

103D CONGRESS
1ST SESSION

H. R. 300

To amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. HASTERT (for himself, Mr. GOSS, Mr. HOUGHTON, Mr. HANCOCK, Mr. DARDEN, Mr. GIBBONS, Mr. CLEMENT, Mr. ACKERMAN, Mr. SHAYS, Mr. BUNNING, Mr. COBLE, Mr. GOODLING, Mr. HUNTER, Mr. CRAMER, Mr. LIGHTFOOT, Mr. DOOLITTLE, Mr. COMBEST, Mr. DORNAN, Mr. SUNDQUIST, Mr. MCCRERY, Mr. HEFLEY, Mr. HERGER, Mr. GALLEGLY, Mrs. BENTLEY, Mr. ARMEY, Mr. BACCHUS of Florida, Mr. NEAL of North Carolina, Ms. SNOWE, Mr. MCCOLLUM, Mr. UPTON, Mr. WALKER, Ms. NORTON, Mr. CRANE, Mr. SMITH of Texas, Mr. OXLEY, Mr. TAYLOR of North Carolina, Mrs. MORELLA, Mr. COLEMAN, Mr. TOWNS, Mr. MICHEL, Mr. ROHRBACHER, Mr. PETE GEREN of Texas, Mr. MCDADE, Mr. RAVENEL, Mr. INHOFE, Mr. KYL, Mr. HOCHBRUECKNER, Mr. GALLO, Mr. HALL of Texas, Mr. HYDE, Mr. BILIRAKIS, Mr. HUTTO, Mr. LIVINGSTON, Mr. HOBSON, Mrs. JOHNSON of Connecticut, Mr. MACHTLEY, Mr. DUNCAN, Mr. NEAL of Massachusetts, Mr. MURTHA, Mr. OBERSTAR, Mr. PAXON, Mr. HANSEN, Mr. BURTON of Indiana, Mr. TRAFICANT, Mr. STUMP, Mr. BAKER of Louisiana, Mr. SMITH of Oregon, Mr. SOLOMON, Mr. SENSENBRENNER, Mr. DELAY, Mr. WILSON, Mr. MCCANDLESS, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. ZIMMER, Mr. ZELIFF, Mr. GILLMOR, Mr. MOORHEAD, Mr. EMERSON, Mr. QUILLEN, Mr. BAKER of California, Mr. CRAPO, Mr. SAM JOHNSON of Texas, Mr. BEREUTER, Mr. BOUCHER, Mr. ALLARD, Mr. FROST, Mr. MARTINEZ, Mr. HEFNER, Mr. ROTH, Mr. NUSSLE, Ms. FOWLER, Mr. WELDON, Mr. KLUG, Mr. SANTORUM, Mr. ENGLISH of Oklahoma, Mr. OWENS, Mr. KASICH, Mr. PETRI, Mr. TORRICELLI, Mr. EVANS, Mr. PORTER, Mr. ROBERTS, Mr. RAHALL, Ms. KAPTUR, Mr. PALLONE, Mr. SCHAEFER, Mr. SHAW, Mr. SCHIFF, Mr. BARRETT of Nebraska, Mr. STEARNS, Mr. THOMAS of Wyoming, Mrs. VUCANOVICH, Mr. HAYES, Mr. WOLF, Mr. SARPALIUS, Mr. YOUNG of Florida, Mr. DE LUGO, Mr. LEACH, Mr. FRANKS of Connecticut, Ms. SLAUGHTER, Mr. SAXTON, and Mr. MARKEY) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

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 “Older Americans’
5 Freedom to Work Act of 1993”.

