

TITLE 3: HUMAN RESOURCES
DIVISION 3: SOCIAL SECURITY ACT

§ 3309. Overpayments and Underpayments.

(a) Whenever an error has been made with respect to insurance payments to an individual, proper adjustment shall be made, under regulations promulgated by the Social Security Administrator in accordance with law, by increasing or decreasing subsequent payments to which the individual is entitled. If the individual dies before an adjustment has been completed, adjustment shall be made by increasing or decreasing subsequently paid survivors' benefit payments payable with respect to the wages and self-employment income which were the basis of benefits of such deceased individuals.

(b) No adjustment shall be made when adjustment or recovery would be against equity and good conscience.

Source: DL 5-12, § 1; amended by PL 2-6, § 7.