

109TH CONGRESS
1ST SESSION

H. R. 147

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, 2005

Mr. MCKEON (for himself, Mr. BERMAN, Mrs. BIGGERT, Mr. BOEHLERT, Mr. MCHUGH, Mr. GOODE, Mr. BAKER, Mr. LEWIS of California, Mr. SAXTON, Mr. PAUL, Mr. CUNNINGHAM, Mr. NEUGEBAUER, Mrs. EMERSON, Mr. GENE GREEN of Texas, Mr. VAN HOLLEN, Mr. MCGOVERN, Mr. BUTTERFIELD, Mr. WYNN, Mr. WAXMAN, Mr. MCINTYRE, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mr. BROWN of Ohio, Mr. DUNCAN, Mr. GARY G. MILLER of California, Mr. BONNER, Mr. PORTER, Mr. BURGESS, Mr. NEY, Mr. CALVERT, Mrs. JO ANN DAVIS of Virginia, Mr. HAYES, Ms. LEE, Mr. KIND, Mr. FILNER, Mr. DOGGETT, Mr. STRICKLAND, Ms. ZOE LOFGREN of California, Mr. SCOTT of Georgia, Mr. ENGEL, Mr. CROWLEY, Mr. MOLLOHAN, Mr. PALLONE, Mr. MICHAUD, Ms. DELAURO, Mrs. MCCARTHY, Mr. WEINER, Ms. ESHOO, Mr. GOODLATTE, Ms. ROS-LEHTINEN, Mr. BRADLEY of New Hampshire, Mr. GARRETT of New Jersey, Mr. WALSH, Mr. SIMMONS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. NUNES, Mr. LATOURETTE, Mr. ROGERS of Alabama, Mr. OLVER, Mr. TOM DAVIS of Virginia, Mr. SHERMAN, Mr. ALEXANDER, Mr. DEFazio, Mr. LYNCH, Mr. GRIJALVA, Ms. MILLENDER-MCDONALD, Mr. HOLDEN, Mr. EDWARDS, Ms. WATERS, Mrs. MALONEY, Ms. SOLIS, Mrs. LOWEY, Mr. OBERSTAR, Mr. BISHOP of Georgia, Mr. CLAY, Mr. PAYNE, Mr. FARR, Mr. EVANS, Mr. COSTELLO, Mr. MOORE of Kansas, Mr. NADLER, Mr. HONDA, Ms. SLAUGHTER, Mr. HASTINGS of Florida, Mr. ROSS, Ms. LINDA T. SÁNCHEZ of California, Mr. LANGEVIN, Mr. BOUCHER, Mr. ORTIZ, Mr. INSLEE, Ms. SCHAKOWSKY, Mr. PETERSON of Minnesota, Mr. LARSON of Connecticut, Mr. BERRY, Mr. SCOTT of Virginia, Mr. KILDEE, Mr. CAPUANO, Ms. BERKLEY, Mr. HINCHEY, Mr. SCHIFF, Mr. HOLT, Mr. EMANUEL, Ms. MCCOLLUM of Minnesota, Mr. DELAHUNT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CHANDLER, Mr. RUSH, Mr. JENKINS, Mr. CUMMINGS, Mr. BONILLA, Mr. DAVIS of Florida, Mr. CARDOZA, Mr. BACA, Ms. HARMAN, Mr. LANTOS, Mrs. DAVIS of California, Mr. HALL, Ms. KILPATRICK of Michigan, Mr. DAVIS of Illinois, Mr. ROTHMAN, Mr. WELLER, Mr. GALLEGLY, and Mr. ALLEN) introduced the following bill; which was referred to the Committee on Ways and Means

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security Fair-
5 ness Act of 2005”.

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

8 Section 202(k) of the Social Security Act (42 U.S.C.
9 402(k)) is amended by striking paragraph (5).

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

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

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

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

15 and

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

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

1 **SEC. 4. EFFECTIVE DATE.**

2 The amendments made by this Act shall apply with
3 respect to monthly insurance benefits payable under title
4 II of the Social Security Act for months after December
5 2005. Notwithstanding section 215(f) of the Social Secu-
6 rity Act, the Commissioner of Social Security shall adjust
7 primary insurance amounts to the extent necessary to take
8 into account the amendments made by section 3.

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