

116TH CONGRESS
1ST SESSION

H. R. 1170

To enhance Social Security benefits and ensure the long-term solvency of
the Social Security program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Mr. DEFAZIO introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance Social Security benefits and ensure the long-term solvency of the Social Security program.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Social Security Expansion Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Across-the-board benefit increase.
- Sec. 3. Computation of cost-of-living increases.

- Sec. 4. Increase in minimum benefit for lifetime low earners based on years in the workforce.
- Sec. 5. Extended benefit eligibility for children who are full-time students.
- Sec. 6. Payroll tax on remuneration up to contribution and benefit base and more than \$250,000.
- Sec. 7. Tax on net earnings from self-employment up to contribution and benefit base and more than \$250,000.
- Sec. 8. Tax on investment gain.
- Sec. 9. Social Security Trust Fund established.

1 **SEC. 2. ACROSS-THE-BOARD BENEFIT INCREASE.**

2 (a) IN GENERAL.—Section 215(a)(1)(B) of the So-
3 cial Security Act (42 U.S.C. 415(a)(1)(B)) is amended—

4 (1) by redesignating clause (iii) as clause (iv);

5 and

6 (2) by inserting after clause (ii) the following
7 new clause:

8 “(iii) For individuals who initially become eligi-
9 ble for old-age or disability insurance benefits, or
10 who die (before becoming eligible for such benefits)
11 in any calendar year after 2024, each of the
12 amounts determined under clause (ii) of this sub-
13 paragraph for purposes of subparagraph (A)(i) shall
14 be increased by—

15 “(I) for calendar year 2025, 1 percent;

16 “(II) for each of calendar years 2026
17 through 2038, the percent determined under
18 this clause for the preceding year increased by
19 1 percentage point; and

20 “(III) for calendar year 2039 and each
21 year thereafter, 15 percent.”.

1 (b) CONFORMING AMENDMENT.—Clause (iv) of sec-
 2 tion 215(a)(1)(B) of the Social Security Act (42 U.S.C.
 3 415(a)(1)(B)), as redesignated by subsection (a), is
 4 amended by inserting “(after the application of clause
 5 (iii), when applicable)” after “clause (ii)”.

6 **SEC. 3. COMPUTATION OF COST-OF-LIVING INCREASES.**

7 (a) IN GENERAL.—Section 215(i)(1) of the Social Se-
 8 curity Act (42 U.S.C. 415(i)(1)) is amended by adding
 9 at the end the following new subparagraph:

10 “(H) the term ‘Consumer Price Index’ means
 11 the Consumer Price Index for Elderly Consumers
 12 (CPI-E, as published by the Bureau of Labor Sta-
 13 tistics of the Department of Labor).”.

14 (b) APPLICATION TO PRE-1979 LAW.—

15 (1) IN GENERAL.—Section 215(i)(1) of the So-
 16 cial Security Act as in effect in December 1978, and
 17 as applied in certain cases under the provisions of
 18 such Act as in effect after December 1978, is
 19 amended by adding at the end the following new
 20 subparagraph:

21 “(D) the term ‘Consumer Price Index’ means
 22 the Consumer Price Index for Elderly Consumers
 23 (CPI-E, as published by the Bureau of Labor Sta-
 24 tistics of the Department of Labor).”.

1 (2) CONFORMING CHANGE.—Section 215(i)(4)
2 of the Social Security Act (42 U.S.C. 415(i)(4)) is
3 amended—

4 (A) by striking “and by section 9001” and
5 inserting “, section 9001”; and

6 (B) by inserting “and section 3 of the So-
7 cial Security Expansion Act,” after “1986,”.

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

12 “(6) Any provision of law (other than in this title,
13 title VIII, or title XVI) which provides for adjustment of
14 an amount based on a change in benefit amounts resulting
15 from a determination made under this subsection shall be
16 applied and administered without regard to the amend-
17 ments made by section 3 of the Social Security Expansion
18 Act, and, for purposes of making such an adjustment
19 under such a provision, this subsection as in effect on the
20 day before the date of enactment of such Act shall con-
21 tinue to apply.”.

22 (d) PUBLICATION OF CONSUMER PRICE INDEX FOR
23 ELDERLY CONSUMERS.—The Bureau of Labor Statistics
24 of the Department of Labor shall prepare and publish the
25 index authorized by section 191 of the Older Americans

1 Amendments Act of 1987 (29 U.S.C. 2 note) for each cal-
 2 endar month, beginning with July of the calendar year fol-
 3 lowing the calendar year in which this Act is enacted, and
 4 such index shall be known as the “Consumer Price Index
 5 for Elderly Consumers”.

6 (e) EFFECTIVE DATE.—The amendments made by
 7 subsection (a) shall apply to determinations made with re-
 8 spect to cost-of-living computation quarters (as defined in
 9 section 215(i)(1)(B) of the Social Security Act (42 U.S.C.
 10 415(i)(1)(B))) ending on or after September 30 of the sec-
 11 ond calendar year following the calendar year in which this
 12 Act is enacted.

13 **SEC. 4. INCREASE IN MINIMUM BENEFIT FOR LIFETIME**
 14 **LOW EARNERS BASED ON YEARS IN THE**
 15 **WORKFORCE.**

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

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

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

22 “(D)(i) Effective with respect to the benefits of indi-
 23 viduals who become eligible for old-age insurance benefits
 24 or disability insurance benefits (or die before becoming so
 25 eligible) after 2019, 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 $\frac{1}{12}$ 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 2020, the poverty guide-
4 line for 2019; and

5 “(II) for any calendar year after 2020, the an-
6 nual dollar amount for 2020 multiplied by the ratio
7 of—

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

12 “(bb) the national average wage index (as
13 so defined) for 2018.

