

116TH CONGRESS  
1ST SESSION

# H. R. 5392

To amend title II of the Social Security Act to make various reforms to Social Security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2019

Ms. MOORE (for herself, Ms. SCHAKOWSKY, Mr. PAYNE, Ms. JACKSON LEE, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to make various reforms to Social Security, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security En-  
5 hancement and Protection Act of 2019”.

6 **SEC. 2. INCREASE IN SPECIAL MINIMUM BENEFIT FOR**  
7 **LIFETIME LOW EARNERS BASED ON YEARS IN**  
8 **THE WORKFORCE.**

9 Section 215(a)(1)(C) of the Social Security Act (42  
10 U.S.C. 415(a)(1)(C)) is amended to read as follows:

1       “(C)(i) Effective with respect to the benefits of indi-  
 2       viduals who become eligible for old-age insurance benefits  
 3       or disability insurance benefits (or die before becoming so  
 4       eligible) after 2019, no primary insurance amount com-  
 5       puted under subparagraph (A) may be less than the appli-  
 6       cable percentage of  $\frac{1}{12}$  of the annual dollar amount deter-  
 7       mined under clause (iv) for the year in which the amount  
 8       is determined.

9       “(ii) For purposes of clause (i), the applicable per-  
 10      centage is the percentage specified in connection with the  
 11      number of years of work, as set forth in the following  
 12      table:

<b>“If the number of years of work is:</b>	<b>The applicable percentage is:</b>
11 .....	36.7 percent
12 .....	40.0 percent
13 .....	43.3 percent
14 .....	46.7 percent
15 .....	50.0 percent
16 .....	53.3 percent
17 .....	56.7 percent
18 .....	60.0 percent
19 .....	63.3 percent
20 .....	66.7 percent
21 .....	70.0 percent
22 .....	73.3 percent
23 .....	76.7 percent
24 .....	80.0 percent
25 .....	83.3 percent
26 .....	86.7 percent
27 .....	90.0 percent
28 .....	93.3 percent
29 .....	96.7 percent
30 or more .....	100.0 percent.

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

1           “(I) for calendar year 2020, the poverty guide-  
2 line for 2019; and

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

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

10                   “(bb) the national average wage index (as  
11 so defined) for 2018.

12           “(iv) For purposes of this subparagraph—

13                   “(I) the term ‘number of years of work’ means,  
14 with respect to an individual, the sum of—

15                           “(aa)  $\frac{1}{4}$  of the total number of quarters of  
16 coverage credited to such individual (dis-  
17 regarding any fraction); and

18                           “(bb) the number of years (not exceeding  
19 5) in all of which the individual provided care  
20 for a child under 6 years of age who resided in  
21 the individual’s home; and

22           “(II) the term ‘poverty guideline for 2019’  
23 means the annual poverty guideline for 2019 (as up-  
24 dated annually in the Federal Register by the De-  
25 partment of Health and Human Services under the

1 authority of section 673(2) of the Omnibus Budget  
2 Reconciliation Act of 1981) as applicable to a single  
3 individual”.

4 **SEC. 3. ESTABLISHMENT OF AN INCREASED BENEFIT FOR**  
5 **BENEFICIARIES ON ACCOUNT OF LONG-TERM**  
6 **ELIGIBILITY.**

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

10 “(aa) INCREASE IN BENEFIT AMOUNTS ON ACCOUNT  
11 OF LONG-TERM ELIGIBILITY.—(1) In the case of an indi-  
12 vidual who is a qualified beneficiary for a calendar year  
13 after 2019, the amount of any monthly insurance benefit  
14 of such qualified beneficiary under this section or section  
15 223 for any month in such calendar year shall be in-  
16 creased in accordance with paragraph (3).

17 “(2)(A) For purposes of this subsection, the term  
18 ‘qualified beneficiary’ for a calendar year means an indi-  
19 vidual in any case in which such calendar year begins at  
20 least 16 years after the applicable date of eligibility for  
21 such individual.

