119TH CONGRESS
2D SESSION

# S. ______

To protect our Social Security system and improve benefits for current and future generations.

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IN THE SENATE OF THE UNITED STATES

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Mr. BLUMENTHAL (for himself, Ms. SLOTKIN, Mr. LUJÁN, Mr. WHITEHOUSE, and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on ____________________

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# A BILL

To protect our Social Security system and improve benefits for current and future generations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Social Security 2100 Act".

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

# TITLE I—STRENGTHENING BENEFITS

## SEC. 101. ACROSS-THE-BOARD BENEFIT INCREASE.

(a) IN GENERAL.—Section 215(a)(1)(A)(i) of the Social Security Act (42 U.S.C. 415(a)(1)(A)(i)) is amended by striking ''90 percent'' and inserting ''93 percent''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to monthly insurance benefits payable for months in calendar years 2027 through 2036.

(2) RECOMPUTATION OF PRIMARY INSURANCE AMOUNTS.—Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall recompute primary insurance amounts to the extent necessary—

(A) to carry out the amendments made by this section; and

(B) and to account for the nonapplication of such amendments after calendar year 2036.

(c) RULE OF CONSTRUCTION.—For purposes of applying subparagraphs (A) and (B) of section 215(i)(1) of the Social Security Act in any calendar year, nothing in this section or the amendments made by this section shall be considered a general benefit increase under title II of such Act.

**SEC. 102. MORE ACCURATE COST-OF-LIVING ADJUSTMENT.**

(a) IN GENERAL.—

(1) IN GENERAL.—Section 215(i)(1)(D) of the Social Security Act (42 U.S.C. 415(i)(1)(D)) is amended by striking ‘‘Consumer Price Index’’ and all that follows through ‘‘such index’’ and inserting

"Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI–W, as published by the Bureau of Labor Statistics of the Department of Labor) or Consumer Price Index for Elderly Consumers (CPI–E, as published by such Bureau) (whichever such index results in the higher percentage under this subparagraph) exceeds the same such index".

(2) CONFORMING AMENDMENT.—Section 215(i)(1)(G) of the Social Security Act (42 U.S.C. 415(i)(1)(G)) is amended by inserting "applicable for purposes of subparagraph (D)" after "Consumer Price Index".

(b) APPLICATION TO PRE-1979 LAW.—

(1) IN GENERAL.—Section 215(i) of the Social Security Act as in effect in December 1978, and as applied in certain cases under the provisions of such Act as in effect after December 1978, is amended—

(A) in paragraph (1)(B), by striking "Consumer Price Index" and all that follows through "such Index" and inserting "Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI–W, as published by the Bureau of Labor Statistics of the Department of Labor) or Consumer Price Index for Elderly

Consumers (CPI–E, as published by such Bureau of such Department) (whichever such index results in the higher per centum under this subparagraph) exceeds, by not less than 3 per centum, the same such Index''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''Consumer Price Index for such cost-of-living computation quarter'' and inserting ''Consumer Price Index applicable for such year under paragraph (1)(B)''; and

(ii) in subparagraph (C)(i), by striking ''Consumer Price Index as published for any month exceeds by 2.5 percent or more the level of such index'' and inserting ''Consumer Price Index for Urban Wage Earners and Clerical Workers or Consumer Price Index for Elderly Consumers as published for any month exceeds by 2.5 percent or more the level of such index''.

(2) CONFORMING CHANGES.—Section 215(i)(4) of the Social Security Act (42 U.S.C. 415(i)(4)) is amended by inserting ''and by section 102 of the Social Security 2100 Act'' after ''1986''.

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

"(6) With respect to any provision of law (other than in this title, title VIII, or title XVI) which provides for an adjustment of an amount under such provision of law in the same percentage as a cost-of-living adjustment applied to benefit amounts under this title, such provision of law shall be applied and administered as if the percentage of such cost-of-living adjustment applied to benefit amounts under this title were determined without regard to the amendments made by subsections (a) and (b) of section 102 of the Social Security 2100 Act.".

(d) PUBLICATION OF CONSUMER PRICE INDEX FOR ELDERLY CONSUMERS.—The Bureau of Labor Statistics of the Department of Labor shall prepare and publish an index for each calendar month to be known as the "Consumer Price Index for Elderly Consumers" that indicates changes over time in expenditures for consumption which are typical for individuals in the United States who have attained age 62.

(e) TRANSITION RULE.—Prior to the publication of the Consumer Price Index for Elderly Consumers (CPI–E) pursuant to subsection (d), the reference to such index made in each of the amendments made by subsections (a) and (b) shall be deemed to be a reference to the research price index prepared by the Bureau of Labor Statistics of the Department of Labor known as the Consumer Price Index for Americans 62 years of age and older (R–CPI–E).

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply only to determinations made with respect to cost-of-living computation quarters (as defined in section 215(i)(1)(B) of the Social Security Act (42 U.S.C. 415(i)(1)(B))) ending on December 31 of calendar years 2027 through 2036.

(2) NONAPPLICATION AFTER 2036.—

(A) COLA REDETERMINATIONS.—For purposes of subparagraph (B) and determinations made with respect to cost-of-living computation quarters (as so defined) ending on September 30 of any calendar year after 2036, section 215(i) of the Social Security Act shall be applied as if the determinations described in paragraph (1) had been made without regard to the amendments made by this section.

(B) INCREASES BASED ON COLA DETERMINATIONS.—Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall, for benefits payable under title II for months after December 2036 and for benefits payable under title XVI for months after December 2036, recompute primary insurance amounts, dollar amounts adjusted under section 1617, and any other amounts subject to increase on the basis of a determination made with respect to cost-of-living computation quarters under section 215(i) of the Social Security Act to the extent necessary to apply the redeterminations made under subparagraph (A).

**SEC. 103. INCREASING THE MINIMUM BENEFIT FOR LONG-TERM LOW EARNERS.**

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

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D)(i) Effective with respect to the benefits of individuals who become eligible for old-age insurance benefits or disability insurance benefits (or die before becoming so eligible) after 2026, no primary insurance amount computed under subparagraph (A) may be less than the greater of—

"(I) the minimum monthly amount computed under subparagraph (C); or

"(II) in the case of an individual who has more than 10 years of work (as defined in clause (iv)(I)), the alternative minimum amount determined under clause (ii).

"(ii)(I) The alternative minimum amount determined under this clause is the applicable percentage of 1⁄12 of the annual dollar amount determined under clause (iii) for the year in which the amount is determined.

"(II) For purposes of subclause (I), the applicable percentage is the percentage specified in connection with the number of years of work, as set forth in the following 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. |

“(iii) The annual dollar amount determined under this clause is—

“(I) for calendar year 2027, the poverty guideline for 2026; and

“(II) for any calendar year after 2027, the annual dollar amount established for the calendar year preceding such calendar year, or, if larger, the annual dollar amount for 2027 multiplied by the ratio of—

“(aa) the national average wage index (as defined in section 209(k)(1)) for the second calendar year preceding the calendar year for which the determination is made, to

“(bb) the national average wage index (as so defined) for 2025.

“(iv) For purposes of this subparagraph—

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

“(II) the term poverty guideline for 2026 means the annual poverty guideline for 2026 (as updated annually in the Federal Register by the Department of Health and Human Services under the authority of section 673(2) of the Omnibus Budget Reconciliation Act of 1981) as applicable to a single individual.''.

(b) CONFORMING AMENDMENT.—Section 209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is amended by inserting ''215(a)(1)(E),'' after ''215(a)(1)(D),''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to monthly insurance benefits payable for months in calendar years 2027 through 2036.

(2) RECOMPUTATION OF PRIMARY INSURANCE AMOUNTS.—Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall recompute primary insurance amounts to the extent necessary—

(A) to carry out the amendments made by this section; and

(B) to account for the nonapplication of such amendments after calendar year 2036.

**SEC. 104. INCREASING THRESHOLD AMOUNTS FOR INCLUSION OF SOCIAL SECURITY BENEFITS IN INCOME.**

(a) IN GENERAL.—Subsection (a) of section 86 of the Internal Revenue Code of 1986 is amended to read as follows:

"(a) IN GENERAL.—Gross income for the taxable year of any taxpayer described in subsection (b) (notwithstanding section 207 of the Social Security Act) includes Social Security benefits in an amount equal to the lesser of—

"(1) 85 percent of the Social Security benefits received during the taxable year, or

"(2) one-half of the excess described in subsection (b)(1).".

(b) BASE AMOUNT.—Subsection (c) of section 86 of such Code is amended to read as follows:

"(c) BASE AMOUNT.—For purposes of this section, the term 'base amount' means—

"(1) except as otherwise provided in this paragraph, $35,000,

"(2) $50,000 in the case of a joint return, and

"(3) zero in the case of a taxpayer who—

"(A) is married as of the close of the taxable year (within the meaning of section 7703) but does not file a joint return for such year, and

"(B) does not live apart from his spouse at all times during the taxable year.".

(c) TRANSFERS TO TRUST FUNDS.—

(1) HOSPITAL INSURANCE TRUST FUND HELD HARMLESS.—Of the total revenue from taxation of social security benefits, there are appropriated to the Federal Hospital Insurance Trust Fund such amounts as would be transferred to such fund under section 121(e) of the Social Security Amendments of 1983 (42 U.S.C. 401 note) under section 86 of such Code as such section was in effect on the day before the date of the enactment of this Act, at such times and in such manner as would be provided therein.

(2) TRANSFERS TO PAYOR FUNDS.—Of the balance of the total revenue from taxation of social security benefits remaining after appropriations under paragraph (1) have been made, there are appropriated to each payor fund amounts equivalent to the portion of such balance equal to a fraction—

(A) the numerator of which is the amount equivalent to the net revenues received in the Treasury attributable to the application of sections 86 and 871(a)(3) of such Code to payments from such payor fund made in taxable years beginning after December 31, 2026 and before January 1, 2037; and

(B) the denominator of which is the total revenue from taxation of social security benefits.

(3) TRANSFERS.—The amounts appropriated by paragraph (2) to any payor fund shall be transferred from time to time (but not less frequently than quarterly) from the general fund of the Treasury on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in such paragraph. Any such quarterly payment shall be made on the first day of such quarter and shall take into account social security benefits estimated to be received during such quarter. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(4) DEFINITIONS.—For purposes of this subsection—

(A) TOTAL REVENUE FROM TAXATION OF SOCIAL SECURITY BENEFITS.—The term ''total revenue from taxation of social security benefits'' means the amount equivalent to the net revenues received in the Treasury attributable to the application of sections 86 and 871(a)(3) of the Internal Revenue Code of 1986 to payments from any payor fund made in taxable years beginning after December 31, 2026, and before January 1, 2037.

(B) PAYOR FUND.—The term ''payor fund'' means any trust fund or account from which payments of social security benefits are made.

(C) SOCIAL SECURITY BENEFITS.—The term ''social security benefits'' has the meaning given such term by section 86(d)(1) of the Internal Revenue Code of 1986.

(5) CONFORMING AMENDMENT.—Section 121(e) of the Social Security Amendments of 1983 (42 U.S.C. 401 note) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2026, and before January 1, 2037.