14 “(iv) For purposes of this subparagraph—

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

19 “(II) the term ‘poverty guideline for 2019’
20 means the annual poverty guideline for 2019 (as up-
21 dated annually in the Federal Register by the De-
22 partment of Health and Human Services under the
23 authority of section 673(2) of the Omnibus Budget

1 Reconciliation Act of 1981) as applicable to a single
 2 individual.”.

3 (b) RECOMPUTATION.—Notwithstanding section
 4 215(f)(1) of the Social Security Act, the Commissioner of
 5 Social Security shall recompute primary insurance
 6 amounts originally computed for months prior to Novem-
 7 ber 2018 to the extent necessary to carry out the amend-
 8 ments made by this section.

9 (c) CONFORMING AMENDMENT.—Section 209(k)(1)
 10 of such Act (42 U.S.C. 409(k)(1)) is amended by inserting
 11 “215(a)(1)(E),” after “215(a)(1)(D),”.

12 **SEC. 5. EXTENDED BENEFIT ELIGIBILITY FOR CHILDREN**
 13 **WHO ARE FULL-TIME STUDENTS.**

14 (a) IN GENERAL.—

15 (1) IN GENERAL.—Section 202(d) of the Social
 16 Security Act (42 U.S.C. 402(d)) is amended—

17 (A) in paragraph (1)—

18 (i) in subparagraph (B)—

19 (I) by striking “or (ii)” and in-
 20 serting “(ii)”; and

21 (II) by inserting “ or (iii) was
 22 the child of an individual entitled to
 23 disability insurance benefits or of an
 24 individual who dies a fully or cur-
 25 rently insured individual and was a

1 full-time student at an educational in-
2 stitution and had not attained the age
3 of 22,” after “22,”;

4 (ii) in subparagraph (E)—

5 (I) by striking “and (ii)” and in-
6 serting “(ii)”; and

7 (II) by inserting “and (iii) is not
8 the child an individual entitled to dis-
9 ability insurance benefits or of an in-
10 dividual who dies a fully or currently
11 insured individual”;

12 (iii) in subparagraph (F), by striking
13 clauses (i) and (ii) and inserting the fol-
14 lowing:

15 “(i) in the case of a child who is the child
16 of an individual entitled to old-age insurance
17 benefits—

18 “(I) the first month during no part of
19 which the child is a full-time elementary or
20 secondary school student, or

21 “(II) the month in which the child at-
22 tains the age of 19, and

23 “(ii) in the case of a child who is the child
24 of an individual entitled to disability insurance

1 benefits or of an individual who dies a fully or
2 currently insured individual—

3 “(I) the first month during no part of
4 which the child is a full-time student at an
5 educational institution, or

6 “(II) the month in which the child at-
7 tains the age of 22,”; and

8 (iv) in subparagraph (G), by striking
9 clauses (ii) and (iii) and inserting the fol-
10 lowing:

11 “(ii) in the case of a child who is the child
12 of an individual entitled to old-age insurance
13 benefits—

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

17 “(II) the month in which the child at-
18 tains the age of 19, and

19 “(iii) in the case of a child who is the child
20 of an individual entitled to disability insurance
21 benefits or of an individual who dies a fully or
22 currently insured individual—

23 “(I) the first month during no part of
24 which the child is a full-time student at an
25 educational institution, or

1 “(II) the month in which the child at-
2 tains the age of 22,”;

3 (B) in paragraph (6)—

4 (i) in subparagraph (A)—

5 (I) by striking “or (ii)” and in-
6 serting “(ii)”; and

7 (II) by inserting “ or (iii) is the
8 child of an individual entitled to dis-
9 ability insurance benefits or of an in-
10 dividual who dies a fully or currently
11 insured individual and is a full-time
12 student at an educational institution
13 and has not attained the age of 22,”
14 after “22,”; and

15 (ii) by striking subparagraphs (D)
16 and (E) and inserting the following:

17 “(D) the earlier of—

18 “(i) in the case of a child who is the child
19 of an individual entitled to old-age insurance
20 benefits—

21 “(I) the first month during no part of
22 which the child is a full-time elementary or
23 secondary school student; or

24 “(II) the month in which the child at-
25 tains the age of 19; and

1 “(ii) in the case of a child who is the child
2 of an individual entitled to disability insurance
3 benefits or of an individual who dies a fully or
4 currently insured individual—

5 “(I) the first month during no part of
6 which the child is a full-time student at an
7 educational institution; or

8 “(II) the month in which the child at-
9 tains the age of 22;
10 but only if the child is not under a disability (as
11 so defined) in such earlier month; or

12 “(E) if the child was under a disability (as so
13 defined), the termination month (as defined in para-
14 graph (1)(G)(i)), subject to section 223(e), or (if
15 later) the earlier of—

16 “(i) in the case of a child who is the child
17 of an individual entitled to old-age insurance
18 benefits—

19 “(I) the first month during no part of
20 which the child is a full-time elementary or
21 secondary school student; or

22 “(II) the month in which the child at-
23 tains the age of 19; and

24 “(ii) in the case of a child who is the child
25 of an individual entitled to disability insurance

1 benefits or of an individual who dies a fully or
2 currently insured individual—