22 “(B) For purposes of this subsection, the applicable  
23 date of eligibility for an individual is the date on which  
24 the individual on whose wages and self-employment in-  
25 come the monthly insurance benefit is based initially be-

1 came eligible (or died before becoming eligible) for old-  
 2 age insurance benefits under subsection (a) or disability  
 3 insurance benefits under section 223.

4 “(3)(A) The increase required under paragraph (1)  
 5 with respect to the monthly insurance benefit of an indi-  
 6 vidual who is a qualified beneficiary for a calendar year  
 7 shall be equal to the applicable percentage (specified for  
 8 such benefit in subparagraph (B)) of the full increase  
 9 amount for such calendar year (determined under sub-  
 10 paragraph (C)).

11 “(B) The applicable percentage specified for a  
 12 monthly insurance benefit under this subparagraph for a  
 13 calendar year is the percentage specified, in connection  
 14 with the number of years ending after the applicable date  
 15 of eligibility for such individual and before such calendar  
 16 year, in the following table:

<b>“If the number of years is:</b>	<b>The applicable percentage is:</b>
16 .....	20 percent
17 .....	40 percent
18 .....	60 percent
19 .....	80 percent
20 or larger .....	100 percent.

17 “(C)(i) Except as provided in clause (ii), the full in-  
 18 crease amount determined under this subparagraph for a  
 19 calendar year in connection with the monthly insurance  
 20 benefit of a qualified beneficiary is a dollar amount equal  
 21 to 5 percent of the amount of the benefit if—

1           “(I) such benefit were based on the primary in-  
2           surance amount determined for January of such cal-  
3           endar year of a putative individual;

4           “(II) on January 1 of the calendar year in  
5           which occurred the applicable eligibility date with re-  
6           spect to such individual, such putative individual  
7           were fully insured, attained retirement age (as de-  
8           fined in section 216(l)(2)) and were otherwise eligi-  
9           ble for, and applied for, old-age insurance benefits;  
10          and

11          “(III) such putative individual’s average in-  
12          dexed monthly earnings taken into account in deter-  
13          mining such primary insurance amount were equal  
14          to  $\frac{1}{12}$  of the national average wage index (as de-  
15          fined in section 209(k)(1)) for the second year prior  
16          to such calendar year.

17          “(ii)(I) In the case of a monthly insurance benefit  
18          under subsection (b) or (c), the full increase amount deter-  
19          mined under this subparagraph shall be one-half the  
20          amount determined under clause (i); or

21          “(II) in the case of a monthly insurance benefit under  
22          subsection (d), (g), or (h), the full increase amount deter-  
23          mined under this subparagraph shall be the percentage of  
24          the amount determined under clause (i) equal to the ratio  
25          which the amount of such benefit bears to the primary

1 insurance amount (before the application of section  
2 203(a)) of the individual on whose wages and self-employ-  
3 ment income the monthly insurance benefit is based.

4 “(4) In the case of a qualified beneficiary who is enti-  
5 tled to two or more monthly insurance benefits under this  
6 title for the same month—

7 “(A) the earliest applicable date of eligibility for  
8 such beneficiary with respect to such benefits shall  
9 be treated as the applicable date of eligibility for  
10 such beneficiary for the purposes of this subsection;  
11 and

12 “(B) such beneficiary shall be entitled to an in-  
13 crease with respect only to one such benefit.

14 “(5) This subsection shall be applied to monthly in-  
15 surance benefits after any increase under subsection (w)  
16 and any applicable reductions and deductions under this  
17 title.

18 “(6) In any case in which an individual is entitled  
19 to benefits under both this section and section 223, the  
20 increase under this subsection shall be paid from the Fed-  
21 eral Old-Age and Survivors Insurance Trust Fund.”.

