

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2738

To amend the Railroad Retirement Act of 1974 to provide that a current connection is not lost by an individual who is misled or not properly informed by the Railroad Retirement Board of the requirement for, and the circumstances resulting in the loss of, a current connection.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. STUPAK introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To amend the Railroad Retirement Act of 1974 to provide that a current connection is not lost by an individual who is misled or not properly informed by the Railroad Retirement Board of the requirement for, and the circumstances resulting in the loss of, a current connection.

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 “Railroad Retirement  
5        Fairness Act”.

1 **SEC. 2. EQUITABLE EXTENSION OF CURRENT CONNECTION.**

2 (a) **EQUITABLE ESTOPPEL.**—Section 1(o) of the  
3 Railroad Retirement Act of 1974 (45 U.S.C. 231(o)) is  
4 amended by inserting “An individual who, at the time the  
5 individual makes an inquiry to the Board, has a current  
6 connection shall not be deemed to have lost that current  
7 connection thereafter if the Board misleads or fails to  
8 properly inform that individual about that requirement  
9 and if that conduct by the Board, according to the prin-  
10 ciples of equity, should stop the Board from deeming the  
11 individual to have lost that current connection.” after the  
12 first sentence.

13 (b) **EFFECTIVE DATE.**—The amendment made by  
14 this Act applies with respect to annuities applied for on  
15 or after February 3, 1989.

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