>Benefit Computation Issues (Includes COLA, Notch, Spouse/Survivor, Childrens, and other Issues)</i>					
H.R. 236	1/7/2009	Brown-Waite (FL)	0	Referred to Budget and Rules	Social Security Protection Act of 2009--Make it out of order in House/Senate to consider any bill or joint resolution (or related amendment or conference report) that: (1) reduces or has the effect of reducing any current benefits under OASDI programs; or (2) provides for or has the effect of providing for cost-of-living increases of OASDI benefits that are less than what would be provided as of the day of the measure's consideration.
H.R. 238	1/7/2009	Emerson (MO)	0	Referred to Ways & Means	Notch Baby Act of 2009--Changes benefit computation formula for individuals affected by the changes in benefit computation rules enacted in the 1977 Amendments who became eligible (at age 62) for (early retirement) old-age insurance benefits after 1978 and before 1989 (and reached age 65 for full-retirement benefits after 1981 and before 1992). Sets forth a schedule of additional benefit increases for such beneficiaries (and related beneficiaries), with percentages declining from 60% to 10% keyed to the year an individual became eligible for (early retirement) benefits between 1978 and 1989.

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S. 81	1/6/2009	Vitter (LA)	0	Referred to Finance	Notch Fairness Act of 2009--Revise the formula for the computation of minimum OAI benefits for individuals who reached age 65 in or after 1979, and to whom applies the 15-year transition period for the changes in benefit computation rules enacted in the 1977 Amendments. Sets forth a schedule of additional benefit increases for such beneficiaries (and related beneficiaries), with percentages declining from 55% to 5% and keyed to the year an individual became eligible for such benefits between 1979 and 1988. Allows such beneficiaries, in the alternative, to receive lump sum payments over four years totaling \$5,000.
H.R. 769	1/28/2009	Lowey (NY)	0	Referred to Ways & Means	Social Security Caregiver Credit Act of 2009--Deems an individual to have been paid a wage (according to a specified formula) during each month during which the individual was engaged for at least 80 hours in providing care to a dependent relative without monetary compensation for up to five years of such service. Applies only when a larger benefit or payment would be payable with its application.
H.R. 770	1/28/2009	Lowey (NY)	0	Referred to Ways & Means	Repeal the 7-year restriction on eligibility for widow(er)'s insurance benefits based on disability.
H.R. 771	1/28/2009	Lowey (NY)	0	Referred to Ways & Means	Eliminate the two-year waiting period following a divorce for a divorced spouse to become entitled to a spouse's OASDI benefits.
H.R. 772	1/28/2009	Lowey (NY)	0	Referred to Ways & Means	Provide for full benefits for disabled widow(er)s without regard to age or any previous reduction in OASDI benefits. Declares that there shall be no reduction in the widow(er)'s insurance benefit of an individual for any month in which such individual is under a disability.
H.R. 773	1/28/2009	Lowey (NY)	0	Referred to Ways & Means	Provide for increases in widow(er)'s insurance benefits by reason of delayed retirement (includes treatment of delayed retirement in cases of simultaneous entitlement to OASDI benefits and widow(er)'s insurance benefits).
H.R. 954	2/10/2009	Holden (PA)	1	Referred to Ways & Means	Provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month.
H.R. 1371	3/5/2009	Weiner (NY)	0	Referred to Education & Labor, Ways & Means, Energy & Commerce	COLA Fairness Act of 2009--Require the establishment of regional consumer price indices to compute Social Security cost-of-living increases.
H.R. 2365	5/12/2009	DeFazio (OR)	22	Referred to Education & Labor, Ways & Means, Energy & Commerce	Consumer Price Index for Elderly Consumers Act of 2009--Require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits.

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H.R. 2429	5/14/2009	Gonzalez (TX)	10	Referred to Education & Labor, Ways & Means	Consumer Price Index for Elderly Consumers Act of 2009 -- Require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security benefits.
Coverage Issues					
H.R. 779	1/28/2009	Paul (TX)	1	Referred to Ways & Means	Tax Free Tips Act of 2009--Provide that tips shall not be subject to income or employment taxes
S. 492	2/26/2009	Johnson (SD)	2	Referred to Finance	Local Officials Tax Relief Act of 2009--Exempt certain employment as a member of a local governing board, commission, or committee from social security tax coverage.
H.R. 2286	5/6/2009	Rohrabacher (CA)	0	Referred to Ways & Means	Social Security Exemption Relief Act of 2009--Provide that an employee whose employment for an employer is not otherwise covered for social security benefit purposes may irrevocably elect to have his/her employment with such employer treated as so covered and subject to social security taxes.
FICA / SECA Payroll Tax Issues (Not Geared at Improving Solvency)					
H.R. 25	1/6/2009	Linder (GA)	44	Referred to Ways & Means	Fair Tax Act of 2009--Repeal the income tax and other taxes (including OASDI payroll taxes), abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.
S. 296	1/22/2009	Chambliss (GA)	3	Referred to Finance	Senate version of above.
H.R. 143	1/6/2009	Gohmert (TX)	56	Referred to Ways & Means, Financial Services	Provide for a two-month suspension of payroll (FICA/SECA) employment taxes, and for other purposes. Estimate the impact on the income and balances of the OASDI trust funds.
H.R. 1919	4/2/2009	Foxx (NC)	11	Referred to Ways & Means	Repeal the withholding of income and social security taxes.
H.R. 2380	5/13/2009	Inglis (SC)	2	Referred to Ways & Means, Rules	Raise Wages, Cut Carbon Act of 2009--Reduce Social Security payroll taxes.

Last updated: May 2009

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, SSA employee compensation issues, and some direct deposit issues. It also omits most resolutions that state opinion or sentiment without proposing any changes in law and other ceremonial actions.

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Acronyms and Notes:

AIME=Average Indexed Monthly Earnings; COLA=Cost-of-Living Adjustment; CPI=Consumer Price Index;
 FICA=Federal Insurance Contributions Act; SECA=Self-Employment Contributions Act;
 OASDI=Old-Age Survivors and Disability Insurance; DI=Disability Insurance; HI=Hospital Insurance (Medicare);
 PIA=Primary Insurance Amount;
 SSA=Social Security Administration; SSI=Supplemental Security Income.

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