22 (b) CONFORMING AMENDMENTS.—

23 (1) Section 202 of such Act (42 U.S.C. 402) is  
24 amended—

1 (A) in the last sentence of subsection (a),  
2 by striking “subsection (q) and subsection (w)”  
3 and inserting “subsections (q), (w), and (aa)”;

4 (B) in subsection (b)(2), by striking “sub-  
5 sections (k)(5) and (q)” and inserting “sub-  
6 sections (k)(5), (q), and (aa)”;

7 (C) in subsection (c)(2), by striking “sub-  
8 sections (k)(5) and (q)” and inserting “sub-  
9 sections (k)(5), (q), and (aa)”;

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

13 (E) in subsection (e)(2)(A), by striking  
14 “subsection (k)(5), subsection (q), and subpara-  
15 graph (D) of this paragraph” and inserting  
16 “subsection (k)(5), subsection (q), subsection  
17 (aa), and subparagraph (D) of this paragraph”;

18 (F) in subsection (f)(2)(A), by striking  
19 “subsection (k)(5), subsection (q), and subpara-  
20 graph (D) of this paragraph” and inserting  
21 “subsection (k)(5), subsection (q), subsection  
22 (aa), and subparagraph (D) of this paragraph”;

23 (G) in subsection (g)(2), by striking  
24 “Such” and inserting “Except as provided in  
25 subsections (k)(5) and (aa), such”;



1 (H) in subsection (h)(2)(A), by inserting  
2 “and subsection (aa)” after “subparagraphs  
3 (B) and (C)”; and

4 (I) in section 223(a)(2), by striking “sec-  
5 tion 202(q)” and inserting “sections 202(q) and  
6 202(aa)”.

7 (2) Section 209(k)(1) of such Act (402 U.S.C.  
8 409(k)(1)) is amended by inserting  
9 “202(aa)(3)(C)(i)(II),” before “203(f)(8)(B)(ii)”.

10 **SEC. 4. EXTENSION OF CHILD’S BENEFIT FOR FULL-TIME**  
11 **POST-SECONDARY SCHOOL STUDENTS**  
12 **UNDER AGE 26.**

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

16 “(B) at the time such application was filed  
17 was unmarried and—

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

19 “(ii) was a full-time elementary or  
20 secondary school student and had not at-  
21 tained the age of 19,

22 “(iii) was a full-time post-secondary  
23 school student and had not attained the  
24 age of 26, or

1                   “(iv) is under a disability (as defined  
2                   in section 223(d)) which began before he  
3                   attained the age of 22, and”.

4           (b) DEFINITION OF FULL-TIME POST-SECONDARY  
5 SCHOOL STUDENT.—

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

8                   (A) in subparagraph (A)—

9                           (i) by inserting “and a ‘full-time post-  
10 secondary school student’ is an individual  
11 who is in full-time attendance as a student  
12 at a post-secondary educational institu-  
13 tion” before “, as determined by the Com-  
14 missioner”;

15                           (ii) by inserting “or a ‘full-time post-  
16 secondary school student’” before “if he is  
17 paid by his employer”;

18                           (iii) by inserting “or a post-secondary  
19 educational institution, as applicable,” be-  
20 fore “at the request”;

21                           (iv) by inserting “or a ‘full-time post-  
22 secondary school student’” before “for the  
23 purpose of this section”; and

1 (v) by inserting “or a full-time post-  
2 secondary school student” before “shall be  
3 deemed”; and

4 (B) in subparagraph (B)—

5 (i) by inserting “or a full-time post-  
6 secondary school student” after “student”;

7 (ii) by inserting “or a post-secondary  
8 educational institution, as applicable” be-  
9 fore “at which he has been”; and

10 (iii) by striking “an elementary or sec-  
11 ondary school” in each of the second and  
12 third places in which such term appears  
13 and inserting “such a school”.

14 (2) TRANSITION FROM ELEMENTARY OR SEC-  
15 ONDARY SCHOOL.—Section 202(d)(7)(B) of such Act  
16 (42 U.S.C. 402(d)(7)(B)) is amended by adding at  
17 the end the following sentence: “An individual who  
18 has been in full-time attendance at an elementary or  
19 secondary school shall, during a succeeding period of  
20 nonattendance at such school, be deemed to be a  
21 full-time secondary-school student if (i) such period  
22 is 4 calendar months or less, and (ii) the individual  
23 shows to the satisfaction of the Commissioner that  
24 he intends to be in full-time attendance at a post-

1 secondary educational institution immediately fol-  
2 lowing such period.”

