



Aurora Police Pension Plan

Aurora Municipal Center • 15151 E. Alameda Parkway, 5th Floor, Suite 5700 • Aurora, CO 80012-5700 • 303-739-6216 •
APDPension@aurorapolicepensionplan.org

To All Members of the Aurora Police Pension Plan:

On October 21st, the Aurora Police Pension Plan Board of Trustees voted to support the Colorado Police Protective Association in its request to The Honorable Mike Coffman to Co-sponsor H.R.711 which would repeal the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) in determining Social Security benefits. These "offsets" have affected many of our members who may have had their Social Security benefits diminished by these two methods currently used by the Social Security Administration in calculating Social Security Benefits.

You are encouraged to contact the members of the House of Representatives listed below and encourage them to support H.R.711. Please find attached to this email H.R.711 and the letter from the CPPA explaining their efforts to encourage our legislators to support this bill in Congress.

Aurora Police Pension Plan
Board of Trustees
November 3, 2016

US House of Representatives

Rep. Diana DeGette (D-CO)

Website: degette.house.gov

Washington, D.C. Office: 2368 Rayburn House Office Building, DC 20515-0601

Phone: 202-225-4431, Fax: 202-225-5657

Denver Office: 600 Grant Street, Suite 202, Denver, CO 80203

Phone: 303-844-4988, Fax: 303-844-4996

Rep. Jared Polis (D-CO)

Website: polis.house.gov

Washington, D.C. Office: 1433 Longworth House Office Building, DC 20515-0602

Phone: 202-225-2161, Fax: 202-226-7840

Fort Collins Office: 300 East Horsetooth Road, #103, Fort Collins, CO 80525
Phone: 970-226-1239, Fax: 970-226-8597

Rep. Scott Tipton (R-CO)

Website: tipton.house.gov

Washington, D.C. Office: 218 Cannon House Office Building, DC 20515-0603

Phone: 202-225-4761, Fax: 202-226-9669

Grand Junction Office: 225 North 5th Street, Suite 702, Grand Junction, CO 81501

Phone: 970-241-2499, Fax: 970-241-3053

Rep. Ken Buck (R-CO)

Website: <https://buck.house.gov>

Washington, D.C. Office: 16 Cannon HOB, Washington, DC 20515-0604

Phone: 202-225-4676

District office: 7505 Village Square Dr. Suite 207, Castle Pines, CO 80108

Rep. Doug Lamborn (R-CO)

Website: lamborn.house.gov

Washington, D.C. Office:

2402 Rayburn House Office Building, DC 20515-0605

Phone: 202-225-4422, Fax: 202-226-2638

Colorado Springs Office:

1271 Kelly Johnson Boulevard, Suite 110 Colorado Springs, CO 80920

Phone: 719-520-0055, Fax: 719-520 0840

Rep. Mike Coffman (R-CO)

Website: coffman.house.gov

Washington, D.C. Office:

2443 Rayburn House Office Building, DC 20515-0606

Phone: 202-225-7882, Fax: 202-226-4623

District Office:

Cherry Creek Place IV; 3300 S. Parker Road, Suite 305

Aurora, CO 80014

Phone: (720) 748-7514, Fax: (720) 748-7680

Rep. Ed Perlmutter (D-CO)

Website: perlmutter.house.gov Washington, D.C. Office: 1410 Longworth House Office Building, DC 20515-0607

Phone: 202-225-2645, Fax: 202-225-5278

Lakewood Office: 12600 West Colfax Avenue, Suite B400, Lakewood, CO 80215

Phone: 303-274-7944, Fax: 303-274-6455

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COLORADO POLICE PROTECTIVE ASSOCIATION

1485 Kelly Johnson Blvd, Suite 230 • Colorado Springs, CO 80920
Ph: 719-590-9200 • Toll Free: 800-320-2772 • Fax 719-884-1257 • www.cppa.net

September 23, 2016

The Honorable Mike Coffman
2443 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Mike Coffman,

The Colorado Police Protective Association represents law enforcement officers and Deputy Sheriffs all across Colorado. We have been providing benefits and representing law enforcement officers for over 90 years.

Our Organization is contacting you to ask for your support in Co-Sponsoring H.R. 711, "Equal Treatment of Public Servants Act". This House Resolution is sponsored by Congressman Kevin Brady (R-Texas) and is very important to our members and law enforcement employees in general. Currently there are 122 Co-Sponsors and truly appears to be a bi-partisan Resolution.

From what we have read this will repeal the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) and replace it with a more individualized and equitable calculation of Social Security benefits. The WEP drastically reduces the Social Security benefits earned by a worker. The GPO is a related provision that reduces Social Security benefits paid to spouses or survivors when the spouse or survivor earned a pension from a government job that was not covered by Social Security. Police Officers that have either held a normal job prior to or after their law enforcement careers, have been required to pay Social Security and are now facing up to a 60% reduction in their Social Security benefits. Since they have paid into the Social Security system, it is only fair they should be entitled to the full benefits they have earned.