3 “(I) the first month during no part of
4 which the child is a full-time student at an
5 educational institution; or

6 “(II) the month in which the child at-
7 tains the age of 22.”; and

8 (C) in paragraph (7), by adding at the end
9 the following new paragraphs:

10 “(E) The term ‘full-time student at an edu-
11 cational institution’ means an individual who is in
12 full-time attendance as a student at an elementary
13 school (but only in the case of an individual who has
14 not attained the age of 19) or a secondary school or
15 an institution described in section 102 of the Higher
16 Education Act of 1965 (20 U.S.C. 1002), as deter-
17 mined by the Commissioner of Social Security (in
18 accordance with regulations prescribed by the Com-
19 missioner) in the light of the standards and prac-
20 tices of the schools and institutions involved, except
21 that no individual shall be considered a ‘full-time
22 student at an educational institution’ if the indi-
23 vidual is paid by his employer while attending a
24 school or institution at the request, or pursuant to
25 a requirement, of his employer. An individual shall

1 not be considered a ‘full-time student at an edu-
2 cational institution’ for the purpose of this section
3 while that individual is confined in a jail, prison, or
4 other penal institution or correctional facility, pursu-
5 ant to the individual’s conviction of an offense (com-
6 mitted after the effective date of this sentence)
7 which constituted a felony under applicable law. An
8 individual who is determined to be a full-time stu-
9 dent at an educational institution shall be deemed to
10 be such a student throughout the month with re-
11 spect to which such determination is made.

12 “(F) Except to the extent provided in such reg-
13 ulations, an individual shall be deemed to be a full-
14 time student at a school or educational institution
15 during any period of nonattendance at a school or
16 institution at which he has been in full-time attend-
17 ance if (i) such period is 4 calendar months or less,
18 and (ii) the individual shows to the satisfaction of
19 the Commissioner of Social Security that the indi-
20 vidual intends to continue to be in full-time attend-
21 ance at a secondary school or institution described
22 in section 102 of the Higher Education Act of 1965
23 (20 U.S.C. 1002) immediately following such period.
24 An individual who does not meet the requirement of
25 clause (ii) with respect to such period of nonattend-

1 ance shall be deemed to have met such requirement
2 (as of the beginning of such period) if he is in full-
3 time attendance at such a school or institution im-
4 mediately following such period.

5 “(G) A child who attains age 22 at a time when
6 the child is a full-time student of an educational in-
7 stitution (as defined in subparagraph (E) and with-
8 out application of subparagraph (F)) but has not (at
9 such time) completed the requirements for, or re-
10 ceived, a diploma or equivalent certificate from a
11 secondary school (as defined in subparagraph (C)(i))
12 or, if such child is a student at an educational insti-
13 tution described in section 102 of the Higher Edu-
14 cation Act of 1965, a diploma, degree, or equivalent
15 degree from such an institution, shall be deemed (for
16 purposes of determining whether the child’s entitle-
17 ment to benefits under this subsection has termi-
18 nated under paragraph (1)(F) and for purposes of
19 determining his initial entitlement to such benefits
20 under clause (iii) of paragraph (1)(B)) not to have
21 attained such age until the first day of the first
22 month following the end of the quarter or semester
23 in which he is enrolled at such time (or, if the sec-
24 ondary school or educational institution in which he
25 is enrolled is not operated on a quarter or semester

1 system, until the first day of the first month fol-
 2 lowing the completion of the course in which the
 3 child is so enrolled or until the first day of the third
 4 month beginning after such time, whichever first oc-
 5 curs).”.

6 (2) EFFECTIVE DATE.—The amendments made
 7 by this subsection shall apply to child’s insurance
 8 benefits that are payable for months beginning on or
 9 after January 1, 2020.

10 (b) RAILROAD RETIREMENT ACT.—

11 (1) Section 2(d) of the Railroad Retirement Act
 12 of 1974 (45 U.S.C. 232(2)(d)) is amended—

13 (A) in clause (iii) of paragraph (1), by
 14 striking “will be less than nineteen years of age
 15 and a full-time elementary or secondary school
 16 student” and inserting “will be less than 22
 17 years of age and a full-time student at an edu-
 18 cational institution (as defined in section
 19 202(d)(7)(E) of the Social Security Act)”; and

20 (B) in paragraph (4)—

21 (i) by striking “(defining the terms
 22 ‘full-time elementary or secondary school
 23 student’ and ‘elementary or secondary
 24 school’)”;

1 (ii) by striking “nineteen” and insert-
2 ing “22”;

3 (iii) by striking “full-time elementary
4 or secondary school student” and inserting
5 “full-time student at an educational insti-
6 tution”;

7 (iv) by striking “subparagraph (A) of
8 paragraph (7) of section 202(d) of the So-
9 cial Security Act and without the applica-
10 tion of subparagraph (B)” and inserting
11 “subparagraph (E) of section 202(d)(7) of
12 the Social Security Act, without regard to
13 subparagraph (F) of such section”;

14 (v) by striking “a diploma or equiva-
15 lent certificate from a secondary school (as
16 defined in section 202(d)(7)(c)(i) of the
17 Social Security Act)” and inserting “a di-
18 ploma, degree, or equivalent certificate
19 from a secondary school or educational in-
20 stitution described in section 202(d)(7)(E)
21 of the Social Security Act”; and

22 (vi) by striking “elementary or sec-
23 ondary school in which he is enrolled” and
24 inserting “school or institution in which
25 the child is enrolled”.