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

7 “(iii) A ‘post-secondary educational  
8 institution’ is a school or college or univer-  
9 sity that provides post-secondary education  
10 and—

11 “(I) is operated or directly sup-  
12 ported by the United States, or by  
13 any State or local government or po-  
14 litical subdivision thereof,

15 “(II) has been approved by a  
16 State or accredited by a State-recog-  
17 nized or nationally recognized accred-  
18 iting agency or body, or

19 “(III) whose credits are accepted,  
20 on transfer, by not less than three in-  
21 stitutions which are so accredited, for  
22 credit on the same basis as if trans-  
23 ferred from an institution so accred-  
24 ited.”.

25 (d) CONFORMING AMENDMENTS.—

1           (1) Section 202(d)(1)(E) of such Act (42  
2 U.S.C. 402(d)(1)(E)) is amended by inserting “or a  
3 full-time post-secondary school student” after “stu-  
4 dent”.

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

9                   “(i) the first month during no part of  
10                   which the child is a full-time elementary or  
11                   secondary school student or a full-time  
12                   post-secondary school student,

13                   “(ii) the month in which the child at-  
14                   tains the age of 19, but only if the child  
15                   is not a full-time post-secondary school  
16                   student during any part of such month, or

17                   “(iii) the month in which the child at-  
18                   tains the age of 26,”.

19           (3) Section 202(d)(1)(G) of such Act (42  
20 U.S.C. 402(d)(1)(G)) is amended by striking “(if  
21 later)” and all that follows through the “the age of  
22 19,” and inserting the following: “(if later) the ear-  
23 lier of—

24                   “(i) the first month during no part of  
25                   which the child is a full-time elementary or

1 secondary school student or a full-time  
2 post-secondary school student,

3 “(ii) the month in which the child at-  
4 tains the age of 19, but only if the child  
5 is not a full-time post-secondary school  
6 student during any part of such month, or

7 “(iii) the month in which the child at-  
8 tains the age of 26,”.

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

11 “(A)(i) is a full-time elementary or sec-  
12 ondary school student and has not attained the  
13 age of 19,

14 “(ii) is a full-time post-secondary school  
15 student and has not attained the age of 26, or

16 “(iii) is under a disability (as defined in  
17 section 223(d)) and has not attained the age of  
18 22, or”.

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

21 “(D) the earlier of—

22 “(i) the first month during no part of  
23 which the child is a full-time elementary or  
24 secondary school student or a full-time  
25 post-secondary school student,

1           “(ii) the month in which the child at-  
2           tains the age of 19, but only if the child  
3           is not a full-time post-secondary school  
4           student during any part of such month, or

5           “(iii) the month in which the child at-  
6           tains the age of 26,

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

9           (6) Section 202(d)(6)(E) of such Act (42  
10          U.S.C. 402(d)(6)(E)) is amended by striking “(if  
11          later)” and all that follows to the end and inserting  
12          the following: “(if later) the earlier of—

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

17                 “(ii) the month in which the child at-  
18                 tains the age of 19, but only if the child  
19                 is not a full-time post-secondary school  
20                 student during any part of such month, or

21                 “(iii) the month in which the child at-  
22                 tains the age of 26.”.

23          (e) EFFECTIVE DATE.—The amendments made by  
24          this section apply with respect to applications for child’s  
25          insurance benefits under section 202(d) of the Social Se-

1 curity Act (42 U.S.C. 402(d)) filed in any calendar year  
2 after 2019.

