

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

# H. R. 1332

To amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2011

Mr. McKEON (for himself, Mr. BERMAN, Mr. LUJÁN, Mr. OLVER, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mrs. CAPPS, Mr. GALLEGLY, Mr. STARK, Mr. MCINTYRE, Mr. BOSWELL, Mr. REYES, Mr. TIERNEY, Mr. HOLDEN, Mr. SARBANES, Mrs. MALONEY, Mr. ROSS of Arkansas, Mr. LEWIS of Georgia, Mr. GRIJALVA, Mr. VISCLOSKY, Mr. KISSELL, Ms. LINDA T. SÁNCHEZ of California, Mr. COURTNEY, Ms. BERKLEY, Mr. DAVID SCOTT of Georgia, Mr. LARSON of Connecticut, Mr. COSTELLO, Mr. JACKSON of Illinois, Mr. FILNER, Mr. SHERMAN, Mr. MICHAUD, Mr. WU, Mrs. SCHMIDT, Mr. GENE GREEN of Texas, Ms. NORTON, Ms. SUTTON, Mr. PAUL, Ms. TSONGAS, Mr. PRICE of North Carolina, Mr. MCCAUL, Mr. HELLER, Ms. ZOE LOFGREN of California, Mr. ACKERMAN, Mr. KEATING, Ms. HIRONO, Mr. BURTON of Indiana, Mr. LIPINSKI, Mr. WILSON of South Carolina, Mr. SCHIFF, and Mr. CONNOLLY of Virginia) 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 repeal the Government pension offset and windfall elimination provisions.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Social Security Fair-  
3 ness Act of 2011”.

4 **SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVI-  
5 SION.**

6 (a) IN GENERAL.—Section 202(k) of the Social Secu-  
7 rity Act (42 U.S.C. 402(k)) is amended by striking para-  
8 graph (5).

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 202(b)(2) of the Social Security Act  
11 (42 U.S.C. 402(b)(2)) is amended by striking “sub-  
12 sections (k)(5) and (q)” and inserting “subsection  
13 (q)”.

14 (2) Section 202(c)(2) of such Act (42 U.S.C.  
15 402(c)(2)) is amended by striking “subsections  
16 (k)(5) and (q)” and inserting “subsection (q)”.

17 (3) Section 202(e)(2)(A) of such Act (42  
18 U.S.C. 402(e)(2)(A)) is amended by striking “sub-  
19 section (k)(5), subsection (q),” and inserting “sub-  
20 section (q)”.

21 (4) Section 202(f)(2)(A) of such Act (42 U.S.C.  
22 402(f)(2)(A)) is amended by striking “subsection  
23 (k)(5), subsection (q)” and inserting “subsection  
24 (q)”.

1 **SEC. 3. REPEAL OF WINDFALL ELIMINATION PROVISIONS.**

2 (a) IN GENERAL.—Section 215 of the Social Security  
3 Act (42 U.S.C. 415) is amended—

4 (1) in subsection (a), by striking paragraph (7);

5 (2) in subsection (d), by striking paragraph (3);

6 and

7 (3) in subsection (f), by striking paragraph (9).

8 (b) CONFORMING AMENDMENTS.—Subsections (e)(2)  
9 and (f)(2) of section 202 of such Act (42 U.S.C. 402) are  
10 each amended by striking “section 215(f)(5), 215(f)(6),  
11 or 215(f)(9)(B)” in subparagraphs (C) and (D)(i) and in-  
12 serting “paragraph (5) or (6) of section 215(f)”.

13 **SEC. 4. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with  
15 respect to monthly insurance benefits payable under title  
16 II of the Social Security Act for months after December  
17 2011. Notwithstanding section 215(f) of the Social Secu-  
18 rity Act, the Commissioner of Social Security shall adjust  
19 primary insurance amounts to the extent necessary to take  
20 into account the amendments made by section 3.

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