

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Holy and eternal God, we come before You, humbled by the mercy You have shown us in these last days and months. From Your throne, You have borne witness to our less than loving behavior, our harsh rhetoric of the election season, and our insatiable desire to ensure that the balance of power tips in our favor.

Remind us again that the mellifluous words, the most convincing arguments are but a noisy gong or a clanging cymbal if they are not grounded in love.

Even if our certitude and sureness, our knowledge and conviction are enough to move mountains, if we do not love both our neighbor and our adversary, all our success amounts to nothing.

Teach us again how to be patient and kind, neither envious nor boastful, arrogant or rude. Wherever we stand, may we not insist things go our way, nor hold a grudge when they don't.

In Your truth, show us how to bear all things, believe all things, hope all things, and endure all things; and, above all, to strive to be bearers of the greatest of all things: love.

In Your merciful name we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

VACATING ORDER OF THE HOUSE OF NOVEMBER 5, 2024

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the order of the House of November 5, 2024, regarding H.R. 82 be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

EXPLANATION REGARDING VACATING OF ORDER

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, I rose to vacate the order of the House of November 5 because, having reviewed the Speaker's announced policies, the decision in the Chair should have been to not entertain the motion to table on that day.

CONGRATULATING DR. VICTOR AMBROS

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise today to recognize and honor my constituent, Dr. Victor Ambros of the University of Massachusetts Chan Medical School, on being awarded the Nobel Prize for his work on microRNA.

He shares this tremendous distinction with Gary Ruvkun of Harvard Medical School. I am proud to be from Massachusetts today.

Mr. Speaker, decades ago, scientists discovered that our genes, the tiny strands of DNA that make us who we are, are translated into another compound called RNA, which helps make sure our cells function.

Thanks to the laureates' work, we now know that tiny pieces of RNA called microRNA can actually do things all by themselves, speeding up or slowing down important cellular functions.

Their work has opened up unprecedented new research opportunities when it comes to all kinds of things, including cancer treatment. Thanks to this work, we have learned more about how we become who we are.

I speak for Worcester, for Massachusetts, for the United States, and the world when I say thank you to Dr. Ambros for his contributions to our understanding of how we become who we are.

ACHIEVEMENTS OF SPEAKER JOHNSON

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, congratulations to Speaker MIKE JOHNSON for his achievements of the passage of critical legislation in the House and his leadership in maintaining the Republican majority.

"We flipped blue seats red . . . and we kept this majority," said the Speaker today on the Capitol steps with the proven leaders STEVE SCALISE, TOM EMMER, and RICHARD HUDSON.

The Speaker heard from the American people and has given them voice and change that Americans deserve.

Families have suffered high prices for everyday items, dangerously open borders, and national security in jeopardy. Speaker JOHNSON has pledged: "We are going to raise the America First banner over this place."

I was grateful in July to be with the Speaker in Milwaukee to lead the ap-

plause for his statement of being a Reaganite for peace through strength. In October at Lake Como, Italy, I was there as he represented America so well. Last month at Mar-a-Lago, I was grateful to be present as he confirmed the Trump-Johnson partnership.

In conclusion, God bless our troops as the global war on terrorism continues. Open borders for dictators put all Americans at risk of more 9/11 attacks imminent as warned by the FBI. Trump will reinstitute existing laws to protect American families.

PUBLIC SERVANTS DESERVE THEIR EARNED BENEFITS

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise today in support of H.R. 82, the Social Security Fairness Act.

People in western New York and across the country rely on Social Security to meet their basic needs and live well. This bipartisan legislation fixes loopholes that unjustifiably cut benefits for millions of Social Security recipients.

The Social Security Fairness Act repeals the Windfall Elimination Provision and the Government Pension Offset, existing provisions of the Social Security Act that slash Social Security for millions of public workers.

Dedicated public servants—teachers, firefighters, postal workers, police officers, and their spouses or widows—are unfairly seeing Social Security cuts because of these loopholes. This is a slap in the face to the people who have given so much to our communities.

All Americans deserve the benefits they worked so hard to earn, and this bill delivers on this promise but especially those who have dedicated their lives to public service.