1 (2) Section 5(c)(7) of the Railroad Retirement
2 Act of 1974 (45 U.S.C. 235(c)(7)) is amended—

3 (A) by striking “full-time elementary or
4 secondary school student” and inserting “full-
5 time student at an educational institution”; and

6 (B) by striking “19” and inserting “22”.

7 (3) The amendments made by this subsection
8 shall apply to benefits under the Railroad Retirement
9 Act of 1974 that are payable for months be-
10 ginning on or after January 1, 2020.

11 **SEC. 6. PAYROLL TAX ON REMUNERATION UP TO CON-**
12 **TRIBUTION AND BENEFIT BASE AND MORE**
13 **THAN \$250,000.**

14 (a) IN GENERAL.—Paragraph (1) of section 3121(a)
15 of the Internal Revenue Code of 1986 is amended by in-
16 serting after “such calendar year.” the following: “The
17 preceding sentence shall apply only to calendar years for
18 which the contribution and benefit base (as so determined)
19 is less than \$250,000, and, for such calendar years, only
20 to so much of the remuneration paid to such employee
21 by such employer with respect to employment as does not
22 exceed \$250,000.”.

23 (b) CONFORMING AMENDMENT.—Paragraph (1) of
24 section 3121 of the Internal Revenue Code of 1986 is

1 amended by striking “Act) to” and inserting “Act), or in
 2 excess of \$250,000, to”.

3 (c) EFFECTIVE DATE.—The amendments made by
 4 this section shall apply to remuneration paid on or after
 5 January 1 of the first calendar year that begins after the
 6 date of enactment of this Act.

7 **SEC. 7. TAX ON NET EARNINGS FROM SELF-EMPLOYMENT**
 8 **UP TO CONTRIBUTION AND BENEFIT BASE**
 9 **AND MORE THAN \$250,000.**

10 (a) IN GENERAL.—Paragraph (1) of section 1402(b)
 11 of the Internal Revenue Code of 1986 is amended to read
 12 as follows:

13 “(1) in the case of the tax imposed by section
 14 1401(a), the excess of—

15 “(A) that part of the net earnings from
 16 self-employment which is in excess of—

17 “(i) an amount equal to the contribu-
 18 tion and benefit base (as determined under
 19 section 230 of the Social Security Act)
 20 which is effective for the calendar year in
 21 which such taxable year begins, minus

22 “(ii) the amount of the wages paid to
 23 such individual during such taxable years,
 24 over

1 “(B) that part of the net earnings from
 2 self-employment which is in excess of the sum
 3 of—

4 “(i) the excess of—

5 “(I) the net earning from self-
 6 employment reduced by the excess (if
 7 any) of subparagraph (A)(i) over sub-
 8 paragraph (A)(ii), over

9 “(II) \$250,000, reduced by such
 10 contribution and benefit base, plus

11 “(ii) the amount of the wages paid to
 12 such individual during such taxable year in
 13 excess of such contribution and benefit
 14 base and not in excess of \$250,000; or”.

15 (b) PHASEOUT.—Subsection (b) of section 1402 of
 16 the Internal Revenue Code of 1986 is amended by adding
 17 at the end the following: “Paragraph (1) shall apply only
 18 to taxable years beginning in calendar years for which the
 19 contribution and benefit base (as determined under section
 20 230 of the Social Security Act) is less than \$250,000.”.

21 (c) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to net earnings from self-employ-
 23 ment derived, and remuneration paid, on or after January
 24 1 of the first calendar year that begins after the date of
 25 enactment of this Act.

1 **SEC. 8. TAX ON INVESTMENT GAIN.**

2 (a) IN GENERAL.—Subsection (a) of section 1411 of
3 the Internal Revenue Code of 1986 is amended by striking
4 “3.8 percent” each place it appears and inserting “10 per-
5 cent”.

6 (b) CONFORMING AMENDMENT.—The heading for
7 chapter 2A of the Internal Revenue Code of 1986 is
8 amended by inserting “**AND SOCIAL SECURITY**”
9 after “**MEDICARE**”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to taxable years beginning after
12 the date of enactment of this Act.

13 **SEC. 9. SOCIAL SECURITY TRUST FUND ESTABLISHED.**

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

16 “(a) There is hereby created on the books of the
17 Treasury of the United States a trust fund to be known
18 as the ‘Social Security Trust Fund’. The Social Security
19 Trust Fund shall consist of the securities held by the Sec-
20 retary of the Treasury for the Federal Old-Age and Sur-
21 vivors Insurance Trust Fund and the Federal Disability
22 Insurance Trust Fund and the amount standing to the
23 credit of the Federal Old-Age and Survivors Insurance
24 Trust Fund and the Federal Disability Insurance Trust
25 Fund on the books of the Treasury on January 1 of the
26 first calendar year beginning after the date of the enact-

1 ment of section 9 of the Social Security Expansion Act,
2 which securities and amount the Secretary of the Treasury
3 is authorized and directed to transfer to the Social Secu-
4 rity Trust Fund, and, in addition, such gifts and bequests
5 as may be made as provided in subsection (i)(1), and such
6 amounts as may be appropriated to, or deposited in, the
7 Social Security Trust Fund as hereinafter provided. There
8 is hereby appropriated to the Social Security Trust Fund
9 for the first fiscal year that begins after date of the enact-
10 ment of section 9 of the Social Security Expansion Act,
11 and for each fiscal year thereafter, out of any moneys in
12 the Treasury not otherwise appropriated, amounts equiva-
13 lent to 100 percent of—

