



NATIONAL FRATERNAL ORDER OF POLICE®

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PATRICK YOES
NATIONAL PRESIDENT

JIM PASCO
EXECUTIVE DIRECTOR

8 January 2021

The Honorable Rodney L. Davis
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Abigail A. Spanberger
U.S. House of Representatives
Washington, D.C. 20515

Dear Representatives Davis and Spanberger,

I am writing on behalf of the members of the Fraternal Order of Police to express our strong support and gratitude to you both for introducing H.R. 82, the “Social Security Fairness Act.” The bill, which would repeal the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) in current Social Security law, is one of the top legislative priorities of the Fraternal Order of Police.

We believe as you do—this is an issue of fairness. We also believe that, in addition to ending this unfairness against retired public employees, the legislation will help to stimulate the economy by eliminating a reduction in the Social Security benefit for these Americans. This would have an immediate positive impact on retired public employees collecting Social Security by putting additional cash in their pocket as they and their families struggle in these trying times.

When the WEP was enacted in 1983, its stated purpose was to remove a “windfall” for persons who spent some time in jobs not covered by Social Security and who also worked other jobs where they paid Social Security taxes long enough to qualify for retirement benefits. This provision has created a very real inequity for many public employees, particularly law enforcement officers, who retire earlier than other government employees and often begin second careers which require them to pay into the Social Security system. Law enforcement officers who had second careers face as much as a 60% cut to their Social Security benefit. This is a reduction of a benefit to which they are entitled because they paid into the system—not an adjustment for a “windfall.” In the current climate of the pandemic, these reductions have a detrimental impact on our vulnerable retirees and on the economy.

Similarly, the GPO offsets the Social Security benefit to which a surviving spouse is entitled by two-thirds of the monthly amount of any government pension that they might receive. For example, the widow of a retired law enforcement officer who collected a government pension of \$1,200 would be *ineligible* to collect the Social Security survivor’s benefit of \$600. Two-thirds of \$1,200 is \$800, which is greater than the spouse’s benefit of \$600, thus making her unable to collect it. If the spouse’s benefit was \$900, she would collect only \$100, because \$800 would be “offset” by the government pension. Again, the FOP believes this is a matter of fairness and that the offset scheme currently in place penalizes those least able to afford it. This penalty hurts an



older population that is at greater risk during the pandemic. The “offset” is also a drag on the economy and its repeal would provide the economic stimulus our nation desperately needs right now.

Ultimately, the “Social Security Fairness Act” is about fairness to public employees who served their communities—local governments which chose decades ago to construct a retirement system separate from Social Security Act. However, when these public employees earn a Social Security benefit through other work, they should receive that benefit in full without being penalized because of their public service. We also believe that the repeal of the WEP and GPO will help our vulnerable retirees make it through this pandemic and will help stabilize our nation’s economy.

On behalf of the more than 356,000 members of the Fraternal Order of Police, I thank you both for your leadership on this issue and will do everything I can to assist you in moving this bill forward. If I can be of any help, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Yoes", with a large, sweeping flourish extending to the right.

Patrick Yoes
National President