**SEC. 105. IMPROVING BENEFITS FOR WIDOWS AND WIDOWERS IN TWO-INCOME HOUSEHOLDS.**

(a) IN GENERAL.—

(1) WIDOWS.—Section 202(e) of the Social Security Act (42 U.S.C. 402(e)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting "and" at the end;

(ii) in subparagraph (C)(iii), by striking "and" at the end;

(iii) by striking subparagraph (D);

(iv) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively; and

(v) in the flush matter following subparagraph (E)(ii), as so redesignated, by striking "becomes entitled to an old-age insurance benefit" and all that follows through "such deceased individual,";

(B) by striking subparagraph (A) in paragraph (2) and inserting the following:

"(2)(A) Except as provided in subsection (q) and subparagraph (D) of this paragraph, such widow's insurance benefit for each month shall be equal to the greater of—

"(i) the primary insurance amount (as determined for purposes of this subsection after application of subparagraphs (B) and (C)) of such deceased individual, or

"(ii) subject to paragraph (9), in the case of a fully insured widow, 75 percent of the sum of any old-age or disability insurance benefit for which the widow is entitled for such month and the primary insurance amount (as determined for purposes of this subsection after application of subparagraphs (B) and (C)) of such deceased individual.";

(C) in paragraph (5)—

(i) in subparagraph (A), by striking "paragraph (1)(F)" and inserting "paragraph (1)(E)"; and

(ii) in subparagraph (B), by striking "paragraph (1)(F)(i)" and inserting "paragraph (1)(E)(i)"; and

(D) by adding at the end the following:

"(9) For purposes of paragraph (2)(A)(ii), the amount determined under such paragraph shall not exceed the primary insurance amount for such month of a hypothetical individual—

"(A) who became entitled to old-age insurance benefits upon attaining early retirement age during the month in which the deceased individual referred to in paragraph (1) became entitled to old-age or disability insurance benefits, or died (before becoming entitled to such benefits), and

"(B) to whom wages and self-employment income were credited in each of such hypothetical individual's elapsed years (within the meaning of section 215(b)(2)(B)(iii)) in an amount equal to the national average wage index (as described in section 209(k)(1)) for each such year.".

(2) WIDOWERS.—Section 202(f) of the Social Security Act (42 U.S.C. 402(f)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting "and" at the end;

(ii) in subparagraph (C)(iii), by striking "and" at the end;

(iii) by striking subparagraph (D);

(iv) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively; and

(v) in the flush matter following subparagraph (E)(ii), as so redesignated, by striking "or becomes entitled to an old-age insurance benefit'' and all that follows through ''such deceased individual,'';

(B) by striking subparagraph (A) in paragraph (2) and inserting the following:

''(2)(A) Except as provided in subsection (q) and subparagraph (D) of this paragraph, such widower's insurance benefit for each month shall be equal to the greater of—

''(i) the primary insurance amount (as determined for purposes of this subsection after application of subparagraphs (B) and (C)) of such deceased individual, or

''(ii) subject to paragraph (9), in the case of a fully insured widower, 75 percent of the sum of any old-age or disability insurance benefit for which the widower is entitled for such month and the primary insurance amount (as determined for purposes of this subsection after application of subparagraphs (B) and (C)) of such deceased individual.'';

(C) in paragraph (5)—

(i) in subparagraph (A), by striking ''paragraph (1)(F)'' and inserting ''paragraph (1)(E)''; and

(ii) in subparagraph (B), by striking "paragraph (1)(F)(i)" and inserting "paragraph (1)(E)(i)"; and

(D) by adding at the end the following:

"(9) For purposes of paragraph (2)(A)(ii), the amount determined under such paragraph shall not exceed the primary insurance amount for such month of a hypothetical individual—

"(A) who became entitled to old-age insurance benefits upon attaining early retirement age during the month in which the deceased individual referred to in paragraph (1) became entitled to old-age or disability insurance benefits, or died (before becoming entitled to such benefits), and

"(B) to whom wages and self-employment income were credited in each of such hypothetical individual's elapsed years (within the meaning of section 215(b)(2)(B)(iii)) in an amount equal to the national average wage index (as described in section 209(k)(1)) for each such year.".

(b) CONFORMING AMENDMENT.—Section 209(k)(1) of the Social Security Act (42 U.S.C. 409(k)(1)), as amended by section 103(c), is further amended by inserting "202(e)(9), 202(f)(9)," after "sections".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to widow's or widower's insurance benefits payable for months in calendar years 2027 through 2036.

**SEC. 106. INCREASING BENEFITS FOR BENEFICIARIES AFTER 15 YEARS OF ELIGIBILITY.**

(a) IN GENERAL.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended by adding at the end the following new subsection:

"(aa) INCREASE IN BENEFIT AMOUNTS ON ACCOUNT OF LONG-TERM ELIGIBILITY.—(1) In the case of an individual who is a qualified beneficiary for a calendar year after 2026, the amount of any monthly insurance benefit of such qualified beneficiary under this section or section 223 for any month in such calendar year shall be increased in accordance with paragraph (3).

"(2)(A) For purposes of this subsection, the term 'qualified beneficiary' for a calendar year means an individual in any case in which such calendar year is at least the 16th year beginning after the applicable year of eligibility for such individual.

"(B) For purposes of this subsection, the applicable year of eligibility for an individual is the year in which the individual on whose wages and self-employment income the monthly insurance benefit is based initially became eligible (or died before becoming eligible) for old-age insurance benefits under subsection (a) or disability insurance benefits under section 223.

"(3)(A) The increase required under paragraph (1) with respect to the monthly insurance benefit of an individual who is a qualified beneficiary for a calendar year shall be equal to the applicable percentage (specified for such benefit in subparagraph (B)) of the full increase amount for such calendar year (determined under subparagraph (C)).

"(B) The applicable percentage specified for a monthly insurance benefit under this subparagraph for a calendar year is the percentage specified, in connection with the year described in the following table, as follows:

| **"If the year described is:** | **The applicable percentage is:** |
|---|---|
| the 16th year beginning after the applicable year of eligibility | 20 percent |
| the 17th year beginning after the applicable year of eligibility | 40 percent |
| the 18th year beginning after the applicable year of eligibility | 60 percent |
| the 19th year beginning after the applicable year of eligibility | 80 percent |
| the 20th year beginning after the applicable year of eligibility or later | 100 percent. |

"(C)(i) Except as provided in clause (ii), the full increase amount determined under this subparagraph for a calendar year in connection with the monthly insurance benefit of a qualified beneficiary is a dollar amount equal to 5 percent of the primary insurance amount of a putative individual if—

"(I) such primary insurance amount were determined for January of such calendar year;

"(II) on January 1 of the applicable year of eligibility for the qualified beneficiary, such putative individual were fully insured, attained retirement age (as defined in section 216(l)(1)) and were otherwise eligible for, and applied for, old-age insurance benefits; and

"(III) such putative individual's average indexed monthly earnings taken into account in determining such primary insurance amount were equal to $1/12$ of the national average wage index (as defined in section 209(k)(1)) for the second year prior to such applicable year of eligibility.

"(ii)(I) In the case of a monthly insurance benefit under subsection (b) or (c), the full increase amount determined under this subparagraph shall be one-half the amount determined under clause (i).

"(II) in the case of a monthly insurance benefit under subsection (d), (g), or (h), the full increase amount determined under this subparagraph shall be the percentage of the amount determined under clause (i) equal to the ratio which the amount of such benefit bears to the primary insurance amount (before the application of section 203(a)) of the individual on whose wages and self-employment income the monthly insurance benefit is based.

"(4) In the case of a qualified beneficiary who is entitled to two or more monthly insurance benefits under this title for the same month—

"(A) the earliest applicable year of eligibility for such beneficiary with respect to such benefits shall be treated as the applicable year of eligibility for such beneficiary for the purposes of this subsection; and

"(B) such beneficiary shall be entitled to an increase with respect only to one such benefit.

"(5) This subsection shall be applied to monthly insurance benefits after any increase under subsection (w) and any applicable reductions and deductions under this title.".

(b) CONFORMING AMENDMENTS.—

(1) Section 202 of such Act (42 U.S.C. 402), as amended by section 105, is further amended—

(A) in the last sentence of subsection (a), by striking "subsection (q) and subsection (w)" and inserting "subsections (q), (w), and (aa)";

(B) in subsection (b)(2), by striking "subsection (q)" and inserting "subsections (q) and (aa)";

(C) in subsection (c)(2), by striking "subsection (q)" and inserting "subsections (q) and (aa)";

(D) in subsection (d)(2), by adding at the end the following: "This paragraph shall apply subject to subsection (aa).";

(E) in subsection (e)(2)(A), by striking "subsection (q) and subparagraph (D) of this paragraph" and inserting "subsection (q), subsection (aa), and subparagraph (D) of this paragraph";

(F) in subsection (f)(2)(A), by striking "subsection (q), and subparagraph (D) of this paragraph" and inserting "subsection (q), subsection (aa), and subparagraph (D) of this paragraph";

(G) in subsection (g)(2), by striking "Such" and inserting "Except as provided in subsection (aa), such";

(H) in subsection (h)(2)(A), by inserting "and subsection (aa)" after "subparagraphs (B) and (C)"; and

(2) Section 223(a)(2) of such Act (42 U.S.C. 423(a)(2)) is amended by striking ''section 202(q)'' and inserting ''sections 202(q) and 202(aa)''.

(3) Section 209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is amended by inserting ''202(aa)(3)(C)(i)(II),'' before ''203(f)(8)(B)(ii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable for months in calendar years 2027 through 2036.

**SEC. 107. PROVIDING CAREGIVER CREDITS FOR SOCIAL SECURITY.**

(a) IN GENERAL.—Title II of the Social Security Act is amended by adding after section 234 (42 U.S.C. 434) the following new section:

''DEEMED WAGES FOR CAREGIVERS OF DEPENDENT RELATIVES

''SEC. 235. (a) DEFINITIONS.—For purposes of this section—

''(1)(A) Subject to subparagraph (B), the term 'qualifying year' means, in connection with an individual, any calendar year during which such individual was engaged for not less than 960 hours in providing care to a dependent relative without monetary compensation.

"(B) The term 'qualifying year' does not include any year ending after the date on which such individual attains retirement age (as defined in section 216(l)).

"(2) The term 'dependent relative' means, in connection with an individual—

"(A) a child, grandchild, niece, or nephew (of such individual or such individual's spouse or domestic partner), or a child to which the individual or the individual's spouse or domestic partner is standing in loco parentis, who is under the age of 12; or

"(B) a child, grandchild, niece, or nephew (of such individual or such individual's spouse or domestic partner), a child to which the individual or the individual's spouse or domestic partner is standing in loco parentis, a parent, grandparent, sibling, aunt, or uncle (of such individual or his or her spouse or domestic partner), or such individual's spouse or domestic partner, if such child, grandchild, niece, nephew, parent, grandparent, sibling, aunt, uncle, spouse, or domestic partner is a chronically dependent individual.

"(3)(A) The term 'chronically dependent individual' means an individual who—

"(i) is dependent on a daily basis on verbal reminding, physical cueing, supervision, or other assistance provided to the individual by another person in the performance of at least two of the activities of daily living (described in subparagraph (B)) or instrumental activities of daily living (described in subparagraph (C)); and

"(ii) without the assistance described in clause (i), could not perform such activities of daily living or instrumental activities of daily living.

"(B) The 'activities of daily living' referred to in subparagraph (A) mean basic personal everyday activities, including—

"(i) eating;

"(ii) bathing;

"(iii) dressing;

"(iv) toileting; and

"(v) transferring in and out of a bed or in and out of a chair.

"(C) The 'instrumental activities of daily living' referred to in subparagraph (A) mean activities related to living independently in the community, including—

“(i) meal planning and preparation;

“(ii) managing finances;

“(iii) shopping for food, clothing, or other essential items;

“(iv) performing essential household chores;

“(v) communicating by phone or other form of media; and

“(vi) traveling around and participating in the community.