3 **SEC. 5. DETERMINATION OF TAXABLE WAGES AND SELF-**  
4 **EMPLOYMENT INCOME ABOVE CONTRIBU-**  
5 **TION AND BENEFIT BASE AFTER 2019.**

6 (a) DETERMINATION OF TAXABLE WAGES ABOVE  
7 CONTRIBUTION AND BENEFIT BASE AFTER 2019.—

8 (1) AMENDMENTS TO THE INTERNAL REVENUE  
9 CODE OF 1986.—Section 3121 of the Internal Rev-  
10 enue Code of 1986 is amended—

11 (A) in subsection (a)(1), by inserting “the  
12 applicable percentage (determined under sub-  
13 section (c)(1)) of” before “that part of the re-  
14 muneration”; and

15 (B) in subsection (c), by striking “(c) IN-  
16 CLUDED AND EXCLUDED SERVICE.—For pur-  
17 poses of this chapter, if” and inserting the fol-  
18 lowing:

19 “(c) SPECIAL RULES FOR WAGES AND EMPLOY-  
20 MENT.—

21 “(1) APPLICABLE PERCENTAGE OF REMUNERA-  
22 TION IN DETERMINING TAXABLE WAGES.—For pur-  
23 poses of subsection (a)(1), the applicable percentage  
24 for a calendar year shall be determined in accord-  
25 ance with the following table:



<b>“In the case of:</b>	<b>The applicable percentage is:</b>
Calendar year 2020 .....	90 percent
Calendar year 2021 .....	80 percent
Calendar year 2022 .....	70 percent
Calendar year 2023 .....	60 percent
Calendar year 2024 .....	50 percent
Calendar year 2025 .....	40 percent
Calendar year 2026 .....	30 percent
Calendar year 2027 .....	20 percent
Calendar year 2028 .....	10 percent
Calendar years after 2029 .....	0 percent.

1           “(2) INCLUDED AND EXCLUDED SERVICE.—For  
 2           purposes of this chapter, if”.

3           (2) AMENDMENTS TO THE SOCIAL SECURITY  
 4           ACT.—Section 209 of the Social Security Act (42  
 5           U.S.C. 409) is amended—

6           (A) in subsection (a)(1)(I)—

7           (i) by inserting “and before 2020”  
 8           after “1974”; and

9           (ii) by inserting “and” after the semi-  
 10          colon;

11          (B) in subsection (a)(1), by adding at the  
 12          end the following new subparagraph:

13          “(J) The applicable percentage (deter-  
 14          mined under subsection (I)) of that part of re-  
 15          muneration which, after remuneration (other  
 16          than remuneration referred to in the succeeding  
 17          subsections of this section) equal to the con-  
 18          tribution and benefit base (determined under  
 19          section 230) with respect to employment has

1           been paid to an individual during any calendar  
 2           year after 2019 with respect to which such con-  
 3           tribution and benefit base is effective, is paid to  
 4           such individual during such calendar year;”;  
 5           and

6                       (C) by adding at the end the following new  
 7           subsection:

8           “(1) For purposes of subsection (a)(1)(J), the applica-  
 9           ble percentage for a calendar year shall be determined in  
 10          accordance with the following table:

<b>“In the case of:</b>	<b>The applicable percentage is:</b>
Calendar year 2020 .....	90 percent
Calendar year 2021 .....	80 percent
Calendar year 2022 .....	70 percent
Calendar year 2023 .....	60 percent
Calendar year 2024 .....	50 percent
Calendar year 2025 .....	40 percent
Calendar year 2026 .....	30 percent
Calendar year 2027 .....	20 percent
Calendar year 2028 .....	10 percent
Calendar years after 2029 .....	0 percent.”.

11                       (3) EFFECTIVE DATE.—The amendments made  
 12           by this subsection shall apply with respect to remu-  
 13           neration paid in calendar years after 2019.

14           (b) DETERMINATION OF TAXABLE SELF-EMPLOY-  
 15           MENT INCOME ABOVE CONTRIBUTION AND BENEFIT  
 16           BASE AFTER 2019.—

17                       (1) AMENDMENTS TO THE INTERNAL REVENUE  
 18           CODE OF 1986.—Section 1402 of the Internal Rev-  
 19           enue Code of 1986 is amended—

1           (A) in subsection (b)(1), by striking “that  
2           part of the net earnings” and all that follows  
3           through “minus” and inserting the following:  
4           “an amount equal to the applicable percentage  
5           (as determined under subsection (d)(2)) of that  
6           part of the net earnings from self-employment  
7           which is in excess of the difference (not to be  
8           less than zero) between (i) an amount equal to  
9           the contribution and benefit base (as deter-  
10          mined under section 230 of the Social Security  
11          Act) which is effective for the calendar year in  
12          which such taxable year begins, and”;

