

111TH CONGRESS
2D SESSION

H. R. 6442

To amend title II of the Social Security Act to prevent low-income public servants from falling into poverty by modifying the Government Pension Offset to protect their Social Security widows and spousal benefits.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2010

Ms. PINGREE of Maine 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 prevent low-income public servants from falling into poverty by modifying the Government Pension Offset to protect their Social Security widows and spousal benefits.

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 Widows
5 and Spousal Protection Act”.

1 **SEC. 2. LIMITATION ON SOCIAL SECURITY GOVERNMENT**
2 **PENSION OFFSET.**

3 (a) IN GENERAL.—Section 202(k)(5) of the Social
4 Security Act (42 U.S.C. 402(k)(5)) is amended—

5 (1) in subparagraph (A), by striking “two-
6 thirds of the amount of” and all that follows
7 through “section 218(b)(2))” and inserting “the ap-
8 plicable offset amount with respect to such monthly
9 insurance benefit”;

10 (2) by redesignating subparagraphs (B) and
11 (C) as subparagraphs (C) and (D), respectively; and

12 (3) by inserting after subparagraph (A) the fol-
13 lowing new subparagraph:

14 “(B) For purposes of subparagraph (A)—

15 “(i) The applicable offset amount for any
16 month with respect to an individual’s monthly insur-
17 ance benefit is an amount equal to the applicable
18 percentage of the base offset amount for such
19 month.

20 “(ii) The base offset amount for a month is an
21 amount equal to two-thirds of the total amount of
22 all monthly periodic benefits payable to the indi-
23 vidual for such month which are based on the indi-
24 vidual’s earnings while in the service of the Federal
25 Government or any State (or political subdivision
26 thereof, as defined in section 218(b)(2)).

1 “(iii) The applicable percentage is twice the ex-
2 cess (not less than zero percent) of—

3 “(I) the maximum PIA percentage, over

4 “(II) 50 percent.

5 “(iv) The maximum PIA percentage is the ratio
6 (expressed as a percentage not in excess of 100 per-
7 cent) that—

8 “(I) the sum of the individual’s monthly
9 insurance benefit for the month (before reduc-
10 tion under this paragraph) plus the total
11 amount of monthly periodic benefits described
12 in clause (ii) for the month, bears to

13 “(II) the amount of the largest possible
14 primary insurance amount under this title for
15 the preceding month of December.”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to monthly insurance
18 benefits payable under title II of the Social Security Act
19 for months after November 2010.

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