

**Social Security Disability Insurance and Unemployment Benefits
Double Dip Elimination Act of 2015 (H.R. 918)
*Questions and Answers***

What does H.R. 918 do?

The bill counts unemployment benefits received as engaging in substantial gainful activity. For new applicants, this means they won't be eligible for benefits if they are receiving unemployment benefits. Once a person does receive benefits, receiving unemployment benefits will count towards a person's Trial Work Period, just like any other earnings.

Does it meet the test of the Johnson Rule?

Yes. The Johnson Rule requires that before moving any money between the two Social Security trust funds, that Congress do something to improve their overall health. According to the Social Security actuary, the bill would improve the status of the combined trust funds by 0.01 percent of payroll, and therefore meet the test of the Johnson Rule.

How is it different from Chairman Johnson's bill in the last Congress?

Returning to work is complex enough for those receiving DI benefits, so this new bill keeps the rules the same for those already on the rolls. H.R. 918 only impacts new applicants for DI benefits starting in 2016.

How is it different than the President's approach?

The President's approach is complicated offset and could lead to overpayments in benefits. Instead, H.R. 918 takes a straight forward approach that if you receive unemployment benefits in a month, that is considered substantial gainful activity. The President's approach is more complex and would likely lead to overpayments- which are good for no one, especially the beneficiary.

What is substantial gainful activity and why does it matter?

To be eligible for disability benefits, a person must be unable to engage in substantial gainful activity (SGA). A person who is earning more than a certain monthly amount (\$1,090 per month in 2015) is considered to be engaging in SGA, and therefore not eligible for DI benefits. The only exception is during the Trial Work Period, during which a DI beneficiary can test his/her ability to return to work and can earn any amount of money.

Why is it double dipping to receive both unemployment benefits and DI benefits at the same time?

A person can't be *able and available to work* and *unable to work due to an impairment* at the same time. A 2012 GAO report identified receiving both benefits as an overlapping replacement of lost earnings.