

109TH CONGRESS  
1ST SESSION

# S. 1799

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2005

Ms. MIKULSKI (for herself, Mr. VOINOVICH, Mr. AKAKA, Mr. BIDEN, Mr. DORGAN, Mr. DURBIN, Mr. HARKIN, Mrs. MURRAY, Mr. SARBANES, Mr. SCHUMER, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

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 “Government Pension  
3 Offset Reform Act”.

4 **SEC. 2. LIMITATION ON REDUCTIONS IN BENEFITS FOR**  
5 **SPOUSES AND SURVIVING SPOUSES RECEIV-**  
6 **ING GOVERNMENT PENSIONS.**

7       (a) **INSURANCE BENEFITS.**—Section 202(k)(5)(A) of  
8 the Social Security Act (42 U.S.C. 402(k)(5)(A)) is  
9 amended—

10           (1) by inserting “the amount (if any) by which  
11 the sum of such benefit (before reduction under this  
12 paragraph) and” after “two-thirds of”; and

13           (2) by inserting “exceeds the amount described  
14 in paragraph (6) for such month,” before “if”.

15       (b) **AMOUNT DESCRIBED.**—Section 202(k) of the So-  
16 cial Security Act (42 U.S.C. 402(k)) is amended by adding  
17 at the end the following:

18           “(6) The amount described in this paragraph  
19 is, for months in each 12-month period beginning in  
20 December of 2005, and each succeeding calendar  
21 year, the greater of—

22                   “(A) \$1,200; or

23                   “(B) the amount applicable for months in  
24 the preceding 12-month period, increased by the  
25 cost-of-living adjustment for such period deter-  
26 mined for an annuity under section 8340 of

1 title 5, United States Code (without regard to  
2 any other provision of law).”.

3 (c) LIMITATIONS ON REDUCTIONS IN BENEFITS.—  
4 Section 202(k) of the Social Security Act (42 U.S.C.  
5 402(k)), as amended by subsection (b), is amended by  
6 adding at the end the following:

7 “(7) For any month after December 2005, in  
8 no event shall an individual receive a reduction in a  
9 benefit under paragraph (5)(A) for the month that  
10 is more than the reduction in such benefit that  
11 would have applied for such month under such para-  
12 graph as in effect on December 1, 2005.”.

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by section 2 shall apply with  
15 respect to monthly insurance benefits payable under title  
16 II of the Social Security Act for months after December  
17 2005.

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