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“Social Security Fairness Act” Introduced in the House *H.R. 82: Repeal of WEP and GPO*

Patrick Yoes, National President of the Fraternal Order of Police, welcomed the introduction of H.R. 82, the “Social Security Fairness Act,” in the U.S. House of Representatives and thanked the bill’s lead sponsors, Representatives Rodney L. Davis (R-IL) and Abigail A. Spanberger (D-VA), for their swift action on this important bill.

“This has been a top legislative priority of the FOP for many years and we are very pleased that Representative Davis, who has long been our champion on this issue, and Representative Spanberger have teamed up to fight for Social Security fairness,” Yoes said.

The legislation would repeal both the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) in current Social Security law. At the time of introduction, the bill had 17 original cosponsors, but at the end of the previous Congress the bill had the support of 264 Representatives—more than a majority in the House.

“With a lot of hard work and the leadership of Representatives Davis and Spanberger, we can get this bill to the House floor for a vote,” Yoes said.

The Windfall Elimination Provision (WEP) affects workers who spent some time in jobs not covered by Social Security and also worked other jobs where they paid Social Security taxes long enough to qualify for retirement benefits. The provision has a disproportionate effect on law enforcement officers who retire earlier than most other public employees and are more likely to begin a second career after they leave law enforcement. Officers in this position are penalized and may have their Social Security benefit reduced by up to sixty percent (60%).

“When law enforcement officers and other public employees file for the Social Security benefit they paid for, they find themselves facing a significant reduction of that benefit because of the WEP,” Yoes explained. “Many retired law enforcement officers, especially those whose work history includes a mix of jobs inside and outside the Social Security system, are hit particularly hard. This is a loss of benefits to which they are entitled, not an adjustment for a ‘windfall.’”

Like the WEP, the Government Pension Offset (GPO) was adopted to shore up the finances of the Social Security trust fund. It 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.

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“It is estimated that, 90% of the time, this so-called ‘offset’ completely eliminates the spousal benefit even though the covered spouse paid Social Security taxes for many years, thereby earning the right to these benefits,” Yoes said.

“The WEP and GPO provisions do not eliminate a windfall for workers; instead, they have proved to be a windfall for the Federal government at the expense of public employees. That’s not right and it’s not fair,” said Yoes. “Congress should repeal these inequitable provisions and pass the ‘Social Security Fairness Act,’ which will also help to stimulate the economy by putting additional cash in the pocket of retired public employees as they and their families struggle in these trying times.”

The Fraternal Order of Police is the largest law enforcement labor organization in the United States, with more than 356,000 members.