HLS 21RS-814 **ENGROSSED** 

2021 Regular Session

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HOUSE CONCURRENT RESOLUTION NO. 7

BY REPRESENTATIVES MIKE JOHNSON, ADAMS, BEAULLIEU, EMERSON, FREEMAN, HARRIS, ILLG, JEFFERSON, NELSON, AND TARVER

CONGRESS: Memorializes Congress to take actions necessary to review and eliminate or reduce the Government Pension Offset and the Windfall Elimination Provision

A CONCURRENT RESOLUTION

2	To memorialize the United States Congress to support H.R. 82 of the 117th Congress, the
3	Social Security Fairness Act of 2021, and all other similar legislation and to take
4	such actions as are necessary to review and eliminate all provisions of federal law
5	which reduce Social Security benefits for those receiving pension benefits from
6	federal, state, or local government retirement or pension systems, plans, or funds.
7	WHEREAS, the Congress of the United States of America has enacted both the
8	Government Pension Offset (GPO), reducing the spousal and survivor Social Security
9	benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security
10	benefits payable to any person who also receives a public pension benefit; and
11	WHEREAS, the GPO negatively affects a spouse or survivor receiving a federal,
12	state, or local government retirement or pension benefit who would also be entitled to a
13	Social Security benefit earned by a spouse; and
14	WHEREAS, the GPO formula reduces the spousal or survivor Social Security benefit
15	by two-thirds of the amount of the federal, state, or local government retirement or pension
16	benefit received by the spouse or survivor, in many cases completely eliminating the Social
17	Security benefit even though their spouses paid Social Security taxes for many years; and
18	WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and
19	undermines the original purpose of the Social Security dependent/survivor benefit; and

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

HLS 21RS-814 ENGROSSED
HCR NO. 7

WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by congress.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
memorialize the United States Congress to take all such actions as are necessary to review
the Government Pension Offset and the Windfall Elimination Provision Social Security
benefit reductions and to eliminate or reduce them by supporting H.R. 82 of the 117th

Congress, the Social Security Fairness Act and all similar purposed legislation.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation and

11 the president of the United States.

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## **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 7 Engrossed

2021 Regular Session

Mike Johnson

Memorializes congress to review and eliminate the provisions of federal law which reduce Social Security benefits for persons receiving pension from federal, state, or local government retirement systems by supporting H.R. 82 of the 117th Congress, the Social Security Fairness Act.