14 “(1) the taxes imposed by chapter 21 (other
15 than sections 3101(b) and 3111(b)) of the Internal
16 Revenue Code of 1986 with respect to wages (as de-
17 fined in section 3121 of such Code) reported to the
18 Secretary of the Treasury pursuant to subtitle F of
19 the Internal Revenue Code of 1986, as determined
20 by the Secretary of the Treasury by applying the ap-
21 plicable rates of tax under such chapter (other than
22 sections 3101(b) and 3111(b)) to such wages, which
23 wages shall be certified by the Commissioner of So-
24 cial Security on the basis of the records of wages es-

1 tablished and maintained by such Commissioner in
2 accordance with such reports;

3 “(2) the taxes imposed by chapter 2 (other than
4 section 1401(b)) of the Internal Revenue Code of
5 1986 with respect to self-employment income (as de-
6 fined in section 1402 of such Code) reported to the
7 Secretary of the Treasury on tax returns under sub-
8 title F of such Code, as determined by the Secretary
9 of the Treasury by applying the applicable rate of
10 tax under such chapter (other than section 1401(b))
11 to such self-employment income, which self-employ-
12 ment income shall be certified by the Commissioner
13 of Social Security on the basis of the records of self-
14 employment income established and maintained by
15 the Commissioner of Social Security in accordance
16 with such returns; and

17 “(3) 62 percent of the taxes imposed under sec-
18 tion 1411 of the Internal Revenue Code of 1986.

19 The amounts appropriated by paragraphs (1), (2), and (3)
20 shall be transferred from time to time from the general
21 fund in the Treasury to the Social Security Trust Fund,
22 such amounts to be determined on the basis of estimates
23 by the Secretary of the Treasury of the taxes, specified
24 in paragraphs (1), (2), and (3), paid to or deposited into
25 the Treasury; and proper adjustments shall be made in

1 amounts subsequently transferred to the extent prior esti-
2 mates were in excess of or were less than the taxes speci-
3 fied in such paragraphs. All amounts transferred to the
4 Social Security Trust Fund under the preceding sentence
5 shall be invested by the Managing Trustee in the same
6 manner and to the same extent as the other assets of the
7 Trust Fund. Notwithstanding the preceding sentence, in
8 any case in which the Secretary of the Treasury deter-
9 mines that the assets of the Trust Fund would otherwise
10 be inadequate to meet the Trust Fund's obligations for
11 any month, the Secretary of the Treasury shall transfer
12 to the Trust Fund on the first day of such month the
13 total amount which would have been transferred to the
14 Trust Fund under this section as in effect on October 1,
15 1990; and the Trust Fund shall pay interest to the general
16 fund on the amount so transferred on the first day of any
17 month at a rate (calculated on a daily basis, and applied
18 against the difference between the amount so transferred
19 on such first day and the amount which would have been
20 transferred to the Trust Fund up to that day under the
21 procedures in effect on January 1, 1983) equal to the rate
22 earned by the investments of the Trust Fund in the same
23 month under subsection (d).”.

24 (b) REQUIRED ACTUARIAL ANALYSIS.—Section
25 201(c) of the Social Security Act is amended by striking

1 the fourth sentence in the matter following paragraph (5)
 2 and inserting the following: “Such report shall also include
 3 actuarial analysis of the benefit cost with respect to dis-
 4 abled beneficiaries and their auxiliaries, to retired bene-
 5 ficiaries and their auxiliaries, and to survivor bene-
 6 ficiaries.”.

7 (c) BOARD OF TRUSTEES.—

8 (1) BOARD OF TRUSTEES OF SOCIAL SECURITY
 9 TRUST FUND.—Section 201(c) of the Social Security
 10 Act, as amended by subsection (b) of this section, is
 11 further amended in the matter preceding paragraph
 12 (1) by striking “the Federal Old-Age and Survivors
 13 Insurance Trust Fund and the Federal Disability
 14 Insurance Trust Fund (hereinafter in this title
 15 called the ‘Trust Funds’)” and inserting “the Social
 16 Security Trust Fund (in this title referred to as the
 17 ‘Trust Fund’)”.

18 (2) CONTINUITY OF BOARD OF TRUSTEES.—
 19 The Board of Trustees of the Social Security Trust
 20 Fund created by the amendment made by subsection
 21 (a) shall be a continuous body with the Board of
 22 Trustees of the Federal Old-Age and Survivors In-
 23 surance Trust Fund and the Federal Disability In-
 24 surance Trust Fund in operation prior to the effec-
 25 tive date of such amendment. Individuals serving as

1 members of the Board of Trustees of the Federal
 2 Old-Age and Survivors Insurance Trust Fund and
 3 the Federal Disability Insurance Trust Fund as of
 4 the effective date of such amendment shall serve the
 5 remainder of their term as members of the Board of
 6 Trustees of the Social Security Trust Fund.

7 (d) CONFORMING AMENDMENTS RELATED TO SO-
 8 CIAL SECURITY TRUST FUND.—

9 (1) AMENDMENT TO SECTION HEADING.—The
 10 section heading for section 201 of the Social Secu-
 11 rity Act is amended to read as follows: “SOCIAL SE-
 12 CURITY TRUST FUND”.