I urge my colleagues to pass this legislation swiftly and deliver for our fellow Americans.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MORAN) at 4 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

EQUAL TREATMENT OF PUBLIC SERVANTS ACT OF 2023

Mr. ARRINGTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5342) to amend title II of the Social Security Act to replace the windfall elimination provision with a formula equalizing benefits for certain individuals with noncovered employment, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5342

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Equal Treatment of Public Servants Act of 2023”.

SEC. 2. REPLACEMENT OF THE WINDFALL ELIMINATION PROVISION WITH A FORMULA EQUALIZING BENEFITS FOR CERTAIN INDIVIDUALS WITH NONCOVERED EMPLOYMENT.

(a) IN GENERAL.—Section 215(a) of the Social Security Act (42 U.S.C. 415(a)) is amended by inserting after paragraph (7) the following:

“(8)(A) In the case of an individual whose primary insurance amount would be computed under paragraph (1) of this subsection—

“(i) who first becomes eligible for an old-age or disability insurance benefit after 2067,

“(ii) who subsequently becomes entitled to such benefit, and

“(iii) who has earnings derived from noncovered service performed in a year after 1977,

the primary insurance amount of such individual shall be the amount computed or recomputed under this paragraph.

“(B) The primary insurance amount of an individual described in subparagraph (A), as computed or recomputed under this paragraph, shall be the product derived by multiplying—

“(i) the individual’s primary insurance amount, as determined under paragraph (1) of this subsection and subparagraph (C) of this paragraph, by

“(ii) a fraction—

“(I) the numerator of which is the individual’s average indexed monthly earnings (determined without regard to subparagraph (C)), and

“(II) the denominator of which is an amount equal to the individual’s average indexed monthly earnings (as determined under subparagraph (C)), rounded, if not a multiple of \$0.10, to the next lower multiple of \$0.10.

“(C)(i) For purposes of determining an individual’s primary insurance amount pursuant to clauses (i) and (ii)(II) of subparagraph (B), the individual’s average indexed monthly earnings shall be determined by treating all recorded noncovered earnings (as defined in clause (ii)(I) derived by the individual from noncovered service performed in each year after 1977 as ‘wages’ (as defined in section 209 for purposes of this title), which shall be treated as included in the individual’s adjusted total covered earnings (as defined in clause (ii)(II) for such calendar year together with amounts consisting of ‘wages’

(as so defined without regard to this subparagraph) paid during such calendar year and self-employment income (as defined in section 211(b)) for taxable years ending with or during such calendar year.

“(ii) For purposes of this subparagraph:

“(I) The term ‘recorded noncovered earnings’ means earnings derived from noncovered service (other than noncovered service as a member of a uniformed service (as defined in section 210(m)) for which satisfactory evidence is determined by the Commissioner to be available in the records of the Commissioner.

“(II) The term ‘adjusted total covered earnings’ means, in connection with an individual for any calendar year, the sum of the wages paid to the individual during such calendar year (as adjusted under subsection (b)(3)) plus the self-employment income derived by the individual during any taxable year ending with or during such calendar year (as adjusted under subsection (b)(3)).

“(iii) The Commissioner of Social Security shall provide by regulation or other public guidance for methods for determining whether satisfactory evidence is available in the records of the Commissioner for earnings for noncovered service (other than noncovered service as a member of a uniformed service (as defined in section 210(m))) to be treated as recorded noncovered earnings. Such methods shall provide for reliance on earnings information which is provided to the Commissioner by employers and which, as determined by the Commissioner, constitute a reasonable basis for treatment of earnings for noncovered service as recorded noncovered earnings. In making determinations under this clause, the Commissioner shall also take into account any documentary or other evidence of earnings derived from noncovered service by an individual which is provided by the individual to the Commissioner and which the Commissioner considers appropriate as a reasonable basis for treatment of such earnings as recorded noncovered earnings.

“(D) Upon the death of an individual whose primary insurance amount is computed or recomputed under this paragraph, such primary insurance amount shall be computed or recomputed under paragraph (1) of this subsection.