“(b) DEEMED WAGES OF CAREGIVER.—(1)(A) For purposes of determining entitlement to and the amount of any monthly benefit for any month after December 2026, or entitlement to any lump-sum death payment in the case of a death after such month, payable under this title on the basis of the wages and self-employment income of any individual, including for purposes of determining such individual’s insured status for purposes of sections 214, 216(i)(3), and 223(c), such individual shall be deemed to have been paid during each qualifying year (in addition to wages or self-employment income actually paid to or derived by such individual during such year) at an amount per year equal to—

"(i) in the case of a qualifying year during which no wages, self-employment income, or earnings from noncovered service were actually paid to or derived by such individual, 50 percent of the national average wage index (as defined in section 209(k)(1)) for the second calendar year preceding such calendar year; and

"(ii) in the case of any other qualifying year, the excess of the amount determined under clause (i) over ½ of the wages, self-employment income, and earnings from noncovered service actually paid to or derived by such individual during such year.

"(B) In any case in which there are more than 5 qualifying years for an individual, the 5 qualifying years taken into account for purposes of this section shall be the 5 qualifying years (whether or not consecutive) which result in the largest monthly benefits payable under this title on the basis of the wages and self-employment income of the individual for months after December 2026.

"(C) For purposes of this paragraph, the term 'earnings from noncovered service' means earnings for service which did not constitute 'employment' as defined in section 210 for purposes of this title.

"(2) Paragraph (1) shall not be applicable in the case of any monthly benefit or lump-sum death payment if a larger such benefit or payment, as the case may be, would be payable without its application.

"(3) Any assistance or support services provided to caregivers under section 1720G of title 38, United States Code, shall not be considered wages or self-employment income for the purposes of this section.

"(c) RULES AND REGULATIONS.—(1) Not later than 1 year after the date of the enactment of this section, the Commissioner of Social Security shall promulgate such regulations as are necessary to carry out this section and to prevent fraud and abuse with respect to the benefits under this section, including regulations establishing procedures for the application and certification requirements described in paragraph (2).

"(2) A qualifying year shall not be taken into account under this section with respect to an individual unless—

"(A) the individual submits to the Commissioner of Social Security an application under this section that includes—

"(i) the name and identifying information of the dependent relative with respect to whom the individual was engaged in providing care during such year;

"(ii) if the dependent relative is not a child under the age of 12, documentation from the physician of the dependent relative explaining why the dependent relative is a chronically dependent individual; and

"(iii) such other information as the Commissioner may require to verify the status of the dependent relative; and

"(B) for every qualifying year that occurs after the first qualifying year, the individual certifies, in such form and manner as the Commissioner shall require, that the information provided in the individual's application under this section has not changed.".

(b) CONFORMING AMENDMENT.—Section 209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is amended—

(1) by striking "and" before "230(b)(2)" the first time it appears; and

(2) by inserting "and 235(b)(1)(A)(i)," after "1977),".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to individuals who become eligible for monthly insurance benefits (or die before becoming so eligible) in calendar years 2027 through 2036, except that this section shall not apply for purposes of determining continuing eligibility or monthly benefit amounts for monthly insurance benefits for any month after calendar year 2036.

**SEC. 108. ELIMINATING THE 5-MONTH WAITING PERIOD FOR DISABILITY BENEFITS.**

(a) IN GENERAL.—Section 223(a) of the Social Security Act (42 U.S.C. 423(a)) is amended—

(1) in paragraph (1), in the matter following subparagraph (E), by striking ''(i) for each month'' and all that follows through ''under such disability,'' and inserting ''for each month beginning with the first month during all of which the individual is under a disability and in which the individual becomes entitled to such insurance benefits''; and

(2) in paragraph (2)—

(A) by striking ''as though he had attained age 62'' and all that follows through ''and as though'' and inserting ''as though he had attained age 62 in the first month for which he becomes entitled to such disability insurance benefits, and as though''; and

(B) by striking ''in or before the first month referred to in subparagraph (A) or (B) of such sentence, as the case may be,'' and inserting ''in or before such month,''.

(b) DISABLED SURVIVING SPOUSES.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended—

(1) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (C)(ii)(III), by striking ‘‘paragraph (8)’’ and inserting ‘‘paragraph (6)’’; and

(ii) by striking ‘‘beginning with—’’ and all that follows through ‘‘and ending’’ and inserting ‘‘beginning with the first month in which she becomes so entitled to such insurance benefits and ending’’; and

(B) by striking paragraph (5) and redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (C)(ii)(III), by striking ‘‘paragraph (8)’’ and inserting ‘‘paragraph (6)’’; and

(ii) by striking ‘‘beginning with—’’ and all that follows through ‘‘and ending’’ and inserting ‘‘beginning with the first month in which he becomes so entitled to such insurance benefits and ending’’; and

(B) by striking paragraph (5) and redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any individual who becomes entitled to monthly insurance benefits in any case in which the period of disability during which the individual became so entitled begins in a month in calendar years 2027 through 2036.

(d) SPECIAL RULE FOR NONAPPLICATION BEFORE 2027.—

(1) BEFORE 2027.—In the case of any individual who would be in a waiting period (as defined in section 223(c)(2) of the Social Security Act) as of January 2027, the last month of such individual's waiting period shall be deemed to be December 2026.

(2) AFTER 2036.—In the case of an individual who would be in a waiting period (as so defined) as of January 2036 but for the amendments made by this section, such individual's waiting period shall be deemed—

(A) to begin with the month of January, 2037; and

(B) to consist of a number of months equal to the difference of 5 minus the number of months in the applicable period of disability of the individual that elapsed during 2036.

**SEC. 109. ESTABLISHING A GRADUAL OFFSET FOR DISABILITY BENEFICIARIES WITH EARNINGS.**

(a) ELIMINATION OF TERMINATION OF BENEFITS DUE TO WORK ACTIVITY.—

(1) DATE OF TERMINATION OF DISABILITY BENEFITS; ELIMINATION OF EXTENDED PERIOD OF ELIGIBILITY.—Section 223(a)(1) of the Social Security Act (42 U.S.C. 423(a)(1)) is amended, in the matter following subparagraph (E), by striking ''the earlier of'' and all that follows through ''the 36 months following such period of trial work in which he engages or is determined able to engage in substantial gainful activity'' and inserting ''the third month following the earliest month after the end of such period of trial work with respect to which such individual is determined to no longer be suffering from a disabling physical or mental impairment''.

(2) DATE OF TERMINATION OF CHILD'S BENEFITS.—Section 202(d)(1)(G)(i) of such Act (42 U.S.C. 402(d)(1)(G)(i)) is amended by striking ''the earlier of'' and all that follows through ''substantial

gainful activity),'' and inserting ''the third month following the earliest month after the end of such period of trial work with respect to which such individual is determined to no longer be suffering from a disabling physical or mental impairment,''.

(3) DATE OF TERMINATION OF WIDOW'S AND WIDOWER'S BENEFITS.—Subsections (e)(1) and (f)(1) of section 202 of such Act (42 U.S.C. 402) are each amended, in the matter following subparagraph (F), by striking ''the earlier of'' and all that follows through the end of the paragraph and inserting ''the third month following the earliest month after the end of such period of trial work with respect to which such individual is determined to no longer be suffering from a disabling physical or mental impairment.''.

(4) ELIMINATION OF WORK-RELATED TERMINATION OF HOSPITAL INSURANCE BENEFITS.—Section 226(b) of such Act (42 U.S.C. 426(b)) is amended, in the matter following paragraph (2), by striking ''For purposes of this subsection'' and all that follows through the end.

(5) CONFORMING AMENDMENT RELATED TO EXPEDITED REINSTATEMENT.—Section 223 of such

Act (42 U.S.C. 423) is amended by striking subsection (i).

(b) Benefit Reduction Based on Earnings Derived From Services.—

(1) In general.—Section 223(e) of such Act (42 U.S.C. 423(e)) is amended to read as follows:

"(e)(1) Any benefit otherwise payable to an individual for a month under subsection (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), or (f)(1)(B)(ii) of section 202 or under subsection (a)(1) of this section shall be reduced by $1 for each $2 by which the individual's earnings derived from services for such month exceeds the amount specified in paragraph (2) with respect to such month, except that—

"(A) in the case of an individual who has a period of trial work (as defined in section 222(c)), no reduction may be applied to any benefit of such individual under this title for any month prior to the third month after the end of the individual's period of trial work; and

"(B) such benefit may not be reduced below $0.

"(2) The amount specified in this paragraph with respect to a month shall be the amount of monthly earnings derived from services established by the Commissioner (under regulations issued pursuant to section

223(d)(4)(A)) to represent substantial gainful activity in the case of a blind individual for such month.

"(3) In the case of a benefit otherwise payable to an individual for a month under section 202 on the basis of the wages and self-employment income of an individual whose benefit is reduced pursuant to paragraph (1), such benefit shall be reduced for such month by the same proportion as the reduction made pursuant to paragraph (1).".

(2) CONFORMING AMENDMENT.—Section 223(a)(2) of such Act (42 U.S.C. 423(a)(2)) is amended, in the matter preceding subparagraph (A), by striking "and section 215(b)(2)(A)(ii)" and inserting ", section 215(b)(2)(A)(ii), and subsection (e) of this section".

(c) TICKET TO WORK EMPLOYMENT NETWORKS.—Section 1148(h)(5) of such Act (42 U.S.C. 1320b–19(h)(5)) is amended by redesignating subparagraph (C) as subparagraph (D) and inserting after subparagraph (B) the following:

"(C) The Commissioner may alter requirements to receive a payment under this section to the extent that the Commissioner determines that altering such requirements is necessary to ensure that sufficient employment networks are available and that each beneficiary receiving services under the Program has reasonable access to employment services, vocational rehabilitation services, and other support services.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to months in calendar years 2027 through 2036.

**SEC. 110. EXTENDING THE CHILD'S BENEFIT FOR POST-SECONDARY SCHOOL STUDENTS UNDER AGE 26.**

(a) IN GENERAL.—Section 202(d)(1)(B) of the Social Security Act (42 U.S.C. 402(d)(1)(B)) is amended to read as follows:

``(B) at the time such application was filed was unmarried and—

``(i) had not attained the age of 18,

``(ii) was a full-time elementary or secondary school student and had not attained the age of 22,

``(iii) was a qualifying post-secondary school student and had not attained the age of 26, or

``(iv) is under a disability (as defined in section 223(d)) which began before he attained the age of 22, and''.

(b) DEFINITION OF QUALIFYING POST-SECONDARY SCHOOL STUDENT.—

(1) IN GENERAL.—Section 202(d)(7) of such Act (42 U.S.C. 402(d)(7)) is amended—

(A) in subparagraph (A)—

(i) by inserting ''and a 'qualifying post-secondary school student' is an individual who is in at least half-time attendance as a student at a post-secondary educational institution'' before '', as determined by the Commissioner'';

(ii) by inserting ''or a 'qualifying post-secondary school student' '' before ''if he is paid by his employer'';

(iii) by inserting ''or a post-secondary educational institution, as applicable,'' before ''at the request'';

(iv) by inserting ''or a 'qualifying post-secondary school student' '' before ''for the purpose of this section''; and

(v) by inserting ''or a qualifying post-secondary school student'' before ''shall be deemed''; and

(B) in subparagraph (B)—

(i) by inserting "or a qualifying post-secondary school student" before "during any period";

(ii) by inserting "or, in the case of a qualifying post-secondary school student, any period of nonattendance at a post-secondary educational institution at which the individual has been in at least half-time attendance" after "full-time attendance"; and

(iii) inserting "or, in the case of a qualifying post-secondary school student, in at least half-time attendance at a post-secondary educational institution" before "immediately following such period" each place it appears.

(2) TRANSITION FROM ELEMENTARY OR SECONDARY SCHOOL.—Section 202(d)(7)(B) of such Act (42 U.S.C. 402(d)(7)(B)) is amended by adding at the end the following sentence: "An individual who has been in full-time attendance at an elementary or secondary school shall, during a succeeding period of nonattendance at such school, be deemed to be a qualifying post-secondary school student if (i) such period is 4 calendar months or less, and (ii) the indi-

vidual shows to the satisfaction of the Commissioner that he intends to be in at least half-time attendance at a post-secondary educational institution immediately following such period.''.