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

16 (A) in the matter preceding paragraph (1),
 17 by striking “Board of Trustees of the Trust
 18 Funds” and inserting “Board of Trustees of
 19 the Trust Fund”;

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

22 (C) in paragraph (2)—

23 (i) by striking “Trust Funds” and in-
 24 serting “Trust Fund”; and

1 (ii) by striking “their” and inserting
2 “its”;

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

6 (E) in paragraph (5)—

7 (i) by striking “managing the Trust
8 Funds” and inserting “managing the
9 Trust Fund”; and

10 (ii) by striking “Trust Funds are”
11 and inserting “Trust Fund is”;

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

15 (G) in the second sentence in the matter
16 following paragraph (5), by striking “whether
17 the Federal Old-Age and Survivors Insurance
18 Trust Fund and the Federal Disability Insur-
19 ance Trust Fund, individually and collectively,
20 are” and inserting “whether the Social Security
21 Trust Fund is”.

22 (3) INVESTMENTS.—Section 201 of such Act is
23 amended in subsections (d) and (e) by striking
24 “Trust Funds” each place it appears and inserting
25 “Trust Fund”.

1 (4) CREDITING OF INTEREST AND PROCEEDS
2 TO TRUST FUNDS.—Section 201(f) of such Act is
3 amended—

4 (A) by striking “the Federal Old-Age and
5 Survivors Insurance Trust Fund and the Fed-
6 eral Disability Insurance Trust Fund shall be
7 credited to and form a part of the Federal Old-
8 Age and Survivors Insurance Trust Fund and
9 the Disability Insurance Trust Fund, respec-
10 tively” and inserting “the Social Security Trust
11 Fund shall be credited to and form a part of
12 the Social Security Trust Fund”;

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

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

17 (5) ADMINISTRATIVE COSTS.—Section 201(g) of
18 such Act is amended—

19 (A) in paragraph (1)—

20 (i) in subparagraph (A), by striking
21 “Of the amounts authorized to be made
22 available out of the Federal Old-Age and
23 Survivors Insurance Trust Fund and the
24 Federal Disability Insurance Trust Fund
25 under the preceding sentence” and all that

1 follows through “(Public Law 103–296).”;

2 and

3 (ii) in subparagraph (B)(i)—

4 (I) by striking subclauses (II)

5 and (III) and inserting the following:

6 “(II) the portion of such costs which

7 should have been borne by the Social Security

8 Trust Fund,”; and

9 (II) by redesignating subclauses

10 (IV) and (V) as subclauses (III) and

11 (IV);

12 (B) in paragraph (2)—

13 (i) by striking “Trust Funds” and in-

14 serting “Trust Fund”; and

15 (ii) by striking the last sentence; and

16 (C) in paragraph (4), by striking “Trust

17 Funds” each place it appears and inserting

18 “Trust Fund”.

19 (6) BENEFIT PAYMENTS.—Section 201(h) of

20 such Act is amended to read as follows:

21 “(h) All benefit payments required to be made under

22 this title shall be made only from the Social Security Trust

23 Fund.”.

24 (7) GIFTS.—Section 201(i) of such Act is

25 amended—

1 (A) in paragraph (1), by striking “the
2 Federal Old-Age and Survivors Insurance Trust
3 Fund, the Federal Disability Insurance Trust
4 Fund” and inserting “the Social Security Trust
5 Fund”; and

6 (B) in paragraph (2)(B), by striking “the
7 Federal Old-Age and Survivors Insurance Trust
8 Fund” and inserting “the Social Security Trust
9 Fund”.

10 (8) TRAVEL EXPENSES.—Section 201(j) of such
11 Act is amended by striking “the Federal Old-Age
12 and Survivors Insurance Trust Fund, or the Federal
13 Disability Insurance Trust Fund (as determined ap-
14 propriate by the Commissioner of Social Security)”
15 and inserting “the Social Security Trust Fund”.

16 (9) DEMONSTRATION PROJECTS.—Section
17 201(k) of such Act is amended by striking “the Fed-
18 eral Disability Insurance Trust Fund and the Fed-
19 eral Old-Age and Survivors Insurance Trust Fund,
20 as determined appropriate by the Commissioner of
21 Social Security” and inserting “the Social Security
22 Trust Fund”.

23 (10) BENEFIT CHECKS.—Section 201(m) of
24 such Act is amended—

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

4 (B) in paragraph (3), by striking “one of
5 the Trust Funds” and inserting “the Trust
6 Fund”; and

7 (C) by striking “such Trust Fund” each
8 place it appears and inserting “the Trust
9 Fund”.

10 (11) CONFORMING REPEALS.—

11 (A) IN GENERAL.—Section 201 of such
12 Act is amended by striking subsections (b), (l),
13 and (n).

14 (B) REDESIGNATIONS.—Section 201 of
15 such Act is further amended—

16 (i) by redesignating subsections (c)
17 through (j) as subsections (b) through (i),
18 respectively;

19 (ii) by redesignating subsection (k) as
20 subsection (j); and

21 (iii) by redesignating subsection (m)
22 as subsection (k).

23 (C) REFERENCES TO REDESIGNATED SEC-
24 TIONS.—

1 (i) Section 201(a) of such Act, as
 2 amended by subsection (a) of this section,
 3 is further amended—

4 (I) by striking “subsection
 5 (i)(1)” and inserting “subsection
 6 (h)(1)”; and

7 (II) by striking “subsection (d)”
 8 and inserting “subsection (c)”.

9 (ii) Section 1131(b)(1) of such Act is
 10 amended by striking “section 201(g)(1)”
 11 and inserting “section 201(f)(1)”.

