

109TH CONGRESS
1ST SESSION

S. 619

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

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2005

Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. LAUTENBERG, Mr. SPECTER, Mrs. LINCOLN, Mr. DODD, Mr. DAYTON, and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Finance

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”.

1 **SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVI-**
2 **SIONS.**

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

6 (b) CONFORMING AMENDMENTS.—

7 (1) Section 202(b) of the Social Security Act
8 (42 U.S.C. 402(b)) is amended by striking “sub-
9 sections (k)(5) and (q)” and inserting “subsection
10 (q)”.

11 (2) Section 202(c) of such Act (42 U.S.C.
12 402(c)) is amended by striking “subsections (k)(5)
13 and (q)” and inserting “subsection (q)”.

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

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

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

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

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

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

25 and

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

1 (b) CONFORMING AMENDMENTS.—Subparagraphs
2 (C) and (D) of section 202(e)(2) of such Act (42 U.S.C.
3 402(e)(2)(C), (D)) are each amended by striking “section
4 215(f)(5), 215(f)(6), or 215(f)(9)(B)” and inserting
5 “paragraph (5) or (6) of section 215(f)”.

6 **SEC. 4. EFFECTIVE DATE.**

7 The amendments made by this Act shall apply with
8 respect to monthly insurance benefits payable under title
9 II of the Social Security Act for months after December
10 2005. Notwithstanding section 215(f) of the Social Secu-
11 rity Act, the Commissioner of Social Security shall adjust
12 primary insurance amounts to the extent necessary to take
13 into account the amendments made by this Act.

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