



NATIONAL FRATERNAL ORDER OF POLICE

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6 December 2023

The Honorable Michael J. Flood
U.S. House of Representatives
Washington, D.C 20515

Dear Representative Flood,

I am writing to you again on behalf of the members of the Fraternal Order of Police to ask that you cosponsor H.R. 82, the “Social Security Fairness Act.” This legislation is a top priority of the FOP.

The bill was reintroduced in this Congress by Representatives Garret N. Graves (R-LA) and Abigail A. Spanberger (D-VA). It is identical to the legislation that your predecessor cosponsored in the 117th Congress with the same bill number, H.R. 82. This bipartisan legislation has the support of 300 Members of the House, including 94% of Democrats and 44% of Republicans—which may make it the bill with the most bipartisan support in the House.

The legislation would repeal the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) in current Social Security law, two provisions of the Social Security Act that unfairly reduce or eliminate the Social Security benefits for millions of Americans who have devoted much of their careers to public service. On 20 November, the House Ways and Means Committee held a field hearing, entitled “Social Security’s Disservice to Public Servants: How the Windfall Elimination Provision and Government Pension Offset Mistreat Government Workers.” During this hearing, retired government employees from across the country testified about how these provisions severely damage their finances and jeopardize their retirements.

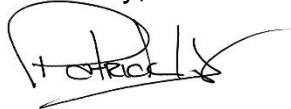
We believe that this is an issue of fairness. When the WEP was enacted in 1983, its stated purpose was to remove a “windfall” for persons who spent some time in jobs not covered by Social Security and who also worked other jobs where they paid Social Security taxes long enough to qualify for retirement 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 benefits. This is a reduction of a benefit to which they are entitled because they paid into the system, not an adjustment for a “windfall.”

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 employees least able to afford it. Law enforcement officers are especially affected because, like many public employees, a significant number of officers are not part of the Social Security system.

Ultimately, the "Social Security Fairness Act" is about fairness to public employees who served their communities. 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. A significant majority of the House shares this view, and we believe this bill has earned the right to be debated on the floor.

On behalf of the more than 373,000 members of the Fraternal Order of Police, I hope that you will cosponsor this bill in this Congress—it was important to the people in your district then and it is still important to them now. If I can be of any help or provide additional information about the bill, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,

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

Patrick Yoes
National President

cc: *Jim Maguire, President, Nebraska State Lodge*