

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require the Commissioner of Social Security to take actions to provide certain individuals who suffered an undue hardship access to benefits under titles II and XVI of the Social Security Act to which such individuals should have been entitled.

IN THE HOUSE OF REPRESENTATIVES

Mrs. TORRES of California introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Commissioner of Social Security to take actions to provide certain individuals who suffered an undue hardship access to benefits under titles II and XVI of the Social Security Act to which such individuals should have been entitled.

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 “Repairing Social Secu-
5 rity After Trump and DOGE Act”.

1 **SEC. 2. ACCESS TO BENEFITS IN CASE OF UNDUE HARD-**
2 **SHIP.**

3 (a) **ENTITLEMENT.**—In any case in which it is deter-
4 mined to the satisfaction of the Commissioner of Social
5 Security that an individual failed to apply for monthly in-
6 surance benefits under title II or XVI of the Social Secu-
7 rity Act (42 U.S.C. 401 et seq., 1381 et seq.) due to an
8 undue hardship, such individual shall be deemed to have
9 applied for such benefits on the later of—

10 (1) the date on which such individual suffered
11 the undue hardship; or

12 (2) the date on which such individual met all
13 requirements for entitlement to such benefits (other
14 than application therefor).

15 (b) **REVIEW; APPLICATIONS.**—Beginning not later
16 than 180 days after January 20, 2029, the Commissioner
17 shall—

18 (1) take such actions as the Commissioner
19 deems appropriate to identify individuals who failed
20 to apply for a monthly insurance benefit as de-
21 scribed in subsection (a); and

22 (2) establish a program through which individ-
23 uals may notify the Commissioner that they failed to
24 apply for such a benefit due to an undue hardship.

25 (c) **UNDUE HARDSHIP DEFINED.**—In this section,
26 the term “undue hardship” means, if occurring during the

1 period beginning on January 20, 2025, and ending on
2 January 19, 2029, an issue with obtaining a benefit under
3 title II or XVI of the Social Security Act (42 U.S.C. 401
4 et seq., 1381 et seq.) due to—

5 (1) changes in the operations of the Social Se-
6 curity Administration, including those resulting from
7 actions taken by the United States DOGE Service
8 (commonly referred to as the Department of Govern-
9 ment Efficiency or “DOGE”), Special Government
10 Employee Elon Musk, Trump Administration offi-
11 cials, or Social Security Administration employees or
12 contractors;

13 (2) staffing issues, including shortages or
14 changes that result in long telephone wait times, un-
15 answered or disconnected calls, or an inability to
16 schedule appointments;

17 (3) technical issues, such as issues with logging
18 into Social Security websites (including through
19 third-party systems such as Login.gov and ID.me)
20 or website outages;

21 (4) operational issues, including changes that
22 require internet access or transportation to appoint-
23 ments;

24 (5) being falsely declared dead, including being
25 placed on the Social Security Death Master File and

1 other records described in section 205(r) of the So-
2 cial Security Act (42 U.S.C. 405(r));

3 (6) confusion about Social Security rules due to
4 misinformation, conflicting information, or lack of
5 information; and

6 (7) other issues interfering with the ability of
7 an individual to apply for or receive benefits, as de-
8 termined appropriate by the Commissioner.

9 (d) WAIVER OF DISABILITY INSURANCE WAITING
10 PERIOD.—In determining the month in which an indi-
11 vidual became entitled to a benefit under section 223 of
12 the Social Security Act (42 U.S.C. 423), in the case of
13 an individual who failed to apply due to an undue hardship
14 as described in subsection (a), the matter following para-
15 graph (E) of such section shall be applied by substituting
16 “for each month beginning with the first month in which
17 he becomes so entitled to such insurance benefits and end-
18 ing” for “(i) for each month beginning with the first
19 month after his waiting period (as defined in subsection
20 (c)(2)) in which he becomes so entitled to such insurance
21 benefits, (ii) in the case of an individual who has been
22 medically determined to have amyotrophic lateral sclerosis,
23 for each month beginning with the first month during all
24 of which the individual is under a disability and in which
25 the individual becomes entitled to such insurance benefits,

1 or (iii) for each month beginning with the first month dur-
2 ing all of which he is under a disability and in which he
3 becomes so entitled to such insurance benefits, but only
4 if he was entitled to disability insurance benefits which
5 terminated, or had a period of disability (as defined in
6 section 216(i)) which ceased, within the 60-month period
7 preceding the first month in which he is under such dis-
8 ability, and ending”. The preceding sentence shall only
9 apply in relation to a period of disability (as defined in
10 section 216(i) of such Act (42 U.S.C. 416(i)) of the indi-
11 vidual that begins during the period beginning on January
12 20, 2025, and ending on January 20, 2029.

13 (e) TREATMENT OF AMOUNTS PAID.—Notwith-
14 standing any other provision of law, any amount paid
15 under titles II or XVI of the Social Security Act (42
16 U.S.C. 401 et seq., 1381 et seq.) due to the application
17 of this Act shall not be taken into account in determining
18 the need or eligibility of any person for benefits or assist-
19 ance, or the amount of such benefits or assistance, under
20 any Federal, State, or local program financed in whole or
21 in part with Federal funds

22 **SEC. 3. GAO REPORT ON DOGE AND TRUMP ADMINISTRA-**
23 **TION ACTIONS.**

24 Not later than 180 days of the enactment of this Act
25 or July 30, 2029, whichever is later, the Comptroller Gen-

1 eral of the United States shall submit to the Committee
2 on Ways and Means of the House of Representatives and
3 the Committee on Finance of the Senate report detail-
4 ing—

5 (1) the actions and changes implemented by the
6 Social Security Administration between January 20,
7 2025, and January 20, 2029;

8 (2) the effect, including on beneficiaries and on
9 customer service, of such actions and changes;; and

10 (3) recommendations to repair the damage done
11 as a result of such actions and changes.