

# One Hundred Eighteenth Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,  
the third day of January, two thousand and twenty-four*

### An Act

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

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Social Security Fairness Act of 2023”.

#### **SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVISION.**

(a) **IN GENERAL.**—Section 202(k) of the Social Security Act (42 U.S.C. 402(k)) is amended by striking paragraph (5).

(b) **CONFORMING AMENDMENTS.**—

(1) Section 202(b)(2) of the Social Security Act (42 U.S.C. 402(b)(2)) is amended by striking “subsections (k)(5) and (q)” and inserting “subsection (q)”.

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

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

(4) Section 202(f)(2)(A) of such Act (42 U.S.C. 402(f)(2)(A)) is amended by striking “subsection (k)(5), subsection (q)” and inserting “subsection (q)”.

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

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

- (1) in subsection (a), by striking paragraph (7);
- (2) in subsection (d), by striking paragraph (3); and
- (3) in subsection (f), by striking paragraph (9).

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

#### **SEC. 4. EFFECTIVE DATE.**

The amendments made by this Act shall apply with respect to monthly insurance benefits payable under title II of the Social Security Act for months after December 2023. Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall adjust primary insurance amounts to the extent

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necessary to take into account the amendments made by section  
3.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*