6 **SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVID-**
7 **UALS WHO HAVE ATTAINED RETIREMENT**
8 **AGE.**

9 Section 203 of the Social Security Act (42 U.S.C.
10 403) is amended—

11 (1) in paragraph (1) of subsection (c) and para-
12 graphs (1)(A) and (2) of subsection (d), by striking
13 “the age of seventy” and inserting “retirement age
14 (as defined in section 216(l))”;

15 (2) in subsection (f)(1)(B), by striking “was
16 age seventy or over” and inserting “was at or above
17 retirement age (as defined in section 216(l))”;

18 (3) in subsection (f)(3), by striking “33 $\frac{1}{3}$ per-
19 cent” and all that follows through “any other indi-
20 vidual,” and inserting “50 percent of such individ-
21 ual’s earnings for such year in excess of the product

1 of the exempt amount as determined under para-
2 graph (8),” and by striking “age 70” and inserting
3 “retirement age (as defined in section 216(l))”;

4 (4) in subsection (h)(1)(A), by striking “age
5 70” each place it appears and inserting “retirement
6 age (as defined in section 216(l))”; and

7 (5) in subsection (j), by striking “Age Seventy”
8 in the heading and inserting “Retirement Age”, and
9 by striking “seventy years of age” and inserting
10 “having attained retirement age (as defined in sec-
11 tion 216(l))”.

12 **SEC. 3. CONFORMING AMENDMENTS ELIMINATING THE**
13 **SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS**
14 **WHO HAVE ATTAINED RETIREMENT AGE.**

15 (a) **UNIFORM EXEMPT AMOUNT.**—Section
16 203(f)(8)(A) of the Social Security Act (42 U.S.C.
17 403(f)(8)(A)) is amended by striking “the new exempt
18 amounts (separately stated for individuals described in
19 subparagraph (D) and for other individuals) which are to
20 be applicable” and inserting “a new exempt amount which
21 shall be applicable”.

22 (b) **CONFORMING AMENDMENTS.**—Section
23 203(f)(8)(B) of such Act (42 U.S.C. 403(f)(8)(B)) is
24 amended—

1 (1) in the matter preceding clause (i), by strik-
2 ing “Except” and all that follows through “which-
3 ever” and inserting “The exempt amount which is
4 applicable for each month of a particular taxable
5 year shall be whichever”;

6 (2) in clause (i), by striking “corresponding”;
7 and

8 (3) in the last sentence, by striking “an exempt
9 amount” and inserting “the exempt amount”.

10 (c) REPEAL OF BASIS FOR COMPUTATION OF SPE-
11 CIAL EXEMPT AMOUNT.—Section 203(f)(8)(D) of such
12 Act (42 U.S.C. 403(f)(8)(D)) is repealed.

13 **SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.**

14 (a) ELIMINATION OF REDUNDANT REFERENCES TO
15 RETIREMENT AGE.—Section 203 of the Social Security
16 Act (42 U.S.C. 403) is amended—

17 (1) in the last sentence of subsection (c), by
18 striking “nor shall any deduction” and all that fol-
19 lows and inserting “nor shall any deduction be made
20 under this subsection from any widow’s or widower’s
21 insurance benefit if the widow, surviving divorced
22 wife, widower, or surviving divorced husband in-
23 volved became entitled to such benefit prior to at-
24 taining age 60.”; and

1 (2) in subsection (f)(1), by striking clause (D)
2 and inserting the following: “(D) for which such in-
3 dividual is entitled to widow’s or widower’s insurance
4 benefits if such individual became so entitled prior
5 to attaining age 60, or”.

6 (b) CONFORMING AMENDMENT TO PROVISIONS FOR
7 DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF
8 DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of
9 such Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended—

10 (1) by striking “either”; and

11 (2) by striking “or suffered deductions under
12 section 203(b) or 203(c) in amounts equal to the
13 amount of such benefit”.

14 (c) CONTINUED APPLICATION OF RULE GOVERNING
15 ENTITLEMENT OF BLIND BENEFICIARIES.—The second
16 sentence of section 223(d)(4) of such Act (42 U.S.C.
17 423(d)(4)) is amended by inserting after “subparagraph
18 (D) thereof” the following: “(or would be applicable to
19 such individuals but for the amendments made by the
20 Older Americans’ Freedom to Work Act of 1993)”.

21 **SEC. 5. EFFECTIVE DATE.**

22 The amendments made by this Act shall apply only
23 with respect to taxable years ending after December 31,
24 1993.

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