

In the Senate of the United States,

March 22, 2000.

Resolved, That the bill from the House of Representatives (H.R. 5) entitled “An Act to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.”, do pass with the following

AMENDMENT:

1 Page 2, line 1, strike out all after “**SECTION**” over
2 to and including line 3 on page 7 and insert:

3 **1. SHORT TITLE.**

4 *This Act may be cited as the “Senior Citizens’ Free-*
5 *dom to Work Act of 2000”.*

6 **SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS**

7 **WHO HAVE ATTAINED RETIREMENT AGE.**

8 *Section 203 of the Social Security Act (42 U.S.C. 403)*
9 *is amended—*

10 *(1) in subsection (c)(1), by striking “the age of*
11 *seventy” and inserting “retirement age (as defined in*
12 *section 216(l))”;*

1 (2) in paragraphs (1)(A) and (2) of subsection
2 (d), by striking “the age of seventy” each place it ap-
3 pears and inserting “retirement age (as defined in
4 section 216(l))”;

5 (3) in subsection (f)(1)(B), by striking “was age
6 seventy or over” and inserting “was at or above re-
7 tirement age (as defined in section 216(l))”;

8 (4) in subsection (f)(3), by striking “age 70” and
9 inserting “retirement age (as defined in section
10 216(l))”;

11 (5) in subsection (h)(1)(A), by striking “age 70”
12 each place it appears and inserting “retirement age
13 (as defined in section 216(l))”; and

14 (6) in subsection (j)—

15 (A) in the heading, by striking “Age Sev-
16 enty” and inserting “Retirement Age”; and

17 (B) by striking “seventy years of age” and
18 inserting “having attained retirement age (as de-
19 fined in section 216(l))”.

20 **SEC. 3. NONAPPLICATION OF RULES FOR COMPUTATION OF**
21 **EXEMPT AMOUNT FOR INDIVIDUALS WHO**
22 **HAVE ATTAINED RETIREMENT AGE.**

23 (a) *IN GENERAL.*—Section 203(f)(8) of the Social Se-
24 curity Act (42 U.S.C. 403(f)(8)) is amended by adding at
25 the end the following new subparagraph:

1 “(E) Notwithstanding subparagraph (D), no de-
2 ductions in benefits shall be made under subsection
3 (b) with respect to the earnings of any individual in
4 any month beginning with the month in which the in-
5 dividual attains retirement age (as defined in section
6 216(l)).”.

7 (b) *CONFORMING AMENDMENT.*—Section 203(f)(9) of
8 the Social Security Act (42 U.S.C. 403(f)(9)) is amended
9 by striking “and (8)(D),” and inserting “(8)(D), and
10 (8)(E),”.

11 **SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.**

12 (a) *ELIMINATION OF REDUNDANT REFERENCES TO*
13 *RETIREMENT AGE.*—Section 203 of the Social Security Act
14 (42 U.S.C. 403) is amended—

15 (1) in subsection (c), in the last sentence, by
16 striking “nor shall any deduction” and all that fol-
17 lows and inserting “nor shall any deduction be made
18 under this subsection from any widow’s or widower’s
19 insurance benefit if the widow, surviving divorced
20 wife, widower, or surviving divorced husband involved
21 became entitled to such benefit prior to attaining age
22 60.”; and

23 (2) in subsection (f)(1), by striking clause (D)
24 and inserting the following: “(D) for which such indi-
25 vidual is entitled to widow’s or widower’s insurance

1 *benefits if such individual became so entitled prior to*
2 *attaining age 60,”.*

3 *(b) CONFORMING AMENDMENT TO PROVISIONS FOR*
4 *DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DE-*
5 *LAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the So-*
6 *cial Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended*
7 *by striking “or suffered deductions under section 203(b) or*
8 *203(c) in amounts equal to the amount of such benefit” and*
9 *inserting “or, if so entitled, did not receive benefits pursu-*
10 *ant to a request by such individual that benefits not be*
11 *paid”.*

12 **SEC. 5. EFFECTIVE DATE.**

13 *The amendments made by this Act shall apply with*
14 *respect to taxable years ending after December 31, 1999.*

Attest:

Secretary.

106TH CONGRESS
2D SESSION

H. R. 5

AMENDMENT