

1-1 By: Herrero, et al. H.C.R. No. 19  
 1-2 (Senate Sponsor - Huffman, Hughes)  
 1-3 (In the Senate - Received from the House April 15, 2019;  
 1-4 April 16, 2019, read first time and referred to Committee on State  
 1-5 Affairs; April 23, 2019, rereferred to Committee on Administration;  
 1-6 May 3, 2019, reported favorably by the following vote: Yeas 4,  
 1-7 Nays 0; May 3, 2019, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14			X	
1-15			X	
1-16	X			

1-17 HOUSE CONCURRENT RESOLUTION

1-18 WHEREAS, Social Security is the foundation for retirement  
 1-19 income for tens of millions of American workers and their families;  
 1-20 nearly two-thirds of the older Americans who receive program  
 1-21 benefits rely on Social Security for 50 percent or more of their  
 1-22 total income, and one-third rely on it for 90 percent or more; among  
 1-23 beneficiaries aged 80 and older, 42 percent rely on Social Security  
 1-24 for nearly all of their income; and

1-25 WHEREAS, Two Social Security provisions, however, the  
 1-26 Government Pension Offset (GPO), enacted in 1977, and the Windfall  
 1-27 Elimination Provision (WEP), enacted in 1983, severely and unfairly  
 1-28 penalize recipients of public pensions; and

1-29 WHEREAS, The GPO effectively prohibits some government  
 1-30 retirees from collecting both their own pension and full Social  
 1-31 Security benefits as a surviving spouse; an estimated 9 out of 10  
 1-32 public employees affected by the GPO lose their entire spousal  
 1-33 benefit, even though their spouses paid Social Security taxes for  
 1-34 many years; and

1-35 WHEREAS, The WEP reduces the Social Security benefit for  
 1-36 public employees who did not participate in Social Security while  
 1-37 working for the government, but who at some time in their careers  
 1-38 were in jobs where they paid Social Security taxes for the period  
 1-39 required to qualify for retirement benefits; the WEP can deprive a  
 1-40 retiree of nearly \$450 a month in Social Security benefits duly  
 1-41 earned by that individual; and

1-42 WHEREAS, Although these provisions were intended to curtail  
 1-43 the payment of windfall benefits to highly paid government  
 1-44 employees, in practice they have had and continue to have  
 1-45 devastating consequences for low-income employees who worked for  
 1-46 many years as public servants; more than two million government  
 1-47 employees and retirees are affected by either the GPO or the WEP or  
 1-48 both, and the repercussions are felt most acutely in Texas and 14  
 1-49 other states where a high proportion of public employees  
 1-50 participate in state or municipal retirement systems that do not  
 1-51 include Social Security; and

1-52 WHEREAS, These punitive and discriminatory provisions target  
 1-53 hundreds of thousands of teachers, police officers, firefighters,  
 1-54 and other public servants; although the vast majority of Texas  
 1-55 school employees participate in the state's teacher retirement  
 1-56 system and therefore are not required to and do not participate in  
 1-57 the Social Security system, many Texas teachers and other public  
 1-58 school employees nonetheless have earned Social Security benefits  
 1-59 on their own behalf through other employment, the WEP  
 1-60 notwithstanding, or would be entitled to spousal Social Security  
 1-61 benefits based on their spouses' lifetime earnings were it not for

2-1 the GPO penalty; these provisions cause veteran teachers to retire  
2-2 prematurely and discourage qualified individuals from entering the  
2-3 teaching profession at precisely the time that Texas and the nation  
2-4 face a severe shortage of highly qualified educators; and

2-5 WHEREAS, The GPO and WEP as applied to public employees are  
2-6 unreasonable and unjust and will cause tens of thousands of  
2-7 government retirees to experience a diminished quality of life or  
2-8 be forced to return to work to make up for the effects of these  
2-9 provisions; now, therefore, be it

2-10 RESOLVED, That the 86th Legislature of the State of Texas  
2-11 hereby respectfully urge the Congress of the United States to  
2-12 repeal the Government Pension Offset and the Windfall Elimination  
2-13 Provision of the Social Security Act; and, be it further

2-14 RESOLVED, That the Texas secretary of state forward official  
2-15 copies of this resolution to the president of the United States, to  
2-16 the president of the Senate and the speaker of the House of  
2-17 Representatives of the United States Congress, and to all the  
2-18 members of the Texas delegation to Congress with the request that  
2-19 this resolution be officially entered in the Congressional Record  
2-20 as a memorial to the Congress of the United States of America.

2-21

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