

Union Calendar No. 372

117TH CONGRESS
2D SESSION

H. R. 82

[Report No. 117–482]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. RODNEY DAVIS of Illinois (for himself, Ms. SPANBERGER, Mr. GRAVES of Louisiana, Mr. COHEN, Mr. VICENTE GONZALEZ of Texas, Mr. GARAMENDI, Mr. CICILLINE, Ms. ESHOO, Mr. JOYCE of Ohio, Mr. MULLIN, Ms. BROWNLEY, Mr. DEUTCH, Mr. TAKANO, Mr. DIAZ-BALART, Mrs. WATSON COLEMAN, Mr. RUIZ, Mr. COMER, and Mr. GOHMERT) introduced the following bill; which was referred to the Committee on Ways and Means

SEPTEMBER 21, 2022

Additional sponsors: Mr. KINZINGER, Mr. PRICE of North Carolina, Mr. BURGESS, Mr. STAUBER, Mr. COLE, Mrs. LURIA, Ms. SHERRILL, Mr. LANGEVIN, Mr. FITZPATRICK, Mr. DEFazio, Mr. BOST, Mr. RYAN of Ohio, Mrs. BEATTY, Mr. KHANNA, Mr. MASSIE, Mrs. HAYES, Mr. LARSEN of Washington, Mr. HASTINGS, Mr. TAYLOR, Mr. YARMUTH, Mr. GIBBS, Mr. YOUNG, Mr. FEENSTRA, Mr. LOWENTHAL, Mr. GRIJALVA, Mr. HIGGINS of Louisiana, Ms. PINGREE, Mr. AGUILAR, Mr. SARBANES, Mr. HARDER of California, Mrs. NAPOLITANO, Mr. SAN NICOLAS, Mr. SUOZZI, Mr. SIRES, Ms. MENG, Mr. GUTHRIE, Mr. SHERMAN, Mr. SCALISE, Mr. DESAULNIER, Mr. PAYNE, Mr. GARBARINO, Mr. RUPPERSBERGER, Mr. CASE, Ms. TLAIB, Mr. PANETTA, Ms. BONAMICI, Mr. VANDREW, Ms. SÁNCHEZ, Mr. COURTNEY, Ms. TITUS, Ms. PORTER, Mr. TONKO, Mr. ZELDIN, Mr. THOMPSON of California, Mr. HIMES, Mr. HIGGINS of New York, Mr. TRONE, Mr. GOTTHEIMER, Ms. KELLY of Illinois, Mr. SMITH of New Jersey, Ms. DELBENE, Mr. CARBAJAL, Ms. BLUNT ROCHESTER, Mr. GARCÍA of Illinois, Mr. ESPAILLAT, Ms. CLARK of Massachusetts, Mr. JOHNSON of Louisiana, Mr. GARCIA of California, Mr. KILMER, Mrs. TRAHAN, Mrs. LEE of Nevada, Mr. PAPPAS, Mr. PERLMUTTER, Mr. KATKO, Ms. CRAIG, Mr. GALLEG0, Mr. KRISHNAMOORTH1,