(c) DEFINITION OF POST-SECONDARY EDUCATIONAL INSTITUTION.—Section 202(d)(7)(C) of such Act (42 U.S.C. 402(d)(7)(C)) is amended by adding at the end the following:

``(iii) A 'post-secondary educational institution' is an institution described in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).''.

(d) CONFORMING AMENDMENTS.—

(1) Section 202(d)(1)(E) of such Act (42 U.S.C. 402(d)(1)(E)) is amended by inserting ``or a qualifying post-secondary school student'' after ``student''.

(2) Section 202(d)(1)(F) of such Act (42 U.S.C. 402(d)(1)(F)) is amended by striking ``the earlier of—'' and all that follows through ``the age of 19,'' and inserting the following: ``the earlier of—

``(i) the first month during no part of which the child is a full-time elementary or secondary school student or a qualifying post-secondary school student, "(ii) the month in which the child attains the age of 22, but only if the child is not a qualifying post-secondary school student during any part of such month, or

"(iii) the month in which the child attains the age of 26,".

(3) Section 202(d)(1)(G) of such Act (42 U.S.C. 402(d)(1)(G)) is amended by striking "(if later)" and all that follows through the "the age of 19," and inserting the following: "(if later) the earlier of—

"(i) the first month during no part of which the child is a full-time elementary or secondary school student or a qualifying post-secondary school student,

"(ii) the month in which the child attains the age of 22, but only if the child is not a qualifying post-secondary school student during any part of such month, or

"(iii) the month in which the child attains the age of 26,".

(4) Section 202(d)(6)(A) of such Act (42 U.S.C. 402(d)(6)(A)) is amended to read as follows:

''(A)(i) is a full-time elementary or secondary school student and has not attained the age of 22,

''(ii) is a qualifying post-secondary school student and has not attained the age of 26, or

''(iii) is under a disability (as defined in section 223(d)) and has not attained the age of 22, or''.

(5) Section 202(d)(6)(D) of such Act (42 U.S.C. 402(d)(6)(D)) is amended to read as follows:

''(D) the earlier of—

''(i) the first month during no part of which the child is a full-time elementary or secondary school student or a qualifying post-secondary school student,

''(ii) the month in which the child attains the age of 22, but only if the child is not a qualifying post-secondary school student during any part of such month, or

''(iii) the month in which the child attains the age of 26,

but only if he is not under a disability (as so defined) in such earlier month; or''.

(6) Section 202(d)(6)(E) of such Act (42 U.S.C. 402(d)(6)(E)) is amended by striking ''(if

later)'' and all that follows to the end and inserting the following: ''(if later) the earlier of—

''(i) the first month during no part of which the child is a full-time elementary or secondary school student or a qualifying post-secondary school student,

''(ii) the month in which the child attains the age of 22, but only if the child is not a qualifying post-secondary school student during any part of such month, or

''(iii) the month in which the child attains the age of 26.''.

(7) Section 202(d)(7)(D) of such Act (42 U.S.C. 402(d)(7)(D)) is amended—

(A) by striking ''A child who'' and inserting ''(i) A child who'';

(B) by striking ''age 19'' and inserting ''age 22'';

(C) by striking ''clause (i) of paragraph (1)(B)'' and inserting ''clause (ii) of paragraph (1)(B)''; and

(D) by adding at the end the following:

''(ii) A child who attains age 26 at a time when he is a qualifying post-secondary school student (as defined in subparagraph (A) of this paragraph and without application of subparagraph (B) of such paragraph) but has not (at such time) completed the requirements for, or received, a diploma or equivalent certificate from a post-secondary educational institution (as defined in subparagraph (C)(iii)) shall be deemed (for purposes of determining whether his entitlement to benefits under this subsection has terminated under paragraph (1)(F) and for purposes of determining his initial entitlement to such benefits under clause (iii) of paragraph (1)(B)) not to have attained such age until the first day of the first month following the end of the quarter or semester in which he is enrolled at such time (or, if the post-secondary educational institution (as so defined) in which he is enrolled is not operated on a quarter or semester system, until the first day of the first month following the completion of the course in which he is so enrolled or until the first day of the third month beginning after such time, whichever first occurs).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to child's insurance benefits payable for months in calendar years 2027 through 2036, including for individuals who file applications to begin with any such month, except that such amendments shall not apply for purposes of determining continuing eligibility for child's insurance benefits for any month after calendar year 2036.

**SEC. 111. INCREASING ACCESS TO BENEFITS FOR CHILDREN WHO LIVE WITH GRANDPARENTS OR OTHER RELATIVES.**

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended—

(1) in section 202(d)—

(A) in paragraph (1)(C), by inserting ''except as provided in paragraph (9),'' before ''was dependent''; and

(B) by amending paragraph (9) to read as follows:

''(9)(A) In the case of a child who is the child of an individual under clause (3) of the first sentence of section 216(e) and is not a child of such individual under clause (1) or (2) of such first sentence, the criteria specified in subparagraph (B) shall apply instead of the criteria specified in subparagraph (C) of paragraph (1).

''(B) The criteria of this subparagraph are that—

"(i) the child has been living with such individual in the United States for a period of not less than 12 months;

"(ii) the child has been receiving not less than ½ of the child's support from such individual for a period of not less than 12 months; and

"(iii) the period during which the child was living with such individual began before the child attained age 18.

"(C) In the case of a child who is less than 12 months old, such child shall be deemed to meet the requirements of subparagraph (B) if, on the date the child attains 1 year of age, such child has lived with such individual in the United States and received at least ½ of the child's support from such individual for substantially all of the period which began on the date of such child's birth."; and

(2) in section 216(e), in the first sentence—

(A) by striking "grandchild or stepgrandchild of an individual or his spouse" and inserting "grandchild, stepgrandchild, or other first-degree, second-degree, third-degree, fourth-degree, or fifth-degree relative of an individual or the individual's spouse";

(B) by striking "was no natural or adoptive parent" and inserting "is no living natural or adoptive parent";

(C) by striking "was under a disability" and inserting "is under a disability";

(D) by striking "living at the time" and all that follows through ", or (B)" and inserting ", (B)"; and

(E) by inserting ", or (C) a court of competent jurisdiction has issued an order granting custody of such person to the individual or the individual's spouse" before the first period.

(b) CONFORMING AMENDMENTS.—Section 202(d)(1) of the Social Security Act (42 U.S.C. 402(d)(1)) is amended—

(1) by striking "subparagraphs (A), (B), and (C)" and inserting "subparagraphs (A), (B), and subparagraph (C) or paragraph (9) (as applicable)"; and

(2) by striking "subparagraphs (B) and (C)" and inserting "subparagraphs (B) and (C) or paragraph (9) (as applicable)".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable for months in calendar years 2027 through 2036, including for individuals who file applications for such benefits to begin with any such month, except that such amendments shall not apply for purposes of determining continuing eligibility for monthly insurance benefits for any month after calendar year 2036.

**SEC. 112. PREVENTING AN UNINTENDED DROP IN BENEFITS RELATING TO THE APPLICATION OF THE NATIONAL AVERAGE WAGE INDEX.**

(a) MODIFICATIONS RELATED TO COMPUTATION OF PRIMARY INSURANCE AMOUNT.—Section 215 of the Social Security Act (42 U.S.C. 415) is amended—

(1) in subsection (a)(1)(B)(ii)—

(A) in subclause (I)—

(i) by striking ‘‘the national’’ and inserting ‘‘(aa) the national’’; and

(ii) by striking ‘‘, by’’ at the end and inserting ‘‘; or’’; and

(B) by adding at the end of subclause (I) the following:

‘‘(bb) if higher (and if such second calendar year is after 2026), the highest national average wage index (as so defined) for any calendar year before such second calendar year, by’’; and

(2) in subsection (b)(3)(A)(ii)—

(A) in subclause (I)—

(i) by striking "the national" and inserting "(aa) the national"; and

(ii) by striking ", by" at the end and inserting "; or"; and

(B) by adding at the end of subclause (I) the following:

"(bb) if higher (and if such second calendar year is after 2026), the highest national average wage index (as so defined) for any calendar year before such second calendar year, by".

(b) MODIFICATION RELATED TO REDUCTION OF BENEFITS BASED ON DISABILITY.—Section 224(f)(2)(B)(i) of such Act (42 U.S.C. 424(f)(2)(B)(i)) is amended by inserting "(or if higher (and if such calendar year is after 2026), the highest national average wage index (as so defined) for any calendar year before such calendar year)" after "made".

**SEC. 113. HOLDING SSI, MEDICAID, AND CHIP BENEFICIARIES HARMLESS.**

(a) SSI, MEDICAID, AND CHIP DETERMINATIONS.—For purposes of determining the income of an individual to establish eligibility for, and the amount of, benefits payable under title XVI of the Social Security Act, eligibility for medical assistance under a State plan under title XIX (or a waiver of such a plan), or eligibility for child health assistance under a State child health plan under title XXI (or a waiver of such a plan), the amount of any benefit to which the individual is entitled under title II of such Act shall be deemed not to exceed the amount of the benefit that would have been determined for such individual under such title if the amendments made by title I of this Act had not been made.

(b) CONFORMING CHANGE REGARDING CERTAIN RE-ENTITLEMENTS.—For purposes of determining the primary insurance amount under section 215(a)(2)(C) of the Social Security Act (42 U.S.C. 415(a)(2)(C)) for months after December 2036, the amount of any primary insurance benefit to which the individual was entitled for months in calendar years 2027 through 2036 under title II of such Act (42 U.S.C. 201 et seq.) shall be deemed to not exceed the primary insurance amounts that would have been determined for such months without regard to the amendments made by this Act.

# TITLE II—STRENGTHENING THE TRUST FUND

## SEC. 201. REPEAL OF LIMITATION ON SOCIAL SECURITY WAGE BASE FOR FICA AND SECA AFTER 2026.

(a) REPEAL OF LIMITATION ON SOCIAL SECURITY WAGE BASE FOR FICA.—

(1) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

(A) REPEAL OF PRESENT LAW LIMITATION.—Section 3121(a) of the Internal Revenue Code of 1986 is amended by striking paragraph (1).

(B) APPLICATION TO RAILROAD RETIREMENT.—Section 3231(e)(2)(A)(i) of such Code is amended by striking ''The term'' and inserting ''Except in the case of so much of the taxes imposed by sections 3201(a), 3211(a), and 3221(a) as are determined by reference to the rate in effect under section 3101(a) or 3111(a), the term''.

(C) CONFORMING AMENDMENTS.—

(i) Section 51(h)(1)(A) of such Code is amended by inserting ''(determined as if section 3121(a)(1) had not been repealed by the Social Security 2100 Act)'' after ''contribution and benefit base''.

(ii) Section 3121(s) of such Code is amended by striking ''3102, 3111, and 3121(a)(1)'' and inserting ''3102 and 3111''.

(iii) Section 3122 of such Code is amended by striking ''The person making such return may, for convenience of administration, make payments of the tax imposed under section 3111 with respect to such service without regard to the contribution and benefit base limitation in section 3121(a)(1), and he shall not be required to obtain a refund of the tax paid under section 3111 on that part of the remuneration not included in wages by reason of section 3121(a)(1).''.

(iv) Subsections (a), (b), (c), and (d) of section 3125 of such Code are each amended by striking the last sentence.

(v) Section 3231(e)(2)(C) of such Code is amended by inserting ''(as in effect on the date of the enactment of the Social Security 2100 Act'' after ''employers)''.

