

116TH CONGRESS
2D SESSION

H. R. 5970

To amend titles II and XVI of the Social Security Act to direct the Commissioner of Social Security to consider linguistic limitations in disability determinations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2020

Ms. SCANLON introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend titles II and XVI of the Social Security Act to direct the Commissioner of Social Security to consider linguistic limitations in disability determinations, 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 “Language Equity in
5 Social Security Act of 2020”.

1 **SEC. 2. CONSIDERATION OF LINGUISTIC LIMITATIONS IN**
2 **DISABILITY DETERMINATIONS.**

3 (a) AMENDMENT TO TITLE II.—Section 223(d)(2) of
4 the Social Security Act (42 U.S.C. 423(d)(2)) is amend-
5 ed—

6 (1) by redesignating subparagraph (C) as sub-
7 paragraph (D); and

8 (2) by inserting after subparagraph (B) the fol-
9 lowing:

10 “(C) In considering an individual’s education
11 for purposes of subparagraph (A), the Commissioner
12 of Social Security shall specifically take into account
13 as an adverse factor any linguistic limitation such
14 individual may have (including any lack of facility
15 with the English language).”

16 (b) AMENDMENT TO TITLE XVI.—Section
17 1614(a)(3)(B) of the Social Security Act (42 U.S.C.
18 1382c(a)(3)(B)) is amended by striking “For purposes of
19 the preceding sentence” and all that follows through the
20 end and inserting “For purposes of the preceding sentence
21 (with respect to any individual)—

22 “(i) ‘work which exists in the national economy’
23 means work which exists in significant numbers ei-
24 ther in the region where such individual lives or in
25 several regions of the country; and

1 “(ii) in considering an individual’s education,
2 the Commissioner of Social Security shall specifically
3 take into account as an adverse factor any linguistic
4 limitation such individual may have (including any
5 lack of facility with the English language).”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall apply with respect to determinations of
8 disability occurring after the date of enactment of this
9 Act.

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