

**AMENDMENT TO AMERICAN RESCUE PLAN ACT  
OF 2021**

**OFFERED BY MR. GRAVES OF LOUISIANA**

At the end of title IX, add the following:

1           **Subtitle J—Social Security**  
2                           **Fairness Act**

3 **SEC. 9901. REPEAL OF GOVERNMENT PENSION OFFSET**  
4                           **PROVISION.**

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

8           (b) **CONFORMING AMENDMENTS.**—

9                   (1) Section 202(b)(2) of the Social Security Act  
10           (42 U.S.C. 402(b)(2)) is amended by striking “sub-  
11           sections (k)(5) and (q)” and inserting “subsection  
12           (q)”.

13                   (2) Section 202(c)(2) of such Act (42 U.S.C.  
14           402(c)(2)) is amended by striking “subsections  
15           (k)(5) and (q)” and inserting “subsection (q)”.

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

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

5 **SEC. 9902. REPEAL OF WINDFALL ELIMINATION PROVI-**  
6 **SIONS.**

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

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

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

11           and

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

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

18 **SEC. 9903. EFFECTIVE DATE.**

19           The amendments made by this subtitle shall apply  
20 with respect to monthly insurance benefits payable under  
21 title II of the Social Security Act for months after Decem-  
22 ber 2021. Notwithstanding section 215(f) of the Social Se-  
23 curity Act, the Commissioner of Social Security shall ad-  
24 just primary insurance amounts to the extent necessary

1 to take into account the amendments made by section  
2 9902.

