

119TH CONGRESS
1ST SESSION

S. _____

To amend the Social Security Act to limit the recovery of overpayments under titles II and XVI to a 10-year period.

IN THE SENATE OF THE UNITED STATES

Mr. GALLEGO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Social Security Act to limit the recovery of overpayments under titles II and XVI to a 10-year period.

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 Over-
5 payment Relief Act”.

6 **SEC. 2. LIMITATION ON RECOVERY OF OVERPAYMENTS.**

7 (a) TITLE II LIMITATION.—Section 204 of the Social
8 Security Act (42 U.S.C. 404) is amended by adding at
9 the end the following:

1 “(h) In any case in which more than the correct
2 amount of payment has been made, there shall be no ad-
3 justment of payments to, or recovery by the United States
4 from, any person of an overpayment that occurred 10 or
5 more years prior to the date on which the Commissioner
6 finds that more than the correct amount of payment has
7 been made to such person.”.

8 (b) TITLE XVI LIMITATION.—Section 1631(b) of
9 such Act (42 U.S.C. 1383(b)) is amended by adding at
10 the end the following:

11 “(9) In any case in which more than the correct
12 amount of payment has been made, there shall be no ad-
13 justment of payments to, or recovery by the United States
14 from, any person of an overpayment that occurred 10 or
15 more years prior to the date on which the Commissioner
16 finds that more than the correct amount of payment has
17 been made to such person.”.