(vi) Section 3511(b) of such Code is amended by striking "3121(a)(1), 3231(e)(2)(C)," and inserting "3231(e)(2)(C)".

(vii) Section 6413(c) of the Internal Revenue Code of 1986 is amended—

(I) by striking paragraph (1), and

(II) in paragraph (2)(A) by striking ", not to exceed an amount equal to the contribution and benefit base (as determined under section 230 of the Social Security Act) for any calendar year with respect to which such contribution and benefit base is effective,".

(2) AMENDMENT TO THE SOCIAL SECURITY ACT WITH RESPECT TO THE CONTRIBUTION AND BENEFIT BASE.—

(A) WAGES.—Section 209(a)(1) of the Social Security Act (42 U.S.C. 409(a)(1)) is amended in subparagraph (I), by striking "after 1974" and inserting "after 1974 and prior to 2027".

(B) SELF-EMPLOYMENT INCOME.—Section 211(b)(1)(I) of the Social Security Act (42 U.S.C. 411(b)(1)(I)) is amended by striking "For any taxable year beginning in any calendar year after 1974" and inserting "For any taxable year beginning after 1974 and prior to 2026".

(b) REPEAL OF LIMITATION ON SOCIAL SECURITY WAGE BASE FOR SECA AFTER 2026.—

(1) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(A) IN GENERAL.—Section 1402(b) of the Internal Revenue Code of 1986 is amended by striking "not include—" and all that follows through "3211." and inserting "not include the net earnings from self-employment, if such net earnings for the taxable year are less than $400.".

(B) CONFORMING AMENDMENTS.—

(i) The last sentence of section 1402(b) of such Code is amended by striking "paragraph (2)" and inserting "this subsection".

(ii) Section 1402(j)(2)(A) of such Code is amended by striking all that precedes ‘‘shall be applied’’ and inserting:

‘‘(A) SEPARATE APPLICATION OF DE MINIMIS RULE.—Subsection (b)’’.

(iii) Section 1402(j)(2)(B) of such Code is amended by striking ‘‘paragraph (2) of subsection (b)’’ and inserting ‘‘subsection (b)’’.

(2) AMENDMENT TO THE SOCIAL SECURITY ACT.—

(A) IN GENERAL.—Section 211(b) of the Social Security Act (42 U.S.C. 411(b)), as amended by subsection (a)(2), is amended to read as follows:

‘‘(b) SELF-EMPLOYMENT INCOME.—

‘‘(1) IN GENERAL.—Subject to paragraph (2), the term ‘self-employment income’ means the net earnings from self-employment derived by an individual, except that such term shall not include net earnings from self-employment if such net earnings for the taxable year are less than $400.

‘‘(2) DEFINITION AND SPECIAL RULES.—

‘‘(A) NONRESIDENT ALIENS.—A nonresident alien individual shall not be treated as an individual for purposes of paragraph (1), except as provided by an agreement under section 233. An individual who is not a citizen of the United States but who is a resident of the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa shall not, for purposes of this subsection, be considered to be a nonresident alien individual.

''(B) CHURCH EMPLOYEE.—In the case of church employee income, the special rules of subsection (i)(2) shall apply for purposes of paragraph (1).''.

(B) CONFORMING AMENDMENT.—Section 211(i)(2) of the Social Security Act (42 U.S.C. 411(i)(2)) is amended by striking ''(b)(2)'' and inserting ''(b)(1)'' each place it appears.

(c) CONFORMING CHANGE TO NATIONAL AVERAGE WAGE INDEX.—Section 209(k) of the Social Security Act (42 U.S.C. 409(k)) is amended—

(1) in paragraph (1), by inserting ''and to paragraph (4)'' after ''paragraph (2)''; and

(2) by adding at the end the following:

''(4) For each calendar year after 2026, the national average wage index as defined in this section for such calendar year shall be deemed to be the national average wage index determined under the preceding paragraphs of this section increased by the following percentage:

"(A) For calendar years 2027 through 2032, 0.5 percent.

"(B) For calendar years 2033 through 2038, 0.6 percent.

"(C) For calendar years 2039 through 2044, 0.7 percent.

"(D) For calendar years 2045 through 2048, 0.8 percent.

"(E) For calendar years after 2048, 0.9 percent.".

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to remuneration paid in calendar years after 2026.

(2) SELF-EMPLOYMENT INCOME.—The amendments made by subsection (b) shall apply to net earnings from self-employment derived in taxable years beginning after December 31, 2026.

**SEC. 202. INCLUDING EARNINGS OVER THE CONTRIBUTION AND BENEFIT BASE IN SOCIAL SECURITY BENEFIT FORMULA.**

(a) INCLUSION OF EARNINGS OVER THE CONTRIBUTION AND BENEFIT BASE.—Section 215(a)(1)(A) of the Social Security Act (42 U.S.C. 415(a)(1)(A)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the comma at the end and inserting ''but do not exceed one-twelfth of the contribution and benefit base determined for the applicable year under section 230''; and

(3) by inserting after clause (iii) the following:

''(iv) 1 percent of the individual's averaged indexed monthly earnings to the extent that such earnings exceed one-twelfth of the contribution and benefit base determined for the applicable year under section 230.''.

(b) CONFORMING AMENDMENTS.—Section 215(e)(1) of the Social Security Act (42 U.S.C. 201 et seq.) is amended by inserting ''and before 2027'' after ''after 1974''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration paid in calendar years after 2026 and to net earnings from self-employment derived in taxable years beginning after December 31, 2026.

**SEC. 203. APPLICATION OF SOCIAL SECURITY TAX TO NET INVESTMENT INCOME.**

(a) IN GENERAL.—Section 1411(a)(1) of the Internal Revenue Code of 1986 is amended by striking "3.8 percent" and all that follows and inserting "the sum of—

"(A) 3.8 percent of the lesser of—

"(i) net investment income for such taxable year, or

"(ii) the excess (if any) of—

"(I) the modified adjusted gross income for such taxable year, over

"(II) the medicare contribution threshold amount, plus

"(B) 12.4 percent of the lesser of—

"(i) net investment income for such taxable year, or

"(ii) the excess (if any) of—

"(I) the modified adjusted gross income for such taxable year, over

"(II) the social security contribution threshold amount.".

(b) APPLICATION TO ESTATES AND TRUSTS.—Section 1411(a)(2) of such Code is amended by striking "3.8 percent" and all that follows and inserting "the sum of—

"(A) 3.8 percent of the lesser of—

"(i) the undistributed net investment income for such taxable year, or

"(ii) the excess (if any) of—

"(I) the adjusted gross income (as defined in section 67(e)) for such taxable year, over

"(II) the dollar amount at which the highest tax bracket in section 1(e) begins for such taxable year, plus

"(B) 12.4 percent of the lesser of—

"(i) the amount described in subparagraph (A)(i), or

"(ii) the excess described in subparagraph (A)(ii).".

(c) THRESHOLD AMOUNTS.—Section 1411(b) of such Code is amended to read as follows:

"(b) THRESHOLD AMOUNTS.—For purposes of this section—

"(1) MEDICARE CONTRIBUTION THRESHOLD AMOUNT.—The term 'medicare contribution threshold amount' means—

"(A) in the case of a taxpayer making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), $250,000,

"(B) in the case of a married taxpayer (as defined in section 7703) filing a separate return, ½ of the dollar amount determined under subparagraph (A), and

"(C) in any other case, $200,000.

"(2) SOCIAL SECURITY CONTRIBUTION THRESHOLD AMOUNT.—The term 'social security contribution threshold amount' means $400,000.".

(d) CLERICAL AMENDMENT.—The heading of chapter 2A of such Code (and the item relating to such chapter in the table of chapters for subtitle A of chapter 1 of such Code) are each amended by striking "medicare contribution" and inserting "contributions".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2026.

**SEC. 204. ESTABLISHING THE SOCIAL SECURITY TRUST FUND.**

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

"(a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the ‘Social Security Trust Fund’. The Social Security Trust Fund shall consist of the securities held by the Secretary of the Treasury for the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund and the amount standing to the credit of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund on the books of the Treasury on January 1 of the first calendar year beginning after the date of the enactment of section 203 of the Social Security 2100 Act, which securities and amount the Secretary of the Treasury is authorized and directed to transfer to the Social Security Trust Fund, and, in addition, such gifts and bequests as may be made as provided in subsection (i)(1), and such amounts as may be appropriated to, or deposited in, the Social Security Trust Fund as hereinafter provided. There is hereby appropriated to the Social Security Trust Fund for the first fiscal year that begins after date of the enactment of section 203 of the Social Security 2100 Act, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, amounts equivalent to 100 percent of—

“(1) the taxes imposed by chapter 21 (other than sections 3101(b) and 3111(b)) of the Internal Revenue Code of 1986 with respect to wages (as defined in section 3121 of such Code) reported to the Secretary of the Treasury pursuant to subtitle F of the Internal Revenue Code of 1986, as determined by the Secretary of the Treasury by applying the applicable rates of tax under such chapter (other than sections 3101(b) and 3111(b)) to such wages, which wages shall be certified by the Commissioner of Social Security on the basis of the records of wages established and maintained by such Commissioner in accordance with such reports;

"(2) the taxes imposed by chapter 2 (other than section 1401(b)) of the Internal Revenue Code of 1986 with respect to self-employment income (as defined in section 1402 of such Code) reported to the Secretary of the Treasury on tax returns under subtitle F of such Code, as determined by the Secretary of the Treasury by applying the applicable rate of tax under such chapter (other than section 1401(b)) to such self-employment income, which self-employment income shall be certified by the Commissioner of Social Security on the basis of the records of self-employment income established and maintained by the Commissioner of Social Security in accordance with such returns; and

"(3) the taxes imposed by paragraph (1)(B) and (2)(B) of section 1411(a) of the Internal Revenue Code of 1986.

The amounts appropriated by paragraphs (1), (2), and (3) shall be transferred from time to time from the general fund in the Treasury to the Social Security Trust Fund, such amounts to be determined on the basis of estimates by the Secretary of the Treasury of the taxes, specified in paragraphs (1), (2), and (3), paid to or deposited into the Treasury; and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or were less than the taxes specified in such paragraphs (1), (2), and (3). All amounts transferred to the Social Security Trust Fund under the preceding sentence shall be invested by the Managing Trustee in the same manner and to the same extent as the other assets of the Trust Fund. Notwithstanding the preceding sentence, in any case in which the Secretary of the Treasury determines that the assets of the Trust Fund would otherwise be inadequate to meet the Trust Fund's obligations for any month, the Secretary of the Treasury shall transfer to the Trust Fund on the first day of such month the total amount which would have been transferred to the Trust Fund under this section as in effect on October 1, 1990; and the Trust Fund shall pay interest to the general fund on the amount so transferred on the first day of any month at a rate (calculated on a daily basis, and applied against the difference between the amount so transferred on such first day and the amount which would have been transferred to the Trust Fund up to that day under the procedures in effect on January 1, 1983) equal to the rate earned by the investments of the Trust Fund in the same month under subsection (d).''.

(b) REQUIRED ACTUARIAL ANALYSIS.—Section 201(c) of the Social Security Act (42 U.S.C. 401(c)) is amended by striking the fourth sentence in the matter following paragraph (5) and inserting the following: ''Such report shall also include actuarial analysis of the benefit cost with respect to disabled beneficiaries and their auxiliaries, to retired beneficiaries and their auxiliaries, and to survivor beneficiaries.''.

(c) BOARD OF TRUSTEES.—

(1) BOARD OF TRUSTEES OF SOCIAL SECURITY TRUST FUND.—Section 201(c) of the Social Security Act (42 U.S.C. 401(c)), as amended by subsection (b) of this section, is further amended in the matter preceding paragraph (1) by striking ''the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund (hereinafter in this title called the 'Trust Funds')'' and

inserting “the Social Security Trust Fund (in this title referred to as the ‘Trust Fund’)”.

