2023 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 67

BY REPRESENTATIVES MIKE JOHNSON, BACALA, DEVILLIER, EMERSON, FIRMENT, FREEMAN, ILLG, KNOX, LAFLEUR, AND TARVER

CONGRESS: Provides relative to the Government Pension Offset and Windfall Elimination Provision

1	A CONCURRENT RESOLUTION
2	To memorialize the United States Congress to support H.R. 82 and S. 597 of the 118th
3	Congress, the Social Security Fairness Act, and all other similar legislation and to
4	take such actions as are necessary to review and eliminate all provisions of federal
5	law 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 spouse and survivor Social Security benefit
9	and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefits
10	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 unfairly reduces the spouse or survivor Social
15	Security benefit by two-thirds of the amount of federal, state, or local government retirement
16	or pension benefit received by the spouse or survivor, in many cases completely eliminating
17	the Social Security benefit even though the spouse paid Social Security taxes for many years;
18	and
19	WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and
20	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 unfairly reduces the earned Social Security benefit using an
7	averaged indexed monthly earnings formula and may reduce Social Security benefits for
8	affected persons by as much as one-half of the retirement benefit earned as a public servant
9	in 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 earned 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 GPO can be applied to a
15	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 WEP, the
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, yet the current GPO and WEP provisions
23	compromise their quality of life; and
24	WHEREAS, the number of people affected by GPO and WEP is growing everyday
25	as more and more people reach retirement age; and
26	WHEREAS, individuals drastically affected by the GPO and WEP may have no
27	choice 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 Social Security benefits the
29	individual is entitled to; and

1	WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO
2	and WEP can only be enacted by congress; and
3	WHEREAS, the Legislature of Louisiana adopted House Concurrent Resolution No.
4	11 of the 2022 Regular Session memorializing congress to support H.R. 82 of the 117th
5	Congress and other state legislators to do the same in order to reduce or eliminate the GPO
6	and WEP.
7	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
8	memorialize the United States Congress to take such actions as are necessary to review the
9	Government Pension Offset and Windfall Elimination Provision Social Security benefit
10	reductions and to eliminate or reduce them by supporting H.R. 82 and S. 597 of the 118th
11	Congress and all similar purposed legislation.
12	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
13	presiding officers of the Senate and the House of Representatives of the Congress of the
14	United States of America and to each member of the Louisiana congressional delegation and
15	the president of the United States.

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 67 Engrossed 2023 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 governments by supporting H.R. 82 and S. 597 of the 118th Congress.