13           (B) in subsection (d)—

14           (i) by striking “(d) EMPLOYEE AND  
15          WAGES.—The term” and inserting the fol-  
16          lowing:

17          “(d) RULES AND DEFINITIONS.—

18           “(1) EMPLOYEE AND WAGES.—The term”;

19           (ii) by adding at the end the fol-  
20          lowing:

21          “(2) APPLICABLE PERCENTAGE OF NET EARN-  
22          INGS FROM SELF-EMPLOYMENT IN DETERMINING  
23          TAXABLE SELF-EMPLOYMENT INCOME.—For pur-  
24          poses of subsection (b)(1), the applicable percentage  
25          for a taxable year beginning in any calendar year re-

1       ferred to in such paragraph shall be determined in  
 2       accordance with the following table:

<b>“In the case of:</b>	<b>The applicable percentage is:</b>
Calendar year 2020 .....	90 percent
Calendar year 2021 .....	80 percent
Calendar year 2022 .....	70 percent
Calendar year 2023 .....	60 percent
Calendar year 2024 .....	50 percent
Calendar year 2025 .....	40 percent
Calendar year 2026 .....	30 percent
Calendar year 2027 .....	20 percent
Calendar year 2028 .....	10 percent
Calendar years after 2029 .....	0 percent.”.

3                   (2) AMENDMENTS TO THE SOCIAL SECURITY  
 4       ACT.—Section 211 of the Social Security Act (42  
 5       U.S.C. 411) is amended—

- 6                   (A) in subsection (b)—
- 7                   (i) in paragraph (1)(I)—
- 8                   (I) by striking “or” after the
- 9                   semicolon; and
- 10                  (II) by inserting “and before
- 11                  2020” after “1974”;
- 12                  (ii) by redesignating paragraph (2) as
- 13                  paragraph (3); and
- 14                  (iii) by inserting after paragraph (1)
- 15                  the following:

16                  “(2) For any taxable year beginning in any cal-  
 17       endar year after 2019, an amount equal to the appli-  
 18       cable percentage (as determined under subsection  
 19       (1)) of that part of net earnings from self-employ-

1           ment which is in excess of the difference (not to be  
2           less than zero) between—

3                   “(A) an amount equal to the contribution  
4                   and benefit base (as determined under section  
5                   230) that is effective for such calendar year,  
6                   and

7                   “(B) the amount of the wages paid to such  
8                   individual during such taxable year; or”; and

9                   (B) by adding at the end the following:

10           “(1) For purposes of subsection (b)(2), the applicable  
11           percentage for a taxable year beginning in any calendar  
12           year referred to in such paragraph shall be determined  
13           in accordance with the following table:

<b>“In the case of:</b>	<b>The applicable percentage is:</b>
Calendar year 2020 .....	90 percent
Calendar year 2021 .....	80 percent
Calendar year 2022 .....	70 percent
Calendar year 2023 .....	60 percent
Calendar year 2024 .....	50 percent
Calendar year 2025 .....	40 percent
Calendar year 2026 .....	30 percent
Calendar year 2027 .....	20 percent
Calendar year 2028 .....	10 percent
Calendar years after 2029 .....	0 percent.”.

14                   (3) **EFFECTIVE DATE.**—The amendments made  
15                   by this subsection shall apply with respect to taxable  
16                   years beginning in calendar years after 2019.

17           (c) **COMPUTING AVERAGE INDEXED MONTHLY**  
18 **EARNINGS.**—Section 215(e) of the Social Security Act (42  
19 U.S.C. 415(e)) is amended—

1 (1) in paragraph (1)—

2 (A) by striking “and” after “before  
3 1975,”;

4 (B) by inserting “and before 2020” after  
5 “after 1974”; and

6 (C) by inserting “, and the applicable per-  
7 centage of the excess over an amount equal to  
8 the contribution and benefit base (as deter-  
9 mined under section 230) in the case of any  
10 calendar year after 2019 with respect to which  
11 such contribution and benefit base is effective,”  
12 after “benefit base is effective,”; and