(2) CONTINUITY OF BOARD OF TRUSTEES.—The Board of Trustees of the Social Security Trust Fund created by the amendment made by subsection (a) shall be a continuous body with the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund in operation prior to the effective date of such amendment. Individuals serving as members of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund as of the effective date of such amendment shall serve the remainder of their term as members of the Board of Trustees of the Social Security Trust Fund.

(d) CONFORMING AMENDMENTS RELATED TO SOCIAL SECURITY TRUST FUND.—

(1) AMENDMENT TO SECTION HEADING.—The section heading for section 201 of the Social Security Act (42 U.S.C. 401) is amended to read as follows: “SOCIAL SECURITY TRUST FUND”.

(2) BOARD OF TRUSTEES.—Section 201(c) of such Act (42 U.S.C. 401(c)), as amended by subsections (b) and (c)(1), is further amended—

(A) in the matter preceding paragraph (1), by striking "Board of Trustees of the Trust Funds" and inserting "Board of Trustees of the Trust Fund";

(B) in paragraph (1), by striking "Trust Funds" and inserting "Trust Fund";

(C) in paragraph (2)—

(i) by striking "Trust Funds" and inserting "Trust Fund"; and

(ii) by striking "their" and inserting "its";

(D) in paragraph (3), by striking "either of the Trust Funds" and inserting "the Trust Fund";

(E) in paragraph (5)—

(i) by striking "managing the Trust Funds" and inserting "managing the Trust Fund"; and

(ii) by striking "Trust Funds are" and inserting "Trust Fund is";

(F) in the matter following paragraph (5), by striking "Trust Funds" each place it appears and inserting "Trust Fund"; and

(G) in the second sentence in the matter following paragraph (5), by striking "whether the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, individually and collectively, are'' and inserting ''whether the Social Security Trust Fund is''.

(3) INVESTMENTS.—Section 201 of such Act (42 U.S.C. 401) is amended in subsections (d) and (e) by striking ''Trust Funds'' each place it appears and inserting ''Trust Fund''.

(4) CREDITING OF INTEREST AND PROCEEDS TO TRUST FUNDS.—Section 201(f) of such Act (42 U.S.C. 401(f)) is amended—

(A) by striking ''the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall be credited to and form a part of the Federal Old-Age and Survivors Insurance Trust Fund and the Disability Insurance Trust Fund, respectively'' and inserting ''the Social Security Trust Fund shall be credited to and form a part of the Social Security Trust Fund'';

(B) by striking ''either of the Trust Funds'' and inserting ''the Trust Fund''; and

(C) by striking ''such Trust Fund'' and inserting ''the Trust Fund''.

(5) ADMINISTRATIVE COSTS.—Section 201(g) of such Act (42 U.S.C. 401(g)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "Of the amounts authorized to be made available out of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund under the preceding sentence" and all that follows through "(Public Law 103–296)."; and

(ii) in subparagraph (B)(i)—

(I) by striking subclauses (II) and (III) and inserting the following:

"(II) the portion of such costs which should have been borne by the Social Security Trust Fund,"; and

(II) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) in paragraph (2)—

(i) by striking "Trust Funds" and inserting "Trust Fund"; and

(ii) by striking the last sentence; and

(C) in paragraph (4), by striking "Trust Funds" each place it appears and inserting "Trust Fund".

(6) BENEFIT PAYMENTS.—Section 201(h) of such Act (42 U.S.C. 401(h)) is amended to read as follows:

"(h) All benefit payments required to be made under this title shall be made only from the Social Security Trust Fund.".

(7) GIFTS.—Section 201(i) of such Act (42 U.S.C. 401(i)) is amended—

(A) in paragraph (1), by striking "the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund" and inserting "the Social Security Trust Fund"; and

(B) in paragraph (2)(B), by striking "the Federal Old-Age and Survivors Insurance Trust Fund" and inserting "the Social Security Trust Fund".

(8) TRAVEL EXPENSES.—Section 201(j) of such Act (42 U.S.C. 401(j)) is amended by striking "the Federal Old-Age and Survivors Insurance Trust Fund, or the Federal Disability Insurance Trust Fund (as determined appropriate by the Commis-

sioner of Social Security)'' and inserting ''the Social Security Trust Fund''.

(9) DEMONSTRATION PROJECTS.—Section 201(k) of such Act (42 U.S.C. 401(k)) is amended by striking ''the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund (as determined appropriate by the Commissioner of Social Security)'' and inserting ''the Social Security Trust Fund''.

(10) BENEFIT CHECKS.—Section 201(m) of such Act (42 U.S.C. 401(m)) is amended—

(A) in paragraph (2), by striking ''each of the Trust Funds'' and inserting ''the Social Security Trust Fund'';

(B) in paragraph (3), by striking ''one of the Trust Funds'' and inserting ''the Trust Fund''; and

(C) by striking ''such Trust Fund'' each place it appears and inserting ''the Trust Fund''.

(11) CONFORMING REPEALS.—

(A) IN GENERAL.—Section 201 of such Act (42 U.S.C. 401) is amended by striking subsections (b), (l), and (n).

(B) REDESIGNATIONS.—Section 201 of such Act (42 U.S.C. 401), as amended by the preceding provisions of this Act, is further amended—

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

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

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

(C) REFERENCES TO REDESIGNATED SECTIONS.—

(i) Section 201(a) of such Act (42 U.S.C. 401), as amended by subsection (a) of this section, is further amended—

(I) by striking "subsection (i)(1)" and inserting "subsection (h)(1)"; and

(II) by striking "subsection (d)" and inserting "subsection (c)".

(ii) Section 1131(b)(1) of such Act (42 U.S.C. 1320b-1(b)(1)) is amended by striking "section 201(g)(1)" and inserting "section 201(f)(1)".

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

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

(A) in section 202(x)(3)(B)(iii), by striking "the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as appropriate," and inserting "the Social Security Trust Fund";

(B) in section 206(d)(5), by striking "the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as appropriate" and inserting "the Social Security Trust Fund";

(C) in section 206(e)(3)(B), by striking "the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund" and inserting "the Social Security Trust Fund";

(D) in section 208(b)(5)(A), by striking "the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as appropriate" and inserting "the Social Security Trust Fund";

(E) in section 215(i)(1)(F)—

(i) in clause (i)—

(I) by striking ‘‘the combined balance in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund’’ and inserting ‘‘the balance in the Social Security Trust Fund’’; and

(II) by striking ‘‘and reduced by the outstanding amount of any loan (including interest thereon) theretofore made to either such Fund from the Federal Hospital Insurance Trust Fund under section 201(l)’’; and

(ii) in clause (ii)—

(I) by striking ‘‘the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund’’ and inserting ‘‘the Social Security Trust Fund’’; and

(II) by striking ‘‘(other than payments’’ and all that follows through ‘‘and reducing’’ and inserting ‘‘, but reducing’’;

(F) in section 221(e)—

(i) by striking ‘‘Trust Funds’’ each place it appears and inserting ‘‘Trust Fund’’; and

(ii) by striking the last sentence;

(G) in section 221(f), by striking ‘‘Trust Funds’’ and inserting ‘‘Trust Fund’’;

(H) in section 222(d)—

(i) in the section heading, by striking ‘‘TRUST FUNDS’’ and inserting ‘‘TRUST FUND’’;

(ii) in paragraph (1), by striking ‘‘to the end that savings will accrue to the Trust Funds as a result of rehabilitating such individuals, there are authorized to be transferred from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund’’ and inserting ‘‘to the end that savings will accrue to the Trust Fund as a result of rehabilitating such individuals, there are authorized to be transferred from the Social Security Trust Fund’’; and

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

"(4) The Commissioner of Social Security shall determine according to such methods and procedures as the Commissioner may deem appropriate the total amount to be reimbursed for the cost of services under this subsection.";

(I) in section 228(g)—

(i) in the section heading, by striking "FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND" and inserting "SOCIAL SECURITY TRUST FUND"; and

(ii) in the matter preceding paragraph (1), by striking "Federal Old-Age and Survivors Insurance Trust Fund" and inserting "Social Security Trust Fund";

(J) in section 231(c), by striking "Trust Funds" each place it appears and inserting "Trust Fund"; and

(K) in section 234(a)(1), by striking "Trust Funds" and inserting "Trust Fund".

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

(A) in section 703(j), by striking "Federal Disability Insurance Trust Fund, the Federal Old-Age and Survivors Insurance Trust Fund," and inserting "Social Security Trust Fund";

(B) in section 708(c), by striking ‘‘the ‘OASDI trust fund ratio’ under section 201(l), , the ‘OASDI fund ratio’ under section 215(i),’’ and inserting ‘‘the ‘OASDI fund ratio’ under section 215(i)’’;

(C) in section 709—

(i) in subsection (a), by striking ‘‘Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund’’ and inserting ‘‘Social Security Trust Fund’’; and

(ii) in subsection (b)—

(I) in paragraph (1), by striking ‘‘section 201(l) or’’; and

(II) in paragraph (2), by striking ‘‘Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund’’ and inserting ‘‘Social Security Trust Fund’’; and

(D) in section 710—

(i) in subsection (a), by striking ‘‘Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund'' and inserting ''Social Security Trust Fund''; and

(ii) in subsection (b)—

(I) by striking ''any Trust Fund specified in subsection (a)'' and inserting ''the Social Security Trust Fund''; and

(II) by striking ''payments from any such Trust Fund'' and inserting ''payments from the Social Security Trust Fund''.

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

(A) in section 1106(b), by striking ''the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund'' and inserting ''the Social Security Trust Fund'';

(B) in section 1129(e)(2)(A), by striking ''the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, as determined appropriate by the Secretary'' and inserting ''the Social Security Trust Fund'';

(C) in sections 1131(b)(2) and 1140(c)(2), by striking "the Federal Old-Age and Survivors Insurance Trust Fund" and inserting "the Social Security Trust Fund";

(D) in section 1145(c)—

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

"(1) the Social Security Trust Fund;"; and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(E) in section 1148(j)(1)(A)—

(i) in the first sentence, by striking "the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund" and inserting "the Social Security Trust Fund"; and

(ii) by striking the second sentence.

(4) TITLE XVIII.—Title XVIII of the Social Security Act (42 U.S.C. 1395) is amended—

(A) in section 1817(g), by striking "Federal Old-Age and Survivors Insurance Trust Fund and from the Federal Disability Insurance Trust Fund" and inserting "Social Security Trust Fund";

(B) in section 1840(a)(2), by striking "Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund" and inserting "Social Security Trust Fund"; and

(C) in section 1841(f), by striking "Federal Old-Age and Survivors Insurance Trust Fund and from the Federal Disability Insurance Trust Fund" and inserting "Social Security Trust Fund".

(f) CONFORMING AMENDMENTS OUTSIDE OF SOCIAL SECURITY ACT.—

(1) BUDGET.—

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

(B) SEQUESTRATION EXEMPTION.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by striking "Payments to Social Security Trust Funds" and inserting "Payments to the Social Security Trust Fund".

(2) TAX.—

(A) TAXABLE WAGES.—Section 3121(l)(4) of the Internal Revenue Code of 1986 is amended by striking "Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund" and inserting "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

(ii) by striking ''Federal Old-Age and Survivors Insurance Trust Fund'' and inserting ''Social Security Trust Fund''; and

(B) in subparagraph (C)—

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

(ii) by striking ''Federal Disability Insurance Trust Fund'' and inserting ''Social Security Trust Fund''.

