

2024 -- S 2794

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

SENATE RESOLUTION

RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO REPEAL THE GOVERNMENT PENSION OFFSET AND THE WINDFALL ELIMINATION PROVISION FROM THE SOCIAL SECURITY ACT AND FOR PRESIDENT JOE BIDEN TO SIGN THAT LEGISLATION INTO LAW

Introduced By: Senators Lawson, Gallo, and Tikoian

Date Introduced: March 20, 2024

Referred To: Senate Finance

1 WHEREAS, The Congress of the United States of America has enacted both the
2 Government Pension Offset, which reduces the spouse and survivor Social Security benefit, and
3 the Windfall Elimination Provision, which reduces the earned Social Security benefit payable to
4 any person who also receives a public pension benefit; and

5 WHEREAS, The Government Pension Offset negatively affects a spouse or survivor who
6 receives a federal, state, or local government retirement or pension benefit who would also be
7 entitled to a Social Security benefit earned by a spouse; and

8 WHEREAS, The Government Pension Offset formula unfairly reduces the spouse's or
9 survivor's Social Security benefit by two-thirds of the amount of the federal, state, or local
10 government retirement or pension benefit received by the spouse or survivor, in many cases
11 completely eliminating the Social Security benefit even though the survivor's spouse paid Social
12 Security taxes for many years; and

13 WHEREAS, The Government Pension Offset has a harsh effect on hundreds of
14 thousands of citizens and undermines the original purpose of the Social Security dependent and
15 survivor benefit; and

16 WHEREAS, According to the Congressional Research Service, more than 700,000
17 people nationally are affected by the Government Pension Offset and approximately 2,000,000
18 people nationally are affected by the Windfall Elimination Provision; and

1 WHEREAS, In certain circumstances, both the Windfall Elimination Provision and
2 Government Pension Offset can be applied to a qualifying survivor's benefit, each independently
3 reducing the available benefit and, in combination, eliminating a large portion of the total Social
4 Security benefit available to the survivor; and

5 WHEREAS, The calculation characteristics of the Government Pension Offset and the
6 Windfall Elimination Provision have a disproportionately negative effect on employees working
7 in important government jobs, such as police officers, firefighters, teachers, and state employees;
8 and

9 WHEREAS, The challenges of the pandemic have added to recruitment and retention
10 challenges for these workforces, and those challenges are exacerbated by the penalties caused by
11 the Government Pension Offset and the Windfall Elimination provisions; and

12 WHEREAS, Rhode Island is making every effort to improve the quality of life of its
13 citizens and to encourage them to live in the state, yet the Government Pension Offset and
14 Windfall Elimination Provision compromise their quality of life; and

15 WHEREAS, The number of people affected by the Government Pension Offset and
16 Windfall Elimination Provision is growing every day as more and more people reach retirement
17 age; and

18 WHEREAS, Individuals affected by the Government Pension Offset or Windfall
19 Elimination Provision may have no choice but to return to work after retirement in order to earn
20 enough income to provide for their basic needs, but the earnings accumulated during this return to
21 work can further reduce the Social Security benefits to which the individual is entitled; and

22 WHEREAS, The Government Pension Offset and Windfall Elimination Provision are
23 established in federal law, and the repeal of the Government Pension Offset and the Windfall
24 Elimination Provision can only be enacted by Congress; now, therefore be it

25 RESOLVED, That this Senate of the State of Rhode Island hereby respectfully urges the
26 United States Congress to enact legislation to repeal the Government Pension Offset and the
27 Windfall Elimination Provision from the Social Security Act and for President Joe Biden to sign
28 that legislation into law; and be it further

29 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
30 transmit duly certified copies of this resolution to President Joseph Biden, the presiding officers
31 of the Senate and House of Representatives of the Congress of the United States of America, and
32 to each member of the Rhode Island Congressional delegation.

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