



January 18, 2023

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U.S. House of Representatives
Washington, D.C. 20515

Dear Representative:

On behalf of the 1.4 million members of the American Federation of State, County and Municipal Employees (AFSCME), I want to thank you for being a co-sponsor of the Social Security Fairness Act (H.R. 82) in the 117th Congress and ask that you co-sponsor the same bipartisan bill in the 118th Congress, introduced by Representatives Garret Graves and Abigail Spanberger. This bill is important to AFSCME because it fully repeals the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP) cuts to Social Security benefits that deprive more than 2.7 million public employees of Social Security benefits they have earned.

In December 2020, nearly three out of four beneficiaries hit by the GPO lost all their Social Security spousal and widow(er)'s benefit because of GPO. Under current law, the Social Security Administration (SSA) can cut a monthly spousal and widow(er)'s benefit for a retired public employee who has a pension from noncovered employment. The GPO cut to benefits is demoralizing and devastating to the retirement security of these public retirees and it also disproportionately impacts low-wage workers, particularly women. About 83% of public pensioners penalized by GPO are women. These retirees counted on those earned benefits to make ends meet, only to see the GPO take them away.

Like the GPO, the WEP also affects individuals receiving public pensions from work not covered by Social Security. When the public pensioner has also worked in a Social Security-covered job for at least a decade, the WEP creates a public pension offset that can greatly reduce that person's earned Social Security benefit. Under the WEP, because part of a retiree's public pension (from noncovered employment) is considered equivalent to a Social Security benefit, the earned Social Security benefits of retirees are calculated with a modified formula, and this leads to cuts in benefits. The WEP formula can cut a worker's earned Social Security benefit by more than half, up to \$557.50 in 2023.

Some 1.9 million retired federal, state and local government employees are currently affected by the WEP, and that number grows each year. Nationwide, they represent 3% of all Social Security beneficiaries but in some states, they represent a larger share of beneficiaries. For example, in Louisiana WEP harmed 8.1% of retired workers receiving Social Security benefits. In California 5.7% of the state's retired workers receiving Social Security benefits saw WEP eat away at their monthly check. In Colorado WEP-harmed beneficiaries represent 7.6% of the state's residents receiving Social Security checks. In Nevada they represent 6.4% and in Ohio, 6.5%.

American Federation of State, County and Municipal Employees, AFL-CIO

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WEP also indiscriminately casts all public pensioners who also have covered earnings as high-wage earners. This creates inequity by treating low-income workers more harshly. For individuals with lower covered earnings, WEP cuts their benefits by a larger percentage. Some 214,300 beneficiaries harmed by WEP in December 2020 had a noncovered public pension of less than \$1,000 a month and an earned Social Security benefit of less than \$900, according to the Congressional Research Service. These WEP-impacted individuals were living at just above 185% of the poverty level or less.

WEP also creates an indiscriminate penalty that is especially unfair because these workers pay the same percentage in payroll contributions on their Social Security-covered earnings as all others. Their Social Security benefits are completely earned.

The GPO and WEP cuts truly harm public pensioners and their spouses who paid thousands of dollars into Social Security over decades. Simply because they contributed to and are also receiving a public pension, the SSA denies them the full Social Security benefits they would otherwise be entitled to because of the current unfair GPO and WEP statutory provisions. **We ask you to end this injustice permanently and urge you to again co-sponsor the Social Security Fairness Act (H.R. 82). Please contact logan.delabarrehays@mail.house.gov in Representative Graves' office or Nicholas.Widmyer@mail.house.gov in Representative Spanberger's office to become a co-sponsor of H.R. 82.**

Sincerely,

A handwritten signature in black ink that reads "Edwin S. Jayne". The signature is fluid and cursive, with the first name "Edwin" being the most prominent.

Edwin S. Jayne
Director of Federal Government Affairs

ESJ:LB:ei