

COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

December 13, 2022

Chairman Neal,

I know that you and I both want to provide our hard-working public servants with relief from Social Security's unfair Windfall Elimination Provision (WEP). Together we have an opportunity to provide our teachers, police, firefighters, and others with a real solution that can be agreed to in both the House and the narrowly divided Senate. But we can only do that and get something signed into law if we can first agree on what that relief looks like. To provide our constituents with the help they deserve, I ask you to join me in supporting a solution that meets the following criteria:

- 1) Provides relief payments to seniors and other beneficiaries currently harmed by the WEP;
- 2) Replaces the WEP with a proportional formula for public servants providing them and other workers with equal treatment based on actual work history;
- 3) Provides a transition period so public servants with substantial work histories who have planned their careers based on current law receive the benefit of current law; and,
- 4) Does not increase Social Security's long-term costs or harm its long-term finances.

Such a solution would provide relief to millions of public servants who are currently affected by the WEP, provide future retirees with equal treatment, and make it easier to gain the support we will need from Representatives and Senators from states that are less affected by the WEP.

In the past, we agreed that the best solution was one that provides equal treatment to those who spend their whole careers contributing to Social Security and those who spend part of their careers paying into a Social Security substitute. And that's what the proportional formula, which is in both of our bills, does: it treats workers equally and bases their Social Security benefit on the proportion of their career they spent participating in Social Security. Not better treatment, not worse treatment, but equal treatment. Since current law provides unequal treatment, that means that some people who get better treatment under current law might see a smaller benefit under the proportional formula, but it also means that the millions of seniors who would otherwise be harmed by the WEP will see a big benefit almost immediately.

To protect those who have planned their careers based on the better treatment provided under current law, the proposal provides a transition period which allows them to receive a benefit based on either current law or the new proportional formula. **No public servant who becomes eligible for Social Security benefits during the transition period will receive a lower benefit relative to current law because of this proposal, and millions will receive a higher benefit.** This transition period also gives subsequent Congresses the opportunity to make any needed changes before the proportional formula is fully implemented.

Chairman Richard Neal

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Today, a disproportionate amount of those affected by the WEP, more than 60 percent, are concentrated in only ten states. A solution like the one proposed above, which doesn't increase costs or harm program finances, will be necessary to get buy in from Representatives and Senators from those lesser affected states. Importantly, it also leaves room to provide additional relief to those who haven't vested in a substitute pension.

I hope you can agree with me that it's time to get this done and to provide our public servants with the equal treatment they deserve.

Sincerely,

A handwritten signature in black ink that reads "KEVIN BRADY". The signature is stylized with a large, sweeping "K" and "B".

Kevin Brady
Republican Leader
Committee on Ways and Means