12 (e) OTHER CONFORMING AMENDMENTS TO SOCIAL
 13 SECURITY ACT.—

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

16 (A) in section 202(x)(3)(B)(iii), by striking
 17 “the Federal Old-Age and Survivors Insurance
 18 Trust Fund and the Federal Disability Insur-
 19 ance Trust Fund, as appropriate,” and insert-
 20 ing “the Social Security Trust Fund”;

21 (B) in section 206(d)(5), by striking “the
 22 Federal Old-Age and Survivors Insurance Trust
 23 Fund and the Federal Disability Insurance
 24 Trust Fund, as appropriate” and inserting “the
 25 Social Security Trust Fund”;

1 (C) in section 206(e)(3)(B), by striking
2 “the Federal Old-Age and Survivors Insurance
3 Trust Fund and the Federal Disability Insur-
4 ance Trust Fund” and inserting “the Social Se-
5 curity Trust Fund”;

6 (D) in section 208(b)(5)(A), by striking
7 “the Federal Old-Age and Survivors Insurance
8 Trust Fund and the Federal Disability Insur-
9 ance Trust Fund, as appropriate” and inserting
10 “the Social Security Trust Fund”;

11 (E) in section 215(i)(1)(F)—

12 (i) in clause (i)—

13 (I) by striking “the combined
14 balance in the Federal Old-Age and
15 Survivors Insurance Trust Fund and
16 the Federal Disability Insurance
17 Trust Fund” and inserting “the bal-
18 ance in the Social Security Trust
19 Fund”; and

20 (II) by striking “and reduced by
21 the outstanding amount of any loan
22 (including interest thereon) thereto-
23 fore made to either such Fund from
24 the Federal Hospital Insurance Trust
25 Fund under section 201(l)”;

1 (ii) in clause (ii)—

2 (I) by striking “the Federal Old-
3 Age and Survivors Insurance Trust
4 Fund and the Federal Disability In-
5 surance Trust Fund” and inserting
6 “the Social Security Trust Fund”;
7 and

8 (II) by striking “(other than pay-
9 ments” and all that follows through
10 “from that Account”;

11 (F) in section 217(g)(2), by inserting after
12 the first sentence the following: “For purposes
13 of any such revision of the amount determined
14 under paragraph (1) that occurs in a year after
15 2015, any reference in such paragraph to the
16 Federal Old-Age and Survivors Insurance Trust
17 Fund or the Federal Disability Insurance Trust
18 Fund shall be deemed to be a reference to the
19 Social Security Trust Fund.”;

20 (G) in section 221(e)—

21 (i) by striking “Trust Funds” each
22 place it appears and inserting “Trust
23 Fund”; and

24 (ii) by striking the last sentence;

1 (H) in section 221(f), by striking “Trust
2 Funds” and inserting “Trust Fund”;

3 (I) in section 222(d)—

4 (i) in the section heading, by striking
5 “TRUST FUNDS” and inserting “TRUST
6 FUND”;

7 (ii) in paragraph (1), by striking “to
8 the end that savings will accrue to the
9 Trust Funds as a result of rehabilitating
10 such individuals, there are authorized to be
11 transferred from the Federal Old-Age and
12 Survivors Insurance Trust Fund and the
13 Federal Disability Insurance Trust Fund”
14 and inserting “to the end that savings will
15 accrue to the Trust Fund as a result of re-
16 habilitating such individuals, there are au-
17 thorized to be transferred from the Social
18 Security Trust Fund”; and

19 (iii) by amending paragraph (4) to
20 read as follows:

21 “(4) The Commissioner of Social Security shall deter-
22 mine according to such methods and procedures as the
23 Commissioner may deem appropriate the total amount to
24 be reimbursed for the cost of services under this sub-
25 section.”;

1 (J) in section 228(g)—

2 (i) in the section heading, by striking
3 “FEDERAL OLD-AGE AND SURVIVORS IN-
4 SURANCE TRUST FUND” and inserting
5 “SOCIAL SECURITY TRUST FUND”; and

6 (ii) in the matter preceding paragraph
7 (1), by striking “Federal Old-Age and Sur-
8 vivors Insurance Trust Fund” and insert-
9 ing “Social Security Trust Fund”;

10 (K) in section 231(c), by striking “Trust
11 Funds” each place it appears and inserting
12 “Trust Fund”; and

13 (L) in section 234(a)(1), by striking
14 “Trust Funds” and inserting “Trust Fund”.

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

17 (A) in section 703(j), by striking “Federal
18 Disability Insurance Trust Fund, the Federal
19 Old-Age and Survivors Insurance Trust Fund,”
20 and inserting “Social Security Trust Fund”;

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

24 (C) in section 709—

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

9 (II) in paragraph (2), by striking
10 “Federal Old-Age and Survivors In-
11 surance Trust Fund and the Federal
12 Disability Insurance Trust Fund” and
13 inserting “Social Security Trust
14 Fund”; and

15 (D) in section 710—

16 (i) in subsection (a), by striking “Fed-
17 eral Old-Age and Survivors Insurance
18 Trust Fund and the Federal Disability In-
19 surance Trust Fund” and inserting “Social
20 Security Trust Fund”; and

21 (ii) in subsection (b)—

22 (I) by striking “any Trust Fund
23 specified in subsection (a)” and in-
24 serting “the Social Security Trust
25 Fund”; and

1 (II) by striking “payments from
2 any such Trust Fund” and inserting
3 “payments from the Social Security
4 Trust Fund”.

