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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title II of the Social Security Act to provide that not more than 10 percent of a monthly benefit may be withheld on account of overpayments.

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IN THE HOUSE OF REPRESENTATIVES

Mr. EVANS of Pennsylvania introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title II of the Social Security Act to provide that not more than 10 percent of a monthly benefit may be withheld on account of overpayments.

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. WITHHOLDING FOR RECOVERY OF OVERPAY-**  
4       **MENTS.**

5       (a) IN GENERAL.—Subparagraph (A) of section  
6       204(a)(1) of the Social Security Act is amended—

7               (1) by striking “With” and inserting “(i) Sub-  
8       ject to clause (ii), with”; and

1           (2) by adding at the end the following:

2           “(ii) In the case of a payment to a person of  
3           more than the correct amount which the Commis-  
4           sioner does not have reason to believe was due to  
5           fraud or similar fault on the part of the individual,  
6           the Commissioner may not decrease the amount of  
7           a monthly benefit payable to an individual by more  
8           than 10 percent of the amount payable, unless such  
9           individual requests a higher recovery rate.”.

10          (b) EFFECTIVE DATE.—The amendments made by  
11       this Act shall take effect on the date of enactment of this  
12       Act, and shall be effective with respect to overpayments  
13       under title II of the Social Security Act that are out-  
14       standing on or after such date.