

Nearly two million public retirees across the country now have their earned Social Security benefits reduced due to the Windfall Elimination Provision (WEP). After years of debate, consensus exists that the WEP is flawed and unfairly harms public retirees!

Representatives Richard Neal and Kevin Brady have filed WEP reform bills: [HR 4540](#) and [HR 3934](#). Both bills will provide relief to retirees if passed. Both agree that the arbitrary nature of the WEP is unfair and requires a solution. However, the bills differ on their stance on the “hold harmless” provision.

TRTA supports both [HR 4540](#) and [HR 3934](#) for what they propose to accomplish.



Both Bills Provide for Rebates to Public Pension Retirees

The first major difference between HR 4540 and HR 3934 has to do with the rebate provided to current public worker retirees that are already hit by the unfair WEP.

- In HR 4540, the rebate is a simple **\$150 per month** for the public pensioner who is already impacted by the WEP. For TRS Texas retirees hit by the WEP, HR 4540 would provide a \$150 per month, or \$1,800 per year, more in Social Security. This benefit is indexed to cost-of-living adjustments provided to all Social Security recipients, so it will likely increase over time.
- HR 3934 allows for a \$100 per month benefit, or \$1,200 per year, Social Security increase for any public pensioner retiree. HR 3934 provides an additional \$50 per month benefit to a non-pensioner spouse under certain circumstances. HR 3934 also indexes the rebate to cost-of-living increases for Social Security recipients, so as Social Security benefits see a cost-of-living increase, the rebate provided in this bill increases. HR 4540 offers a richer rebate for most public pensioner retirees, including TRS Texas retirees.
- TRTA supports the highest possible rebate for those impacted by the WEP. **Further improvement on the rebate would be a welcome addition to either HR 4540 or HR 3934.**

“Hold Harmless” Provision

The biggest issue is the idea that HR 4540 provides a “hold harmless” for all current and future active public workers who may benefit from the existing WEP.

Some government workers have the ability to make use of the provision in the existing WEP law that exempts a worker from having their Social Security benefits reduced if they have 30 years of Social Security earnings in addition to their public pension benefits. For those of us who have worked primarily in the educator community, it seems unbelievable that someone may actually think the existing WEP is beneficial to anyone.

While TRTA and these other groups may represent different views of the WEP, we all agree that public workers deserve to have this issue resolved so that current and future retirees are no longer impacted negatively by this unfair provision.

The Time for Reform is NOW!

The time to perpetuate bad public policy at the expense of those who cannot afford to lose their hard-earned Social Security benefits must come to an end. Policymakers, as well as stakeholder groups, have agreed to a fairer approach. We must get this issue resolved! **Now is the time for bipartisanship to make a difference for all public workers hurt by the WEP.**



Contact TRTA with Questions

If at any time you have questions, please feel free to contact the Texas Retired Teachers Association (TRTA) at 1.800.880.1650 or the TRTA Legislative Team.

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