

118TH CONGRESS  
1ST SESSION

# H. R. 1841

To amend title II of the Social Security Act to establish a disability benefit offset for Purple Heart recipients, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2023

Mr. AUSTIN SCOTT of Georgia (for himself, Mr. ALLEN, Mr. BACON, Mr. CARTER of Georgia, Mr. CARTER of Texas, Mr. CASTRO of Texas, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN, Ms. ESCOBAR, Mr. FALLON, Mr. HUDSON, Mr. KELLY of Mississippi, Mr. KIM of New Jersey, Mrs. LESKO, Mr. MCHENRY, Mr. NEGUSE, Mr. PANETTA, Mr. DAVID SCOTT of Georgia, Ms. SLOTKIN, Mr. WALTZ, Mr. WITTMAN, Mr. WOMACK, Mr. ZINKE, Ms. GREENE of Georgia, and Mr. MCCORMICK) 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 establish a disability benefit offset for Purple Heart recipients, 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 “Purple Heart Freedom  
5 to Work Act”.

1 **SEC. 2. DISABILITY BENEFIT OFFSET FOR PURPLE HEART**  
2 **RECIPIENTS.**

3 (a) IN GENERAL.—Section 223(e) of the Social Secu-  
4 rity Act (42 U.S.C. 423(e)) is amended—

5 (1) in paragraph (1), by striking “(1) No ben-  
6 efit” and inserting “(1)(A) Except as provided in  
7 paragraph (2), No benefit”;

8 (2) in paragraph (2)—

9 (A) by striking “(2) No benefit” and in-  
10 serting “(B) No benefit”; and

11 (B) by striking “paragraph (1)” and in-  
12 serting “subparagraph (A)”; and

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

14 “(2)(A) Notwithstanding subsection (a)(1) of this  
15 section, in any case in which an individual is entitled to  
16 a monthly insurance benefit under such subsection based  
17 on a disability that is attributable to an injury for which  
18 the individual was awarded the Purple Heart, such indi-  
19 vidual shall be deemed to continue to be entitled to such  
20 benefit without regard to the individual’s termination  
21 month, except that payment of such benefit for any month  
22 shall be subject to the reduction described in subpara-  
23 graph (B).

24 “(B)(i) Any benefit described in subparagraph (A)  
25 otherwise payable to an individual described in such sub-  
26 paragraph for a month shall be reduced by \$1 for each

1 \$4 by which the individual's earnings derived from services  
2 for such month exceeds the amount specified for such  
3 month in clause (ii), except that such benefit may not be  
4 reduced below \$0.

5 “(ii) The amount specified in this clause with respect  
6 to an individual for a month is the amount of earnings  
7 derived from services, applicable to the individual for such  
8 month under subsection (d)(4)(A), sufficient to dem-  
9 onstrate the individual's ability to engage in substantial  
10 gainful activity.

11 “(C) In the case of a benefit otherwise payable to  
12 an individual for a month under section 202 on the basis  
13 of the wages and self-employment income of an individual  
14 whose benefit is reduced pursuant to subparagraph (B),  
15 such benefit shall be reduced for such month by the same  
16 proportion as the reduction made pursuant to subpara-  
17 graph (B).”.

18 (b) CONFORMING AMENDMENTS.—Section 223(a)(2)  
19 of such Act (42 U.S.C. 423(a)(2)) is amended by striking  
20 “and section 215(b)(2)(A)(ii)” and inserting “, section  
21 215(b)(2)(A)(ii), and subsection (e) of this section”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall apply with respect to benefits payable  
24 for months beginning after the date that is 6 months after  
25 the date of the enactment of this Act.

1 **SEC. 3. APPLICATION OF HIGHER SGA AMOUNT FOR PUR-**  
2 **PLE HEART RECIPIENTS.**

3 (a) **IN GENERAL.**—Section 223(d)(4)(A) of the Social  
4 Security Act (42 U.S.C. 423(d)(4)(A)) is amended by in-  
5 serting after “who is blind” the following: “or who is enti-  
6 tled to a monthly insurance benefit under subsection  
7 (a)(1) based on a disability that is attributable to an in-  
8 jury for which the individual was awarded the Purple  
9 Heart”.

10 (b) **EFFECTIVE DATE.**—The amendments made by  
11 subsection (a) shall apply with respect to benefits payable  
12 for months beginning after the date that is 6 months after  
13 the date of the enactment of this Act.

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