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

7 (A) in section 1106(b), by striking “the
8 Federal Old-Age and Survivors Insurance Trust
9 Fund, the Federal Disability Insurance Trust
10 Fund” and inserting “the Social Security Trust
11 Fund”;

12 (B) in section 1129(e)(2)(A), by striking
13 “the Federal Old-Age and Survivors Insurance
14 Trust Fund or the Federal Disability Insurance
15 Trust Fund, as determined appropriate by the
16 Secretary” and inserting “the Social Security
17 Trust Fund”;

18 (C) in sections 1131(b)(2) and 1140(c)(2),
19 by striking “the Federal Old-Age and Survivors
20 Insurance Trust Fund” and inserting “the So-
21 cial Security Trust Fund”;

22 (D) in section 1145(c)—

23 (i) by striking paragraphs (1) and (2)
24 and inserting the following:

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

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

4 (E) in section 1148(j)(1)(A)—

5 (i) in the first sentence, by striking
 6 “the Federal Old-Age and Survivors Insur-
 7 ance Trust Fund and the Federal Dis-
 8 ability Insurance Trust Fund” and insert-
 9 ing “the Social Security Trust Fund”; and

10 (ii) by striking the second sentence.

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

13 (A) in section 1817(g), by striking “Fed-
 14 eral Old-Age and Survivors Insurance Trust
 15 Fund and from the Federal Disability Insur-
 16 ance Trust Fund” and inserting “Social Secu-
 17 rity Trust Fund”;

18 (B) in section 1840(a)(2), by striking
 19 “Federal Old-Age and Survivors Insurance
 20 Trust Fund or the Federal Disability Insurance
 21 Trust Fund” and inserting “Social Security
 22 Trust Fund”; and

23 (C) in section 1841(f), 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 (f) CONFORMING AMENDMENTS OUTSIDE OF SOCIAL
4 SECURITY ACT.—

5 (1) BUDGET.—

6 (A) OFF-BUDGET EXEMPTION.—Section
7 405(a) of the Congressional Budget Act of
8 1974 (2 U.S.C. 655(a)) is amended by striking
9 “Federal Old-Age and Survivors Insurance and
10 Federal Disability Insurance Trust Funds” and
11 inserting “Social Security Trust Fund”.

12 (B) SEQUESTRATION EXEMPTION.—Sec-
13 tion 255(g)(1)(A) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985 (2
15 U.S.C. 905(g)(1)(A)) is amended by striking
16 “Payments to Social Security Trust Funds”
17 and inserting “Payments to the Social Security
18 Trust Fund”.

19 (2) TAX.—

20 (A) TAXABLE WAGES.—Section 3121(l)(4)
21 of the Internal Revenue Code of 1986 is
22 amended by striking “Federal Old-Age and
23 Survivors Insurance Trust Fund and the Fed-
24 eral Disability Insurance Trust Fund” and in-
25 serting “Social Security Trust Fund”.

(B) OVERPAYMENTS.—

(i) Section 6402(d)(3)(C) of the Internal Revenue Code of 1986 is amended by striking “Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, whichever is certified to the Secretary as appropriate by the Commissioner of Social Security” and inserting “Social Security Trust Fund”.

(ii) Subsection (f)(2)(B) of section 3720A of title 31, United States Code, is amended by striking “Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, whichever is certified to the Secretary of the Treasury as appropriate by the Commissioner of Social Security” and inserting “Social Security Trust Fund”.

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

(A) in subparagraph (B)—

(i) by striking “Secretary of Health and Human Services” and inserting “Commissioner of Social Security”; and

1 (ii) by striking “Federal Old-Age and
2 Survivors Insurance Trust Fund” and in-
3 serting “Social Security Trust Fund”; and
4 (B) in subparagraph (C)—

5 (i) by striking “Secretary of Health
6 and Human Services” and inserting “Com-
7 missioner of Social Security”; and

8 (ii) by striking “Federal Disability In-
9 surance Trust Fund” and inserting “Social
10 Security Trust Fund”.

11 (4) RAILROAD RETIREMENT BOARD.—Section 7
12 of the Railroad Retirement Act of 1974 (45 U.S.C.
13 231f) is amended—

14 (A) in subsection (b)(2), by striking “Fed-
15 eral Old-Age and Survivors Insurance Trust
16 Fund and the Federal Disability Insurance
17 Trust Fund” and inserting “Social Security
18 Trust Fund”;

19 (B) in subsection (c)(2)—

20 (i) by striking “Secretary of Health,
21 Education, and Welfare” each time it ap-
22 pears and inserting “Commissioner of So-
23 cial Security”; and

24 (ii) by striking “Federal Old-Age and
25 Survivors Insurance Trust Fund, the Fed-

1 eral Disability Insurance Trust Fund,”
2 each time it appears and inserting “Social
3 Security Trust Fund”; and
4 (C) in subsection (c)(4), by striking “Fed-
5 eral Old-Age and Survivors Insurance Trust
6 Fund, the Federal Disability Insurance Trust
7 Fund,” and inserting “Social Security Trust
8 Fund”.

9 (g) RULE OF CONSTRUCTION.—Effective beginning
10 on January 1 of the first calendar year beginning after
11 the date of the enactment of this section, any reference
12 in law to the “Federal Old-Age and Survivors Insurance
13 Trust Fund” or the “Federal Disability Insurance Trust
14 Fund” is deemed to be a reference to the Social Security
15 Trust Fund.

16 (h) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on January 1 of the first cal-
18 endar year beginning after the date of the enactment of
19 this section.

○