Mr. VALADAO, Mr. WITTMAN, Mr. CUELLAR, Ms. NEWMAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MOULTON, Mr. FALLON, Mr. SCHIFF, Mr. TURNER, Mr. EMMER, Mr. CARTWRIGHT, Mr. PETERS, Ms. NORTON, Mr. BROWN of Maryland, Mr. CONNOLLY, Ms. JACOBS of California, Mr. LAMB, Ms. LEE of California, Mr. CORREA, Mr. BARR, Mr. HUFFMAN, Mr. DELGADO, Mr. VELA, Mr. LEVIN of California, Mr. PHILLIPS, Ms. SPEIER, Mr. SEAN PATRICK MALONEY of New York, Mr. OBERNOLTE, Mr. CALVERT, Ms. MANNING, Mr. SCHNEIDER, Ms. MCCOLLUM, Mr. KEATING, Mr. SWALWELL, Mr. MRVAN, Mr. JACOBS of New York, Mr. GOLDEN, Mrs. BUSTOS, Ms. KUSTER, Ms. ROYBAL-ALLARD, Ms. OCASIO-CORTEZ, Mr. NORCROSS, Ms. BASS, Mr. BALDERSON, Ms. LOFGREN, Mr. BACON, Mr. JOHNSON of Georgia, Ms. LEGER FERNANDEZ, Mr. VARGAS, Ms. LETLOW, Mr. MORELLE, Mr. NEGUSE, Ms. DEAN, Mr. RUTHERFORD, Mrs. TORRES of California, Ms. WILLIAMS of Georgia, Ms. WASSERMAN SCHULTZ, Mr. LIEU, Ms. DELAURO, Mr. MEEKS, Mr. CRIST, Mr. POCAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MCGOVERN, Ms. WATERS, Ms. ADAMS, Mrs. KIM of California, Mr. SABLAN, Mr. CASTEN, Mrs. HARTZLER, Mr. WELCH, Mr. ROGERS of Kentucky, Mr. AUCHINCLOSS, Ms. CASTOR of Florida, Ms. TENNEY, Ms. BARRAGÁN, Mr. THOMPSON of Pennsylvania, Mr. GRAVES of Missouri, Mr. RUSH, Mr. GUEST, Ms. ROSS, Miss RICE of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. WILSON of Florida, Mr. LEVIN of Michigan, Ms. CLARKE of New York, Mr. BISHOP of Georgia, Mr. PALLONE, Mr. CROW, Mr. KIM of New Jersey, Ms. PRESSLEY, Mr. LAWSON of Florida, Mr. CARTER of Louisiana, Ms. SLOTKIN, Ms. SCHAKOWSKY, Mr. MCKINLEY, Ms. CHU, Mr. O'HALLERAN, Mrs. DEMINGS, Mr. MCNERNEY, Mr. BUTTERFIELD, Mr. CLOUD, Mr. BERA, Mr. MOORE of Alabama, Mr. HICE of Georgia, Ms. LOIS FRANKEL of Florida, Mr. LYNCH, Ms. STEFANIK, Mr. QUIGLEY, Mr. MCEACHIN, Ms. WILD, Ms. JAYAPAL, Mr. CASTRO of Texas, Mrs. DINGELL, Ms. HOULAHAN, Mrs. KIRKPATRICK, Mr. SCOTT of Virginia, Ms. MALLIOTAKIS, Mr. FORTENBERRY, Mr. ALLRED, Ms. ESCOBAR, Mr. MALINOWSKI, Mr. BEYER, Mr. JEFFRIES, Ms. STRICKLAND, Mrs. LAWRENCE, Mr. SOTO, Mr. FOSTER, Ms. UNDERWOOD, Mr. CARSON, Ms. SCHRIER, Mr. NADLER, Ms. MATSUI, Mr. COSTA, Mrs. AXNE, Mr. JONES, Mr. NEWHOUSE, Mr. FLEISCHMANN, Ms. OMAR, Mr. GOMEZ, Mr. CARTER of Texas, Ms. BROWN of Ohio, Mr. EVANS, Mr. TORRES of New York, Ms. DEGETTE, Ms. WEXTON, Mr. LATURNER, Ms. VELÁZQUEZ, Mr. HORSFORD, Mr. BLUMENAUER, Mrs. STEEL, Mr. PFLUGER, Ms. STANSBURY, Mr. CÁRDENAS, Ms. DAVIDS of Kansas, Mrs. RODGERS of Washington, Mr. AUSTIN SCOTT of Georgia, Mr. CLEAVER, Ms. SCANLON, Mr. POSEY, Mr. DAVID SCOTT of Georgia, Mr. RESCHENTHALER, Mr. GOSAR, Mr. DANNY K. DAVIS of Illinois, Mr. ROGERS of Alabama, Mr. NORMAN, Ms. STEVENS, Ms. KAPTUR, Ms. SALAZAR, Mr. LUCAS, Mr. DOGGETT, Mr. CRAWFORD, Mr. CARL, Mr. CAREY, Mr. BOWMAN, Mrs. LESKO, Mr. KELLY of Pennsylvania, Ms. JACKSON LEE, Mr. RASKIN, Ms. HERRELL, Mrs. CHERFILUS-McCORMICK, Mr. KAHELE, Mrs. MCBATH, Mr. GREEN of Texas, Mr. ALLEN, Mr. MANN, Mrs. RADEWAGEN, Mr. CHABOT, Mrs. HINSON, Mr. LUETKEMEYER, Mr. GIMENEZ, Mr. WEBSTER of Florida, Mrs. BICE of Oklahoma, Mr. KELLY of Mississippi, Mr. THOMPSON of Mississippi, Ms. JOHNSON of Texas,

Ms. MACE, Mrs. MILLER-MEEKS, Mrs. FLETCHER, Mr. MFUME, Mr. GOODEN of Texas, Mr. PASCRELL, Mrs. FLORES, Mr. ELLZEY, Miss GONZÁLEZ-COLÓN, Ms. SEWELL, and Ms. GARCIA of Texas

SEPTEMBER 21, 2022

Reported without recommendation, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

A BILL

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

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 “Social Security Fair-
5 ness Act of 2021”.

6 **SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVI-**
7 **SION.**

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

11 (b) CONFORMING AMENDMENTS.—

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

16 (2) Section 202(c)(2) of such Act (42 U.S.C.
17 402(c)(2)) is amended by striking “subsections
18 (k)(5) and (q)” and inserting “subsection (q)”.

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

23 (4) Section 202(f)(2)(A) of such Act (42 U.S.C.
24 402(f)(2)(A)) is amended by striking “subsection

1 (k)(5), subsection (q)” and inserting “subsection
2 (q)”.

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

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

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

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

8 and

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

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

15 **SEC. 4. EFFECTIVE DATE.**

16 The amendments made by this Act shall apply with
17 respect to monthly insurance benefits payable under title
18 II of the Social Security Act for months after December
19 2021. Notwithstanding section 215(f) of the Social Secu-
20 rity Act, the Commissioner of Social Security shall adjust
21 primary insurance amounts to the extent necessary to take
22 into account the amendments made by section 3.

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