Congressman Kevin Brady's legislation repeals the WEP. This would require benefits to be calculated using the standard Social Security benefit formula. It would ensure that **ONLY** wages earned while paying into Social Security would be counted toward the benefit. This simply is an issue of fairness.

Your Co-Sponsoring this House Bill would not only show your support for our members but law enforcement nationwide. This change is desperately needed to help bring back fairness and equitability to a profession that has suffered since the WEP and GPO offsets have been in place.

In closing, we thank you in advance for your consideration. Out of the 122 Co-Sponsors,

none of them are from Colorado. As you can see, this issue is important and affects not only our Members' welfare but other law enforcement officers within Colorado. Please let us know if we can count on your support and help with Co-Sponsoring H.R. 711. We would appreciate your timely response so that we may provide this information to our members as soon as possible.

Sincerely,

Colorado Police Protective Association
Board of Directors
1485 Kelly Johnson Blvd
Colorado Springs, CO 80920
719-590-9200

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114TH CONGRESS
1ST SESSION

H. R. 711

To amend title II of the Social Security Act to repeal the windfall elimination provision and protect the retirement of public servants.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2015

Mr. BRADY of Texas (for himself and Mr. NEAL) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to repeal the windfall elimination provision and protect the retirement of public servants.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Equal Treatment of
5 Public Servants Act of 2015".

1 SEC. 2. REPLACEMENT OF THE WINDFALL ELIMINATION
2 PROVISION WITH A FORMULA EQUALIZING
3 BENEFITS FOR CERTAIN INDIVIDUALS WITH
4 NON-COVERED EMPLOYMENT.

5 (a) IN GENERAL.—Section 215(a) of the Social Secu-
6 rity Act (42 U.S.C. 415(a)) is amended by inserting after
7 paragraph (7) the following:

8 “(8)(A) In the case of an individual whose primary
9 insurance amount would be computed under paragraph
10 (1) of this subsection—

11 “(i) who becomes eligible for old-age insurance
12 benefits after 2016 or would attain age 62 after
13 2016 and becomes eligible for disability insurance
14 benefits after 2016,

15 “(ii) who subsequently becomes entitled to such
16 benefits, and

17 “(iii) who has earnings derived from noncovered
18 service performed in a year after 1977,

19 the primary insurance amount of such individual shall be
20 computed or recomputed under this paragraph.

21 “(B) The primary insurance amount of an individual
22 described in subparagraph (A), as computed or recom-
23 puted under this paragraph, shall be the product derived
24 by multiplying—

1 “(i) the individual’s primary insurance amount,
2 as determined under paragraph (1) of this sub-
3 section and subparagraph (C) of this paragraph, by

4 “(ii) a fraction—

5 “(I) the numerator of which is the individ-
6 ual’s average indexed monthly earnings (deter-
7 mined without regard to subparagraph (C)),
8 and

9 “(II) the denominator of which is an
10 amount equal to the individual’s average in-
11 dexed monthly earnings (as determined under
12 subparagraph (C)),

13 rounded, if not a multiple of \$0.10, to the next lower mul-
14 tiple of \$0.10.

15 “(C)(i) For purposes of determining an individual’s
16 primary insurance amount pursuant to clauses (i) and
17 (ii)(II) of subparagraph (B), the individual’s average in-
18 dexed monthly earnings shall be determined by treating
19 all recorded noncovered earnings (as defined in clause
20 (ii)(I)) derived by the individual from noncovered service
21 performed in each year after 1977 as ‘wages’ (as defined
22 in section 209 for purposes of this title), which shall be
23 treated as included in the individual’s adjusted total cov-
24 ered earnings (as defined in clause (ii)(II)) for such cal-
25 endar year together with amounts consisting of ‘wages’ (as

1 so defined without regard to this subparagraph) paid dur-
2 ing such calendar year and self-employment income (as
3 defined in section 211(b)) for taxable years ending with
4 or during such calendar year.

5 “(ii) For purposes of this subparagraph—

6 “(I) The term ‘recorded noncovered earnings’
7 means earnings derived from noncovered service
8 (other than noncovered service as a member of a
9 uniformed service (as defined in section 210(m))) for
10 which satisfactory evidence is determined by the
11 Commissioner to be available in the records of the
12 Commissioner.

13 “(II) The term ‘adjusted total covered earnings’
14 means, in connection with an individual for any cal-
15 endar year, the sum of the wages paid to the indi-
16 vidual during such calendar year (as adjusted under
17 subsection (b)(3)) plus the self-employment income
18 derived by the individual during any taxable year
19 ending with or during such calendar year (as ad-
20 justed under subsection (b)(3)).

