

118TH CONGRESS  
2D SESSION

# H. R. 8265

To amend the Social Security Act to require a 120-day period between notice of an overpayment of benefits under titles II and XVI and beginning recovery of such overpayment, and to require the Commissioner of Social Security to submit a report to Congress on a strategy related to recovery of such overpayments.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2024

Ms. CARAVEO (for herself and Mr. ALLRED) introduced the following bill;  
which was referred to the Committee on Ways and Means

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## A BILL

To amend the Social Security Act to require a 120-day period between notice of an overpayment of benefits under titles II and XVI and beginning recovery of such overpayment, and to require the Commissioner of Social Security to submit a report to Congress on a strategy related to recovery of such 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. SHORT TITLE.**

4       This Act may be cited as the “Social Security Over-  
5       payment Fairness Act”.

1 **SEC. 2. NOTICE REQUIREMENT.**

2 (a) TITLE II AMENDMENT.—Subparagraph (A) of  
3 section 204(a)(1) of the Social Security Act (42 U.S.C.  
4 404) is amended—

5 (1) by striking “With respect” and inserting  
6 “(i) With respect”; and

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

8 “(ii) In the case of a payment to a person of  
9 more than the correct amount, the Commissioner  
10 shall commence proper adjustment or recovery not  
11 earlier than 120 days after providing notice to the  
12 individual of the payment of more than the correct  
13 amount.”.

14 (b) TITLE XVI AMENDMENT.—Section 1631(b)(1) of  
15 such Act (42 U.S.C. 1383(b)(1)) is amended by adding  
16 at the end the following:

17 “(C) In the case of a payment of more than the cor-  
18 rect amount of benefits, the Commissioner shall commence  
19 proper adjustment or recovery not earlier than 120 days  
20 after providing notice to the individual of the payment of  
21 more than the correct amount.”.

22 (c) EFFECTIVE DATE.—The amendments made by  
23 this Act shall take effect on the date of enactment of this  
24 Act, and shall be effective with respect to overpayments  
25 under titles II and XVI of the Social Security Act that  
26 are outstanding on or after such date.

1 **SEC. 3. REPORT ON STRATEGIES FOR OVERPAYMENT RE-**  
2 **COVERY.**

3 Not later than 180 days after the date of enactment  
4 of this Act, the Commissioner of Social Security shall sub-  
5 mit to Congress a strategy relating to the recovery of over-  
6 payments of old-age, survivors, and disability insurance  
7 benefits under title II of the Social Security Act and sup-  
8 plemental security income benefits under title XVI of such  
9 Act. The strategy shall seek to achieve the objectives that  
10 follow:

11 (1) Improving the process of reviewing changes  
12 in information reported by beneficiaries;

13 (2) Expanding efforts to limit discrepancies in  
14 accuracy resulting from beneficiaries self-reporting  
15 information;

16 (3) Improving efforts to prevent and track over-  
17 payments to beneficiaries.

18 (4) Ensuring due process is followed in recov-  
19 ering overpayments.

20 (5) Improving and increasing written and oral  
21 communication between the Social Security Adminis-  
22 tration and beneficiaries in relation to the recovery  
23 of overpayments.

- 1           (6) Propose fair and reasonable benefit with-
- 2           holding amounts designed to avoid undue financial
- 3           strain on beneficiaries.

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