



Protecting Public Safety Officers' Social Security Benefits

The Social Security Fairness Act (H.R. 82 / S. 597)
Rep. Garret Graves (R-LA) / Senator Sherrod Brown (D-OH)

- In the 1980s, Congress enacted the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP) because it was concerned Social Security paid unintended benefits to workers who had spent most of their careers in “non-covered” jobs. However, these formulas go too far and penalize workers with split careers who contributed a great deal to Social Security but retired under their “non-covered” pensions.
- GPO reduces public employees’ Social Security spousal or survivor benefits by two-thirds of their public pension, and often leads to negative effects on law enforcement officers’ retirements. If a spouse who paid into Social Security dies, the surviving public safety officer would normally be eligible for half of the deceased’s benefit. However, if the surviving law enforcement officer had not been paying into Social Security while working, the GPO requires that this amount be offset by two-thirds of the survivor’s pension, eliminating most or all of the payment. Because of their profession, many law enforcement officers do not pay into Social Security; however, if they had not served at all, they would receive the full allotment of the spousal survivor benefit.
- In addition to GPO, public safety employees are also adversely affected by WEP. Although most law enforcement officers retire after a specific length of service, usually while in their early to mid-fifties, many look for new opportunities to serve their communities. Yet, when they retire from a non-Social Security paying job and move to one that does pay into Social Security, they are penalized by WEP. Instead of receiving their rightfully earned Social Security retirement benefit, their pension heavily offsets it, thus vastly reducing the amount they receive.
- GPO and WEP were intended to be “leveling” responses, but their result has been to hurt public safety officers. Nine out of ten public employees affected by GPO lose their entire spousal benefit, even though their spouses paid into Social Security for many years. WEP causes hard-working public safety officers to lose the benefits they earned themselves, thus punishing those who selflessly serve and protect our communities.
- Law enforcement officers and public employees across the United States are concerned about their retirement security and the impact of the GPO and WEP. **The Social Security Fairness Act** would repeal the GPO and WEP formulas currently used to calculate Social Security benefits. It currently has 279 bipartisan cosponsors in the House and 44 in the Senate.

NAPO Position: The loss of income caused by GPO and WEP is a financial strain on law enforcement officers and their families, an additional strain that those who spent their careers on the front lines protecting our nation’s communities do not need. By significantly scaling back and reducing Social Security benefits for law enforcement officers, as the GPO and WEP do, officers and their families are shut out from even the modest retirement that Social Security benefits can provide. NAPO urges Congress to act on this important bill to relieve the financial strain these provisions put on our nation’s public safety retirees.

For more information, please contact NAPO’s Director of Governmental Affairs, Andy Edmiston, at aedmiston@napo.org or (703) 549-0774.