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

(A) in subsection (b)(2), by striking ''Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance

Trust Fund'' and inserting ''Social Security Trust Fund'';

(B) in subsection (c)(2)—

(i) by striking ''Secretary of Health, Education, and Welfare'' each time it appears and inserting ''Commissioner of Social Security''; and

(ii) by striking ''Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund,'' each time it appears and inserting ''Social Security Trust Fund''; and

(C) in subsection (c)(4), by striking ''Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund,'' and inserting ''Social Security Trust Fund''.

(g) RULE OF CONSTRUCTION.—Effective beginning on January 1, 2027, any reference in law (other than section 201(a) of the Social Security Act) to the ''Federal Old-Age and Survivors Insurance Trust Fund'' or the ''Federal Disability Insurance Trust Fund'' is deemed to be a reference to the Social Security Trust Fund.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2027.

# TITLE III—STRENGTHENING SERVICE DELIVERY

**SEC. 301. REBUILDING SOCIAL SECURITY'S CUSTOMER SERVICE WORKFORCE.**

The Commissioner of Social Security shall ensure that the total number of full-time employees employed by the Social Security Administration is not less than the total number of full-time employees employed by the Social Security Administration as of January 19, 2025.

**SEC. 302. KEEPING OUR FIELD OFFICES OPEN.**

(a) MORATORIUM ON CLOSURE OR CONSOLIDATION OF FIELD OR HEARING OFFICES OR NEW LIMITATIONS ON ACCESS TO SUCH OFFICES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Commissioner of Social Security shall take no action on or after the date of enactment of this Act to close or consolidate field or hearing offices or resident stations of the Social Security Administration or to otherwise impose any new limitation on access to such offices or stations.

(2) EXCEPTION FOR EMERGENCY CLOSURES.—Paragraph (1) shall not apply with respect to any temporary action by the Commissioner to close or otherwise limit access to field or hearing offices or resident stations in response to an emergency.

(3) CESSATION OF MORATORIUM UPON REPORT TO CONGRESS.—Paragraph (1) shall cease to be effective on the date that is 180 days after the report described in paragraph (4) is submitted.

(4) REPORT REQUIRED.—Not earlier than January 21, 2029, the Commissioner shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report outlining and justifying the process for selecting field or hearing offices or resident stations to be closed or consolidated or otherwise to have limited access. Such report shall include—

(A) an analysis of the criteria used for selecting field or hearing offices and resident stations for closure, consolidation, or limited access;

(B) a description of how the Commissioner has analyzed and considered relevant factors, including transportation and communication burdens faced by individuals serviced by the offices and stations, including elderly and disabled individuals; and

(C) a description of any method of cost-benefit analysis applied by the Commissioner in connection with closures and consolidations of such offices and stations, and other limitations on access the offices and stations, including any analysis that takes into account—

(i) the anticipated savings resulting from the closure, consolidation, or limitation on access;

(ii) the anticipated costs associated with replacing services lost by the closure, consolidation, or limitation on access;

(iii) the anticipated effects on employees of the offices or stations affected;

(iv) how the loss of access resulting from the closure, consolidation, or limitation on access will be replaced by the establishment of a new field or hearing office or resident station, increased access at a different office or station, or some other means, and the factors considered by the Commissioner in determining how to replace such lost access; and

(v) such other relevant factors as may be determined by the Commissioner, including transportation and communication burdens faced by individuals serviced by the offices and stations, including elderly and disabled individuals.

(b) REQUIREMENTS FOR FUTURE CLOSURES, CONSOLIDATIONS, AND NEW LIMITATIONS ON ACCESS.—

(1) IN GENERAL.—Section 704 of the Social Security Act (42 U.S.C. 904) is amended by adding at the end the following new subsection:

"Field and Hearing Offices and Resident Stations

"(f)(1) Subject to paragraph (6), the Commissioner may not close a field or hearing office or a resident station of the Administration, consolidate two or more such offices or stations, or otherwise impose any new limitation on public access to any such office or station, unless the Commissioner complies with the requirements of paragraphs (2), (3), (4), and (5) in connection with the closure, consolidation, or limitation on public access.

"(2)(A) The requirements of this paragraph are met in connection with a closure, consolidation, or new limitation on access referred to in paragraph (1) only if—

"(i) not later than 120 days before the date of the closure, consolidation, or limitation on access, the Commissioner provides effective public notice of the proposed closure, consolidation, or limitation on access (including, to the extent practicable, notice by direct mailing and through community outlets such as newspapers and posting in heavily frequented public spaces) to individuals residing in the area serviced by the affected offices or stations;

"(ii) the public notice issued pursuant to clause (i) includes information on—

"(I) how the Commissioner will, not later than 30 days after the date of the closure, consolidation, or limitation on access, replace the loss in access resulting from the closure, consolidation, or limitation on access by establishing a new office or station, increasing public access to a different office or station, or some other means; and

"(II) how to contact the Administration if an individual experiences service delays or problems as a result of the closure, consolidation, or limitation on access; and

"(iii) not earlier than 30 days after the issuance of public notice pursuant to clause (i) and not later than 45 days before the date of the proposed closure, consolidation, or limitation on access, the Commissioner conducts at least 2 public hearings (scheduled so that the first and last such hearings are separated by at least 10 days), at which the Commissioner presents the justifications for the closure, consolidation, or limitation on access described in subparagraph (B) and provides for attendees an opportunity to present their views regarding the proposed closure, consolidation, or limitation on access.

"(B) The justifications referred to in subparagraph (A)(iii) shall consist of the following:

"(i) An analysis of the criteria used for selecting the field or hearing office or offices, or the resident station or stations, for closure, consolidation, or limited access.

"(ii) A description of how the Commissioner has analyzed and considered relevant factors, including transportation and communication burdens faced by individuals serviced by the offices or stations, including elderly and disabled individuals.

"(iii) A description of a method of cost-benefit analysis which shall be applied by the Commissioner in connection with the closure, consolidation, or limitation on access, and which shall take into account—

"(I) the anticipated savings resulting from the closure, consolidation, or limitation on access;

"(II) the anticipated costs associated with replacing services lost by the closure, consolidation, or limitation on access;

"(III) the anticipated effects on employees of the offices or stations affected; and

"(IV) such other relevant factors as may be determined by the Commissioner, including transportation and communication burdens faced by individuals serviced by the offices and stations, including elderly and disabled individuals.

"(C) The notice provided pursuant to subparagraph (A)(i) shall include notice of the time and place of the public hearings to be conducted pursuant to clause (A)(iii) and of the right of aggrieved individuals to appeal to the Commissioner regarding the proposed closure, consolidation, or limitation on access pursuant to paragraph (4).

"(3) The requirements of this paragraph are met in connection with a closure, consolidation, or limitation on access referred to in paragraph (1) only if, not later than 30 days before the date of the proposed closure, consolidation, or limitation on access, the Commissioner submits to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and each Member of the Congress representing a State or congressional district in which the affected office or offices, or station or stations, are located a detailed final report in support of the closure, consolidation, or limitation on access. Such report shall include—

"(A) the justifications described in paragraph (2)(B), (including any amendments made to such justifications after the public hearings conducted pursuant to paragraph (2)(A));

"(B) any findings made by the Commissioner pursuant to the public hearings;

"(C) the status of any appeals regarding the closure, consolidation, or new limitation on access which were commenced pursuant to paragraph (4) before the date of the report;

"(D) the final decision of the Commissioner regarding the closure, consolidation, or new limitation on access; and

"(E) such other information as the Commissioner considers relevant.

"(4)(A) Upon timely request by any individual who makes a showing in writing described in subparagraph (B) in connection with a proposed closure, consolidation, or limitation on access referred to in paragraph (1), the Commissioner shall give such individual an opportunity for a hearing with respect to the closure, consolidation, or limitation on access. The request for the hearing shall be considered timely only if it is made not later than 30 days before the proposed date of the closure, consolidation, or limitation on access. The Commissioner shall submit to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and each Member of the Congress representing a State or congressional district in which the affected office or offices, or station or stations, are located the Commissioner's findings based on the hearing and a description of any action taken or to be taken by the Commissioner on the basis of such findings.

"(B) A showing described in subparagraph (A) shall consist of a showing that—

"(i) the determination of the Commissioner to close a field or hearing office or resident station, consolidate field or hearing offices or resident stations, or impose a new limitation on access to such offices or stations is arbitrary, capricious, an abuse of discretion, not in accordance with law, or not based on substantial evidence; or

"(ii) the Commissioner has failed to observe procedures required by law in connection with the closure, consolidation, or new limitation on access.

"(5) The requirement of this paragraph is met in connection with a closure, consolidation, or limitation on access referred to in paragraph (1) only if such closure, consolidation, or limitation on access will not result in the total number of field or hearing offices and resident stations of the Administration falling below the total number of such offices and stations that were in operation on January 19, 2025.

"(6) Paragraph (1) shall not apply with respect to any temporary action by the Commissioner to close or otherwise limit access to field or hearing offices or resident stations in response to an emergency.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to closures and consolidations of field or hearing offices and resident stations and impositions of new limitations on access to such offices and stations occurring after the cessation of the moratorium under subsection (a).

**SEC. 303. PROTECTING AMERICANS' SOCIAL SECURITY DATA.**

(a) ACCESS BY POLITICAL APPOINTEES AND SPECIAL GOVERNMENT EMPLOYEES.—Section 1106 of the Social Security Act (42 U.S.C. 1306) is amended by adding after subsection (g) the following:

“(h) ACCESS BY POLITICAL APPOINTEES AND SPECIAL GOVERNMENT EMPLOYEES.—

“(1) IN GENERAL.—Notwithstanding any other subsection of this section, an individual who is a political appointee (as that term is defined in section 4(a) of the Edward ‘Ted’ Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015 (5 U.S.C. 3101 note)) or a special government employee (as that term is defined in section 202(a) of title 18, United States Code) may not access a beneficiary data system.

“(2) BENEFICIARY DATA SYSTEM DEFINED.—In this section, the term ‘beneficiary data system’ means a system that is maintained by the Social Security Administration for the purposes of administering this Act that—

“(A) issues or records social security account numbers;

“(B) is used to determine eligibility for benefits under this Act;

“(C) is used to pay benefits under this Act; or

“(D) otherwise contains personally identifiable information about individuals receiving or applying for a benefit under this Act, including—

"(i) the Master Files of Social Security Number Holders and SSN Applications (Numident);

"(ii) the Master Beneficiary Record;

"(iii) the Supplemental Security Income Record and Special Veterans Benefits;

"(iv) the National Disability Determination Services File;

"(v) the Earnings Recording and Self-Employment Income System; and

"(vi) any other system accessible through the Enterprise Data Warehouse.".

(b) CIVIL DAMAGES FOR UNAUTHORIZED ACCESS OR DISCLOSURE OF CERTAIN INFORMATION.—Section 1106 of such Act (42 U.S.C. 1306) is further amended by adding after subsection (h), as added by subsection (a), the following:

"(i) CIVIL PENALTIES.—

"(1) IN GENERAL.—

"(A) DISCLOSURE OR ACCESS BY EMPLOYEE OF UNITED STATES.—If any officer or employee of the United States negligently discloses or accesses any information that pertains to an individual in violation of any provision of subsection (a) or (h), such individual may bring a civil action for damages against the United States in a district court of the United States.

"(B) DISCLOSURE OR ACCESS BY A PERSON WHO IS NOT AN EMPLOYEE OF UNITED STATES.—If any person who is not an officer or employee of the United States negligently discloses or accesses any information that pertains to an individual in violation of any provision of subsection (a) or (h), such individual may bring a civil action for damages against such person in a district court of the United States.

"(2) EXCEPTIONS.—No liability shall arise under this section with respect to any disclosure or access—

"(A) which results from a good faith, but erroneous, interpretation of subsection (a) or (h); or

"(B) which is requested by the individual.