21 “(iii) The Commissioner of Social Security shall pro-
22 vide by regulation for methods for determining whether
23 satisfactory evidence is available in the records of the
24 Commissioner for earnings for noncovered service (other
25 than noncovered service as a member of a uniformed serv-

1 ice (as defined in section 210(m))) to be treated as re-
2 corded noncovered earnings. Such methods shall provide
3 for reliance on earnings information which is provided to
4 the Commissioner by employers and which, as determined
5 by the Commissioner, constitute a reasonable basis for
6 treatment of earnings for noncovered service as recorded
7 noncovered earnings. In making determinations under this
8 clause, the Commissioner shall also take into account any
9 documentary evidence of earnings derived from non-
10 covered service by an individual which is provided by the
11 individual to the Commissioner and which the Commis-
12 sioner considers appropriate as a reasonable basis for
13 treatment of such earnings as recorded noncovered earn-
14 ings, except that such evidence provided by the individual
15 shall be taken into account only to the extent that such
16 evidence does not relate to earnings for service with re-
17 spect to which information regarding earnings has already
18 been obtained by the Commissioner from the employer and
19 only to the extent that such evidence does not result in
20 a reduction in the individual's primary insurance amount
21 as calculated under subparagraph (B).

22 “(D) Upon the death of an individual whose primary
23 insurance amount is computed or recomputed under this
24 paragraph, such primary insurance amount shall be com-

1 puted or recomputed under paragraph (1) of this sub-
2 section.”.

3 (b) MODIFICATION OF WINDFALL ELIMINATION
4 PROVISION FOR CURRENT BENEFICIARIES; RECOVERY OF
5 CERTAIN OVERPAYMENTS.—Section 215(a)(7) of such
6 Act (42 U.S.C. 415(a)(7)) is amended by adding at the
7 end the following:

8 “(F)(i) Notwithstanding subparagraph (A), for pur-
9 poses of determining the amount of monthly insurance
10 benefits for months after December 2016, the primary in-
11 surance amount of an individual described in subpara-
12 graph (A), or an individual described in subparagraph (G)
13 whose primary insurance amount was calculated or recal-
14 culated under subparagraph (B), shall be deemed to be
15 equal to the sum of—

16 “(I) the primary insurance amount of such indi-
17 vidual computed or recomputed under subparagraph
18 (B); plus

19 “(II) the applicable percentage (determined
20 under clause (ii)) of the amount by which the pri-
21 mary insurance amount of such individual computed
22 or recomputed under subparagraph (B) is exceeded
23 by the primary insurance amount of such individual
24 that would be determined without regard to this
25 paragraph.

1 “(ii) The applicable percentage determined under this
2 clause shall be a percentage (but not more than 50 per-
3 cent) which shall be determined by the Commissioner on
4 the basis of the amount of the savings generated as a re-
5 sult of the enactment of the Equal Treatment of Public
6 Servants Act of 2015. The Commissioner shall determine
7 and promulgate the applicable percentage determined
8 under this clause on or before November 1, 2016, based
9 upon the most recent actuarial estimates then available.

10 “(G) In the case of an individual whose primary in-
11 surance amount would be computed under paragraph (1)
12 of this subsection who—

13 “(i) attains age 62 after 1985 and before 2017
14 (except where he or she became entitled to a dis-
15 ability insurance benefit before 1986 and remained
16 so entitled in any of the 12 months immediately pre-
17 ceding his or her attainment of age 62), or

18 “(ii) would attain age 62 after 1985 and before
19 2017 and becomes eligible for a disability insurance
20 benefit after 1985 and before 2017, and

21 “(iii) is eligible for old-age insurance benefits or
22 disability insurance benefits for December 2016,

23 “(iv) has recorded noncovered earnings (as de-
24 fined in paragraph (8)(C)(ii)), and

1 “(v) has less than 30 years of coverage (as de-
2 fined in subparagraph (D)),
3 the primary insurance amount of such individual shall be
4 computed or recomputed under this paragraph unless such
5 individual provides to the Commissioner evidence deter-
6 mined to be satisfactory by the Commissioner that such
7 individual has not received any periodic payment attrib-
8 utable to noncovered service. The Commissioner shall, in
9 accordance with section 204, recover from such individual
10 described in subparagraph (A), and any other individual
11 receiving benefits under this title on the basis of the wages
12 and self-employment income of such individual described
13 in subparagraph (A), any excess of the total amount of
14 benefits under this title paid to each such individual prior
15 to 2017 over the amount computed on the basis of the
16 primary insurance amount computed or recomputed under
17 this paragraph without regard to subparagraph (F).”.

18 (c) CONFORMING AMENDMENTS.—Section
19 215(a)(7)(A) of such Act (42 U.S.C. 415(a)(7)(A)) is
20 amended—

21 (1) by striking “after 1985” each place it ap-
22 pears and inserting “after 1985 and before 2017”;
23 and

1 (2) by striking "hereafter in this paragraph and
2 in subsection (d)(3)" and inserting "in this para-
3 graph, paragraph (8), and subsection (d)(3)".

○