13 (2) by adding at the end the following:

14 “(3) For purposes of paragraph (1), the appli-  
15 cable percentage for a year shall be determined in  
16 accordance with the following table:

<b>“In the case of:</b>	<b>The applicable percentage is:</b>
Calendar year 2020 .....	90 percent
Calendar year 2021 .....	80 percent
Calendar year 2022 .....	70 percent
Calendar year 2023 .....	60 percent
Calendar year 2024 .....	50 percent
Calendar year 2025 .....	40 percent
Calendar year 2026 .....	30 percent
Calendar year 2027 .....	20 percent
Calendar year 2028 .....	10 percent
Calendar years after 2029 .....	0 percent.”.

17 (d) CONFORMING AMENDMENT.—Section  
18 215(i)(2)(C)(i) of the Social Security Act (42 U.S.C.  
19 415(i)(2)(C)(i)) is amended by striking “the Commis-

1 sioner’s estimate of the extent to which the cost of such  
 2 increase would be met by an increase in the contribution  
 3 and benefit base under section 230 and the estimated  
 4 amount of the increase in such base,”.

5 **SEC. 6. NEW BEND POINT FOR AMOUNTS ABOVE CONTRIBU-**  
 6 **TION AND BENEFIT BASE.**

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

9 (1) in subparagraph (A)—

10 (A) in clause (ii), by striking “and”;

11 (B) in clause (iii), by striking the comma  
 12 at the end and inserting the following: “but do  
 13 not exceed the amount established for purposes  
 14 of this clause by subparagraph (B), and”;

15 (C) by inserting after clause (iii) the fol-  
 16 lowing:

17 “(iv) 3 percent of the individual’s av-  
 18 erage indexed monthly earnings to the ex-  
 19 tent that such earnings exceed the amount  
 20 established for purposes of clause (iii),”;  
 21 and

22 (2) in subparagraph (B)—

23 (A) by inserting “and before 2020” after  
 24 “1979” in clause (ii);

1 (B) by redesignating clause (iii) as clause  
2 (v);

3 (C) by inserting after clause (ii) the fol-  
4 lowing:

5 “(iii) For individuals who initially be-  
6 come eligible for old-age or disability insur-  
7 ance benefits, or who die (before becoming  
8 eligible for such benefits), in the calendar  
9 year 2020—

10 “(I) the amounts established for  
11 purposes of clauses (i) and (ii) of sub-  
12 paragraph (A) shall be the amounts  
13 so established under clause (ii) of this  
14 subparagraph for such calendar year;  
15 and

16 “(II) the amount established for  
17 purposes of clause (iii) of subpara-  
18 graph (A) shall be the amount of the  
19 contribution and benefit base with re-  
20 spect to remuneration paid (and tax-  
21 able years beginning) in calendar year  
22 2020.

23 “(iv) For individuals who initially be-  
24 come eligible for old-age or disability insur-  
25 ance benefits, or who die (before becoming



1 eligible for such benefits), in any calendar  
2 year after 2020, the amount so established  
3 shall equal the product of the cor-  
4 responding amount established with re-  
5 spect to the calendar year 2020 under  
6 clause (iii) of this subparagraph and the  
7 quotient obtained by dividing—

8 “(I) the national average wage  
9 index (as defined in section 209(k)(1))  
10 for the second calendar year preceding  
11 the calendar year for which the deter-  
12 mination is made, by

13 “(II) the national average wage  
14 index (as so defined) for 2018.”; and

15 (D) in clause (v), as so redesignated by  
16 subparagraph (A) of this paragraph, by insert-  
17 ing “and clause (iv)” after “clause (ii)”.

18 (b) EFFECTIVE DATE.—The amendments made by  
19 this section shall apply with respect to individuals who ini-  
20 tially become eligible (within the meaning of section  
21 215(a)(3)(B)) for old-age or disability insurance benefits  
22 under title II of the Social Security Act, or who die (before  
23 becoming eligible for such benefits), in any calendar year  
24 after 2019.