"(3) DAMAGES.—In any action brought under paragraph (1), upon a finding of liability on the part of the defendant, the defendant shall be liable to the plaintiff in an amount equal to the sum of—

“(A) the greater of—

“(i) $5,000 for each act of unauthorized access or disclosure with respect to which such defendant is found liable; or

“(ii) the sum of—

“(I) the actual damages sustained by the plaintiff as a result of such unauthorized access or disclosure, plus

“(II) in the case of a willful access or disclosure or an access or disclosure which is the result of gross negligence, punitive damages, plus

“(B) the costs of the action, plus

“(C) reasonable attorneys fees, except that if the defendant is the United States, reasonable attorneys fees may be awarded only if the plaintiff is the prevailing party.

“(4) PERIOD FOR BRINGING ACTION.—Notwithstanding any other provision of law, an action to enforce any liability created under this section may be brought, without regard to the amount in controversy, at any time within 2 years after the date of discovery by the plaintiff of the unauthorized disclosure or access.

"(5) NOTIFICATION OF UNLAWFUL DISCLOSURE OR ACCESS.—If any person is criminally charged by indictment or information with disclosing or accessing any information that pertains to an individual in violation of subsection (a) or (h), the Commissioner of Social Security shall notify such individual as soon as practicable of such disclosure or access. The Commissioner shall also notify such individual if a Federal or State agency (upon notice to the Commissioner by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee's unauthorized disclosure or access of the individual's information. The notice described in this subsection shall include the date of the unauthorized disclosure or access and the rights of the individual under such administrative determination.".

(c) INVESTIGATIONS.—Section 1106 of such Act (42 U.S.C. 1306) is further amended by adding after subsection (i), as added by subsection (b), the following:

"(j) INVESTIGATION AND REPORT.—

"(1) INVESTIGATION.—The Inspector General of the Social Security Administration shall investigate each disclosure in violation of subsection (a) and each access of a beneficiary data system in violation of subsection (h).

"(2) TREATMENT OF DISCLOSURE OR ACCESS.—For the purposes of this subsection, the Inspector General may, if the Inspector General determines appropriate, treat a series of violations of subsection (a) or (h) as a single violation.

"(3) REPORT.—Not later than 30 days after the Inspector General becomes aware of a violation of subsection (a) or (h), the Inspector General shall submit to Congress a report on such violation, which shall include—

"(A) a detailed description of the violation;

"(B) a risk assessment of any threat to the privacy of any individual whose information was disclosed or accessed, national security, cybersecurity, or the integrity of the applicable beneficiary data system as a result of the violation; and

"(C) a detailed description of any stopped payment during the unauthorized use or access.".

(d) PRIVACY REGULATIONS.—Notwithstanding this Act and the amendments made by this Act, part 401 of title 20 of the Code of Federal Regulations, as in effect on January 19, 2025, shall have the force and effect of law.

(e) GAO STUDY AND INTERIM REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report including the following information:

(A) The results of a study on the effects of the changes made to section 1106 of the Social Security Act by the amendments in this section.

(B) A summary of any investigations conducted under section 1106(j).

(C) Any convictions under section 1106(a).

(D) Any civil actions brought under section 1106(i), including the results of any such civil action.

(2) INTERIM REPORTS.—Not later than 1 month after the date of enactment of this Act, and monthly thereafter until such time as the report required under paragraph (1) is submitted, the Comptroller of the United States shall submit to the Committee on Ways and Means of the House of Rep-

resentatives and the Committee on Finance of the Senate an interim report on the information required under paragraph (1), including the status of the study described in subparagraph (A) of such subsection.

(f) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) of this section shall apply to disclosures or access of systems occurring on or after the date of enactment of this Act.

**SEC. 304. ENDING WRONGFUL INVALIDATION OF SOCIAL SECURITY ACCOUNT NUMBERS.**

(a) ENDING WRONGFUL INVALIDATION OF SOCIAL SECURITY ACCOUNT NUMBERS.—Section 1106 of the Social Security Act (42 U.S.C. 1306) is further amended by adding after subsection (j), as added by this Act, the following:

"(k) WRONGFUL INVALIDATION OF SOCIAL SECURITY ACCOUNT NUMBERS PROHIBITED; CIVIL PENALTIES; INVESTIGATION; AND REPORT.—

"(1) IN GENERAL.—No individual may cause the social security account number of an individual to return a non-verified or invalid response in any social security account number verification system or service operated by the Social Security Administration, including by cancelling, voiding, deleting, destroying, rescinding, inactivating, suspending, flagging with a special indicator code or other code, or adding to the Death Master File the social security account number of an individual, unless—

"(A) there is sufficient evidence to determine that the individual—

"(i) has died;

"(ii) meets the criteria for a code associated with identity theft or use of a social security account number for fraudulent purposes;

"(iii) meets the criteria for a code associated with obtaining a social security account number through fraudulent means or a false identity;

"(iv) meets the criteria for marking the social security account number of such individual as void; or

"(v) meets the criteria for changing their social security account number; or

"(B) the action is for the sole purpose of correcting a demonstrable administrative or clerical error.

"(2) DETERMINATIONS.—For the purpose of determining whether an individual has died or meets the criteria described in clauses (ii), (iii), (iv), or (v) of paragraph (1)(A), the Commissioner of Social Security shall use the subregulatory guidance that was in effect on January 19, 2025, including the special indicator codes and Numident codes that were in effect on such date.

"(3) CIVIL PENALTIES.—

"(A) IN GENERAL.—An individual whose social security account number is rendered nonverified or invalid in violation of paragraph (1), and who suffers harm as a result of such nonverification or invalidation, may bring a civil action for injunctive relief and damages against the United States or the officer or employee of the United States who violated paragraph (1) in an appropriate district court of the United States.

"(B) DAMAGES.—In any action brought under subparagraph (A), upon a finding of liability on the part of the defendant, the defendant shall be liable to the plaintiff in an amount equal to the sum of—

"(i) the greater of—

"(I) $5,000; or

"(II) the sum of—

"(aa) the actual damages sustained by the plaintiff as a result of the violation of paragraph (1), plus

"(bb) if appropriate, punitive damages, plus

"(ii) the costs of the action, plus

"(iii) reasonable attorneys fees, except that if the defendant is the United States, reasonable attorneys fees may be awarded only if the plaintiff is the prevailing party.

"(C) PERIOD FOR BRINGING AN ACTION.—Notwithstanding any other provision of law, an action to enforce any liability established under this section may be brought, without regard to the amount in controversy, at any time within 2 years after the date of discovery by the plaintiff of the violation of paragraph (1) relating to such plaintiff.

"(D) NOTIFICATION OF CRIMINAL CHARGES.—If any individual is criminally charged by indictment or information for violating paragraph (1), the Commissioner of Social Security shall notify the individual whose account number was rendered non-verified or invalid in violation of such paragraph as soon as practicable. The Commissioner shall also notify such individual if a Federal or State agency (upon notice to the Commissioner by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee's action in violation of paragraph (1). The notice described in this subsection shall include the date of such violation and the rights of the individual under such administrative determination.

"(4) INVESTIGATION AND REPORT.—

"(A) INVESTIGATION.—The Inspector General of the Social Security Administration shall investigate each violation of paragraph (1).

"(B) TREATMENT OF DISCLOSURE OR ACCESS.—For the purposes of this subsection, the Inspector General may, if the Inspector General determines appropriate, treat a series of violations of paragraph (1) as a single violation.

"(C) REPORT.—Not later than 30 days after the Inspector General becomes aware of a violation of paragraph (1), the Inspector General shall submit to Congress a report on such violation, which shall include a detailed description of the violation, including—

"(i) an assessment of the effect on the individual of the social security account number of such individual being rendered non-verified or invalid; and

"(ii) any effect on the Social Security Administration's ability to carry out its statutory responsibilities with respect to such individual.".

(b) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report including the following information:

(1) The results of a study on the effects of the changes made to section 1106 of the Social Security Act by the amendments in this section.

(2) A summary of any investigations conducted under section 1106(k)(4) of such Act, as added by this section.

(3) Any civil actions brought under section 1106(k)(3) of such Act, as added by this section, including the results of any such civil action.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to violations described in section 1106(k)(1) of the Social Security Act (as added by this section) occurring on or after the date of enactment of this Act.

**SEC. 305. CLAWS OFF SOCIAL SECURITY.**

(a) IN GENERAL.—Subparagraph (A) of section 204(a)(1) of the Social Security Act (42 U.S.C. 404(a)(1)(A)) is amended—

(1) by striking ''With'' and inserting ''(i) Subject to clause (ii), with''; and

(2) by adding at the end the following:

''(ii) In the case of a payment to a person of more than the correct amount which the Commissioner does not have reason to believe was due to fraud or similar fault on the part of the individual, the Commissioner may not decrease the amount of a monthly benefit payable to an individual by more than 10 percent of the amount payable, unless such individual requests a higher recovery rate.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, and shall be effective with respect to overpayments under title II of the Social Security Act that are outstanding on or after such date.

**SEC. 306. DUAL OFFICE-HOLDING PROHIBITED.**

Section 702(a) of the Social Security Act (42 U.S.C. 902(a)) is amended by adding at the end the following:

"(9) Except as otherwise required by law, the Commissioner may not hold any other office or position in the Government of the United States.".

**SEC. 307. CLARIFYING THE REQUIREMENT TO MAIL SOCIAL SECURITY ACCOUNT STATEMENTS.**

(a) IN GENERAL.—Section 1143 of the Social Security Act (42 U.S.C. 1320b–13) is amended—

(1) in subsection (a)(1), by adding at the end the following: "Such statement shall be provided by mail unless the requesting individual chooses electronic delivery for that request."; and

(2) in subsection (c)(2)—

(A) by striking "Beginning not later than" and inserting "(A) Beginning not later than";

(B) by inserting "by mail" after "provide"; and

(C) by adding at the end the following:

"(B) In any case in which an eligible individual described in subparagraph (A) responds to an annual inquiry by the Commissioner relating to the mailing of the individual's statement by making an election that such statement for such year be provided in electronic form only, the requirements of this paragraph shall be deemed to be satisfied for such year with respect to the individual.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to Social Security account statements required to be provided on or after January 1, 2027.

**SEC. 308. ENSURING ACCESS TO PROFESSIONAL REPRESENTATION.**

(a) IN GENERAL.—Section 206(a)(2)(A) of the Social Security Act (42 U.S.C. 406(a)(2)(A)) is amended by striking ''The Commissioner of Social Security may'' and all that follows through the end and inserting the following: ''In the case of an agreement described in this subparagraph entered into on or after the date of enactment of the Social Security 2100 Act, there shall be substituted for the dollar amount specified in clause (ii)(II) an amount equal to the dollar amount in effect for the calendar year preceding such calendar year or, if larger, the product (rounded to the nearest dollar) of $4,000 and the ratio of the national average wage index (as defined in section 209(k)(1)) for the second calendar year preceding such calendar year to the national average wage index (as so defined) for 1989. Not later than November 1 of each calendar year after 2025, the Commissioner of Social Security shall publish in the Federal Register the dollar amount applicable to agreements entered into in the succeeding calendar year.''.

(b) CONFORMING AMENDMENT.—Section 209(k)(1) of such Act (42 U.S.C. 409(k)(1)), as amended by sections 103(b) and 106(b), is further amended by inserting ''206(a)(2)(A),'' after ''203(f)(8)(B)(ii),''.

(c) PUBLICATION OF TRANSITION AMOUNT.—The Commissioner of Social Security shall publish in the Federal Register the dollar amount applicable to agreements described in section 206(a)(2)(A) of the Social Security Act entered into during the portion of 2026 occurring on or after the date of enactment of this Act not later than 3 months after such date of enactment.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to agreements entered into on or after the date of enactment of this Act.