

107TH CONGRESS  
1ST SESSION

# H. R. 498

To amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2001

Mr. EHRlich (for himself, Mr. CHAMBLISS, Mr. OXLEY, Mr. LAHOOD, Mr. FROST, Ms. BALDWIN, Mr. COBLE, Mr. BOSWELL, Mr. PAYNE, Mr. NEY, Ms. CARSON of Indiana, Mr. UDALL of New Mexico, Mr. SENSENBRENNER, Mr. KIND, Mr. VISCLOSKY, Mrs. BONO, Mr. CRAMER, Ms. BERKLEY, Mr. NETHERCUTT, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. BARTLETT of Maryland, Ms. LOFGREN, Mr. BOUCHER, Mr. PAUL, Ms. KAPTUR, Mr. McNULTY, Mr. NUSSLE, Mr. PHELPS, Mr. BENTSEN, Mr. RYUN of Kansas, Mr. SCHIFF, Mr. LAFALCE, Mr. ROGERS of Michigan, Mr. FRANK, Mrs. NORTHUP, Mr. HOLT, Mr. CANTOR, Mr. ALLEN, Mr. CRENSHAW, Mr. ABERCROMBIE, Mr. HANSEN, Mr. BALDACCI, Mr. McHUGH, Mr. KANJORSKI, Mr. TANCREDO, Mr. TOWNS, Mr. ISAKSON, Mrs. MEEK of Florida, Mr. GILMAN, Mr. ACEVEDO-VILÁ, Mr. FOLEY, Ms. PELOSI, Mr. GILCHREST, Mr. DEFazio, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. TRAFICANT, Ms. VELÁZQUEZ, Mr. BROWN of Ohio, Mrs. KELLY, Mr. GANSKE, Mrs. MORELLA, and Mr. KING) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

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        The Act may be cited as the “Blind Empowerment  
5 Act of 2001”.

6 **SEC. 2. INCREASE IN AMOUNT DEMONSTRATING SUBSTAN-**  
7 **TIAL GAINFUL ACTIVITY IN THE CASE OF**  
8 **BLIND INDIVIDUALS.**

9        Section 223(d)(4) of the Social Security Act (42  
10 U.S.C. 423(d)(4)) is amended—

11            (1) by striking the second sentence of subpara-  
12 graph (A); and

13            (2) by adding at the end the following new sub-  
14 paragraph:

15        “(C)(i) No individual who is blind shall be regarded  
16 as having demonstrated an ability to engage in substantial  
17 gainful activity on the basis of monthly earnings in any  
18 taxable year that do not exceed an amount equal to—

19            “(I) in the case of earnings in the taxable year  
20 beginning after December 31, 2000, and before Jan-  
21 uary 1, 2002, \$1,240.00 per month;

22            “(II) in the case of earnings in the taxable year  
23 beginning after December 31, 2001, and before Jan-  
24 uary 1, 2003, \$1,666.66<sup>2</sup>/<sub>3</sub> per month;

1           “(III) in the case of earnings in the taxable  
2           year beginning after December 31, 2002, and before  
3           January 1, 2004, \$2,083.33<sup>1</sup>/<sub>3</sub> per month;

4           “(IV) in the case of earnings in the taxable  
5           year beginning after December 31, 2003, and before  
6           January 1, 2005, \$2,500.00 per month; and

7           “(V) in the case of earnings in taxable years be-  
8           ginning after December 31, 2004, the dollar amount  
9           determined for purposes of this clause under clause  
10          (ii).

11          “(ii) The Commissioner of Social Security shall, on  
12          or before November 1 of 2004 and of every year there-  
13          after, determine and publish in the Federal Register the  
14          monthly dollar amount for purposes of clause (i) in the  
15          case of taxable years beginning with or during the suc-  
16          ceeding calendar year. Such dollar amount shall be the  
17          larger of—

18                 “(I) the monthly dollar amount in effect under  
19                 clause (i) for taxable years beginning with or during  
20                 the calendar year in which the determination under  
21                 this clause is made, or

22                 “(II) the product of \$2,500 and the ratio of the  
23                 national average wage index (as defined in section  
24                 209(k)(1)) for the calendar year before the year in  
25                 which the determination under this clause is made

1 to the national average wage index (as so defined)  
2 for 2002,  
3 with such product, if not a multiple of \$10, being rounded  
4 to the next higher multiple of \$10 where such amount is  
5 a multiple of \$5 but not of \$10 and to the nearest multiple  
6 of \$10 in any other case.”.

7 **SEC. 3. EFFECTIVE DATE.**

8 The amendments made by this Act shall apply with  
9 respect to taxable years beginning after December 31,  
10 2000.

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