HLS 20RS-528 ORIGINAL

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 9

BY REPRESENTATIVE MIKE JOHNSON

CONGRESS: Memorializes Congress to support the Social Security Fairness Act

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support S.521 of the 116th Congress, the	
Social Security Fairness Act, and to take such actions as are necessary to review and	
consider eliminating provisions of federal law which reduce Social Security benefits	
for those receiving pension benefits from federal, state, or local government	
retirement or pension systems, plans, or funds.	
WHEREAS, the Congress of the United States of America has enacted both the	
Government Pension Offset (GPO), reducing the spousal and survivor Social Security	
benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security	
benefits payable to any person who also receives a public pension benefit; and	
WHEREAS, the GPO negatively affects a spouse or survivor receiving a federal,	
state, or local government retirement or pension benefit who would also be entitled to a	
Social Security benefit earned by a spouse; and	
WHEREAS, the GPO formula reduces the spousal or survivor Social Security benefit	
by two-thirds of the amount of the federal, state, or local government retirement or pension	
benefit received by the spouse or survivor, in many cases completely eliminating the Social	
Security benefit even though their spouses paid Social Security taxes for many years; and	
WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and	
undermines the original purpose of the Social Security dependent/survivor benefit; and	
WHEREAS, according to recent Social Security Administration figures, more than	
half a million individuals nationally are affected by the GPO; and	

1	WHEREAS, the WEP applies to those persons who have earned federal, state, or
2	local government retirement or pension benefits, in addition to working in employment
3	covered under Social Security and paying into the Social Security system; and
4	WHEREAS, the WEP reduces the earned Social Security benefit using an averaged
5	indexed monthly earnings formula and may reduce Social Security benefits for affected
6	persons by as much as one-half of the retirement benefit earned as a public servant in
7	employment not covered under Social Security; and
8	WHEREAS, the WEP causes hardworking individuals to lose a significant portion
9	of the Social Security benefits that they earn themselves; and
10	WHEREAS, according to recent Social Security Administration figures, more than
11	one and a half million individuals nationally are affected by the WEP; and
12	WHEREAS, in certain circumstances both the WEP and the GPO can be applied to
13	a qualifying survivor's benefit, each independently reducing the available benefit and in
14	combination eliminating a large portion of the total Social Security benefit available to the
15	survivor; and
16	WHEREAS, because of the calculation characteristics of the GPO and the WEP, they
17	have a disproportionately negative effect on employees working in lower-wage government
18	jobs, like policemen, firefighters, teachers, and state employees; and
19	WHEREAS, Louisiana is making every effort to improve the quality of life of its
20	citizens and to encourage them to live here lifelong, yet the current GPO and WEP
21	provisions compromise their quality of life; and
22	WHEREAS, the number of people affected by GPO and WEP is growing every day
23	as more and more people reach retirement age; and
24	WHEREAS, individuals drastically affected by the GPO or WEP may have no choice
25	but to return to work after retirement in order to make ends meet, but the earnings
26	accumulated during this return to work can further reduce the Social Security benefits the
27	individual is entitled to; and
28	WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO
29	and the WEP can only be enacted by congress.

- 1 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
- 2 memorialize the United States Congress to take such actions as are necessary to review the
- 3 Government Pension Offset and the Windfall Elimination Provision Social Security benefit
- 4 reductions and to consider eliminating or reducing them by supporting S.521 of the 116th
- 5 Congress, the Social Security Fairness Act.
- 6 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 7 presiding officers of the Senate and the House of Representatives of the Congress of the
- 8 United States of America and to each member of the Louisiana congressional delegation.

## **DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 9 Original

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Mike Johnson

Memorializes congress to review and eliminate the provisions of federal law which reduce Social Security benefits for persons receiving pensions from federal, state, or local governmental retirement systems by supporting S.521 of the 116th Congress, the Social Security Fairness Act.