

108TH CONGRESS
1ST SESSION

S. 750

To amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2003

Mr. MCCAIN (for himself, Mr. DODD, Mr. ALLEN, Mr. BREAUX, Mr. WARNER, Mr. AKAKA, Mr. BENNETT, Mrs. LINCOLN, Ms. COLLINS, Mr. HOLLINGS, Mr. CHAFEE, Mr. FITZGERALD, Ms. LANDRIEU, Mr. BROWNBACK, Mr. CAMPBELL, Mr. HAGEL, Mr. ROBERTS, Mr. SARBANES, Mr. SMITH, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

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 The Act may be cited as the “Blind Empowerment
5 Act of 2003”.

1 **SEC. 2. INCREASE IN AMOUNT DEMONSTRATING SUBSTAN-**
2 **TIAL GAINFUL ACTIVITY IN THE CASE OF**
3 **BLIND INDIVIDUALS.**

4 Section 223(d)(4) of the Social Security Act (42
5 U.S.C. 423(d)(4)) is amended—

6 (1) by striking the second sentence of subpara-
7 graph (A); and

8 (2) by adding at the end the following new sub-
9 paragraph:

10 “(C)(i) No individual who is blind shall be regarded
11 as having demonstrated an ability to engage in substantial
12 gainful activity on the basis of monthly earnings in any
13 taxable year that do not exceed an amount equal to—

14 “(I) in the case of earnings in the taxable year
15 beginning after December 31, 2002, and before Jan-
16 uary 1, 2004, \$1,330 per month;

17 “(II) in the case of earnings in the taxable year
18 beginning after December 31, 2003, and before Jan-
19 uary 1, 2005, \$1,720 per month;

20 “(III) in the case of earnings in the taxable
21 year beginning after December 31, 2004, and before
22 January 1, 2006, \$2,110 per month;

23 “(IV) in the case of earnings in the taxable
24 year beginning after December 31, 2005, and before
25 January 1, 2007, \$2,500 per month; and

1 “(V) in the case of earnings in taxable years be-
2 ginning after December 31, 2006, the dollar amount
3 determined for purposes of this clause under clause
4 (ii).

5 “(ii) The Commissioner of Social Security shall, on
6 or before November 1 of 2006 and of every year there-
7 after, determine and publish in the Federal Register the
8 monthly dollar amount for purposes of clause (i) in the
9 case of taxable years beginning with or during the suc-
10 ceeding calendar year. Such dollar amount shall be the
11 larger of—

12 “(I) the monthly dollar amount in effect under
13 clause (i) for taxable years beginning with or during
14 the calendar year in which the determination under
15 this clause is made, or

16 “(II) the product of \$2,500 and the ratio of the
17 national average wage index (as defined in section
18 209(k)(1)) for the calendar year before the year in
19 which the determination under this clause is made
20 to the national average wage index (as so defined)
21 for 2004,

22 with such product, if not a multiple of \$10, being rounded
23 to the next higher multiple of \$10 where such amount is
24 a multiple of \$5 but not of \$10 and to the nearest multiple
25 of \$10 in any other case.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply with
3 respect to taxable years beginning after December 31,
4 2002.

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