



March 14, 2022

Hon. Richard Neal
Chairman
U.S. House Ways and Means Committee
Washington, D.C. 20515

Hon. Kevin Brady
Ranking Member
U.S. House Ways and Means Committee
Washington, D.C. 20515

RE: Proposed compromise legislation to repeal and replace the Windfall Elimination Provision (WEP)

Dear Chairman Neal and Ranking Member Brady:

The undersigned organizations represent hundreds of thousands of active and retired public educators and other public servants in your home states of Massachusetts and Texas. Our organizations have been proud to work with both you and your staff members for more than a decade on proposed legislation to repeal and replace the Windfall Elimination Provision (WEP) and to provide relief to current retirees who have had their Social Security benefits reduced by the WEP.

Unfortunately, our hope (and, most importantly, our members' hopes) of moving forward with a bill that is both meaningful and viable has turned into disappointment and frustration. We routinely hear from members who have grown increasingly frustrated and are quickly losing faith in the ability of their elected officials to govern. From our members' viewpoint, partisan gridlock appears to have jeopardized the chances for WEP reform legislation to pass in the 117th Congress—which we view as the last best opportunity to pass this legislation.

What was for several congressional sessions a bipartisan bill co-authored by both of you is now two separate bills with co-sponsors predominantly from your respective parties. While this is unfortunate, the fact is the two bills share the core goals mentioned above, are functionally identical in their approach, and are not substantively far apart. We have no doubt about your individual commitments to reforming the WEP and helping current retirees, and we understand the concerns each of you have raised that have led to separate bills.

HR5834, the Equal Treatment of Public Servants Act of 2021, authored by Ranking Member Brady, would provide current retirees affected by the WEP an increase of \$100 in their Social Security benefits and give future retirees ages 21 and above the better of the new formula or the WEP—and would not cost the trust fund in the long run.

Chairman Neal's bill, **HR 2337, the Public Servant Protection and Fairness Act of 2021**, would provide a more generous \$150 increase for affected retirees and gives all future retirees the better of the two formulas into perpetuity. This bill also provides for a transfer from general revenue to cover the cost to the Social Security trust fund, which already is in jeopardy. This cost to the trust fund has prevented the Chairman's bill from gaining bipartisan co-sponsorship and likely is fatal to its chances in the Senate.



We strongly believe that a compromise between the two bills is the only way we will see WEP reform legislation make it to the President's desk this year. **In that interest, our organizations propose the following framework for a compromise bill that we will endorse, we believe will garner strong bipartisan support in both chambers, and will have the best possibility of becoming law:**

- Extend the hold harmless provision in the bill to all persons aged 16 and above at the time of passage. Those persons not yet age 16 at the time of passage are subject to the new proportional formula.
- A \$150 per month Social Security benefit increase for all current retirees affected by the WEP.

We believe this framework provides the best path forward for WEP reform to pass this year, and it is a framework our organizations pledge to endorse and support if put forward in a bipartisan fashion by the two of you as Chairman and Ranking Member of the Ways and Means Committee.

On behalf of the hundreds of thousands of retired public servants we collectively represent, we respectfully request that you put partisan differences aside and compromise in good faith to reach a deal quickly on WEP reform before time runs out for the 117th Congress. We stand ready to assist in any way helpful to that endeavor.

Respectfully,

Shannon Holmes, Ed.D.
Executive Director
Association of Texas
Professional Educators

Frank Valeri
President
Mass Retirees Association

Tim Lee
Executive Director
Texas Retired Teachers
Association