“(E) In the case of any individual whose primary insurance amount would be computed under this paragraph who first becomes entitled after 1985 to a monthly periodic payment made by a foreign employer or foreign country that is based in whole or in part upon noncovered service, the primary insurance amount of such individual shall be computed or recomputed under paragraph (7) or paragraph (1), as applicable, for months beginning with the first month of the individual’s initial entitlement to such monthly periodic payment.”.

(b) CONFORMING AMENDMENTS.—Section 215(a)(7)(A) of such Act (42 U.S.C. 415(a)(7)(A)) is amended—

(1) in clause (i)—

(A) by striking “after 1985” and inserting “after 1985 and before 2068”; and

(B) by striking “or” at the end;

(2) in clause (ii)—

(A) by striking “after 1985” each place it appears and inserting “after 1985 and before 2068”; and

(B) by adding “or” at the end;

(3) by inserting after clause (ii) the following:

“(iii) is an individual described in paragraph (8)(E),”; and

(4) by striking “hereafter in this paragraph and in subsection (d)(3)” and inserting “in this paragraph, paragraphs (8) and (9), and subsection (d)(3)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect

to monthly insurance benefits payable on or after January 1, 2025.

SEC. 3. BENEFIT CALCULATION DURING TRANSITION PERIOD.

(a) IN GENERAL.—Section 215(a) of the Social Security Act (42 U.S.C. 415(a)), as amended by section 2, is further amended by inserting after paragraph (8) the following:

“(9) In the case of an individual whose primary insurance amount would be computed under paragraph (1) of this subsection—

“(A) who first becomes eligible for an old-age or disability insurance benefit after 2024 and before 2068,

“(B) who subsequently becomes entitled to such benefit, and

“(C) who has earnings derived from noncovered service performed in a year after 1977,

the primary insurance amount of such individual shall be the higher of the amount computed or recomputed under paragraph (7) without regard to this paragraph or the amount that would be computed or recomputed under paragraph (8) if the individual were an individual described in subparagraph (A) of such paragraph.”.

(b) CONFORMING AMENDMENT.—Section 215(a)(7)(A) of such Act (42 U.S.C. 415(a)(7)(A)), as amended by section 2(b), is further amended by striking “shall be computed or recomputed” and inserting “shall, subject to paragraph (9), be computed or recomputed”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable on or after January 1, 2025.

SEC. 4. ADDITIONAL MONTHLY PAYMENT FOR INDIVIDUALS WHOSE BENEFIT AMOUNT IS REDUCED BY THE WINDFALL ELIMINATION PROVISION.

(a) IN GENERAL.—Section 215(a) of such Act (42 U.S.C. 415(a)), as amended by sections 2 and 3, is further amended by adding at the end the following:

“(10)(A) For any month beginning at least 270 days after the date of enactment of the Equal Treatment of Public Servants Act of 2023, the Commissioner of Social Security shall, subject to subparagraphs (C) and (D), make an additional monthly payment of \$100 to each individual who is an eligible individual for such month, and an additional monthly payment of \$50 to each individual (other than an eligible individual) who is entitled to a benefit under section 202 for such month on the basis of the wages and self-employment income of such eligible individual.

“(B) For purposes of this paragraph, the term ‘eligible individual’ for a month means an individual who—

“(i)(I) first becomes eligible for an old-age or disability insurance benefit under this title before 2025, or

“(II) is an individual described in paragraph (8)(E), and

“(ii) is entitled to an old-age or disability insurance benefit under this title for such month based on a primary insurance amount that was computed or recomputed under paragraph (7) (and not subsequently recomputed under any other paragraph of this subsection).

“(C) In any case in which this title provides that no monthly benefit under section 202 or 223 shall be paid to an individual for a month, no additional monthly payment shall be paid to the individual for such month. This subparagraph shall not apply in the case of an individual whose monthly benefit under section 202 or 223 is reduced, regardless of the amount of the reduction, based on the individual’s receipt of other income or benefits for such month or the application of section 203(a) or due to the adjustment or recovery of an overpayment under section 204.

“(D)(i) An individual is not entitled to receive more than one additional monthly payment for a month under this paragraph.