1 **SEC. 7. INCREASE IN EMPLOYMENT TAX RATE.**

2 (a) WAGES.—

3 (1) EMPLOYEES.—Subsection (a) of section  
 4 3101 of the Internal Revenue Code of 1986 is  
 5 amended to read as follows:

6 “(a) OLD-AGE, SURVIVORS, AND DISABILITY INSUR-  
 7 ANCE.—

8 “(1) IN GENERAL.—In addition to other taxes,  
 9 there is hereby imposed on the income of every indi-  
 10 vidual a tax equal to the applicable percentage of the  
 11 wages (as defined in section 3121(a)) received by  
 12 him with respect to employment (as defined in sec-  
 13 tion 3121(b)).

14 “(2) APPLICABLE PERCENTAGE.—For purposes  
 15 of paragraph (1), the term ‘applicable percentage’  
 16 means the percentage determined under the fol-  
 17 lowing table:

<b>“In case of wages received during:</b>	<b>The applicable percentage shall be:</b>
2020 .....	6.25 percent
2021 .....	6.30 percent
2022 .....	6.35 percent
2023 .....	6.40 percent
2024 .....	6.45 percent
2025 or thereafter .....	6.50 percent.”.

18 (2) EMPLOYERS.—Subsection (a) of section  
 19 3111 of such Code is amended to read as follows:

20 “(a) OLD-AGE, SURVIVORS, AND DISABILITY INSUR-  
 21 ANCE.—

1           “(1) IN GENERAL.—In addition to other taxes,  
 2           there is hereby imposed on every employer an excise  
 3           tax, with respect to having individuals in his employ,  
 4           equal to the applicable percentage of the wages (as  
 5           defined in section 3121(a)) paid by him with respect  
 6           to employment (as defined in section 3121(b)).

7           “(2) APPLICABLE PERCENTAGE.—For purposes  
 8           of paragraph (1), the term ‘applicable percentage’  
 9           means the percentage determined under the fol-  
 10          lowing table:

<b>“In case of a taxable year beginning during calendar year:</b>	<b>The applicable percentage shall be:</b>
2020 .....	6.25 percent
2021 .....	6.30 percent
2022 .....	6.35 percent
2023 .....	6.40 percent
2024 .....	6.45 percent
2025 or thereafter .....	6.50 percent.”.

11          (b) SELF-EMPLOYMENT.—Subsection (a) of section  
 12 1401 of such Code is amended to read as follows:

13          “(a) OLD-AGE, SURVIVORS, AND DISABILITY INSUR-  
 14 ANCE.—

15           “(1) In addition to other taxes, there shall be  
 16           imposed for each taxable year, on the self-employ-  
 17           ment income of every individual, a tax equal to the  
 18           applicable percentage of the amount of the self-em-  
 19           ployment income for such taxable year.

20           “(2) APPLICABLE PERCENTAGE.—For purposes  
 21           of paragraph (1), the term ‘applicable percentage’

1 means the percentage determined under the fol-  
2 lowing table:

<b>“In case of a taxable year beginning during calendar year:</b>	<b>The applicable percentage shall be:</b>
2020 .....	12.5 percent
2021 .....	12.6 percent
2022 .....	12.7 percent
2023 .....	12.8 percent
2024 .....	12.9 percent
2025 or thereafter .....	13.0 percent.”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply with respect to remuneration re-  
5 ceived, and taxable years beginning after, December 31,  
6 2019.

7 **SEC. 8. NON-APPLICATION OF INCREASE IN SOCIAL SECU-**  
8 **RITY BENEFITS FOR MEANS-TESTED PRO-**  
9 **GRAMS.**

10 Any increase in monthly insurance benefits under  
11 title II of the Social Security Act as a result of the amend-  
12 ments made by this Act shall not be regarded as income  
13 or resources for any month after December 2019, for pur-  
14 poses of determining the eligibility of the recipient (or the  
15 recipient’s spouse or family) for benefits or assistance, or  
16 the amount or extent of benefits or assistance, under any  
17 Federal program or under any State or local program fi-  
18 nanced in whole or in part with Federal funds.

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