



Government Pension Offset

The Social Security Fairness Act (SSFA) of 2023, signed into law on January 5, 2025, ended the Government Pension Offset (GPO) for benefits payable for months after December 2023. This means the rule no longer applies to benefits payable for January 2024 and later.

Note: The following information outlines the GPO provision prior to the enactment of the SSFA.

A law that affects spouses and surviving spouses

The law in effect until December 2023 stated that if you received a retirement or disability pension from a federal, state, or local government based on your own work for which you didn't pay Social Security taxes, your Social Security benefits may be reduced. You may not receive any payment at all. This fact sheet answers questions you may have about the reduction. For more information visit www.ssa.gov/prepare/government-and-foreign-pensions.

**Public Law 98-21, Social Security Amendments of 1983, approved April 20, 1983*

Benefit reduction under GPO

Under GPO, we would reduce your Social Security benefits by two-thirds of your government pension. For example, if you got a monthly civil service pension of \$3,000, two-thirds of that, or \$2,000, would be deducted from your Social Security benefits. So, if you were eligible for a \$2,100 spouse's or surviving spouse's benefit from Social Security, you would get \$100 a month ($\$2,100 - \$2,000 = \100). If two-thirds of your government pension was more than your Social Security benefit, your benefit would be reduced to zero.

If you took your government pension annuity in a lump sum, we would calculate the reduction as if you chose to get monthly benefit payments from your government work.

Why were Social Security benefits reduced under GPO?

Benefits we pay to spouses and surviving spouses are "dependent" benefits. Set up in the 1930s, these benefits were to compensate spouses who stayed home to raise a family and were financially dependent on the working spouse. It's now common for both spouses to work, each earning their own Social

Security retirement benefit. The law requires a spouse's or surviving spouse's benefit to be offset by the dollar amount of the recipient's own retirement benefit.

For example, let's say someone worked and earned their own \$800 monthly Social Security benefit, but was also due a \$500 spouse's benefit on their spouse's record. We couldn't pay that spouse's benefit because their own benefit offset it. Before enactment of the Government Pension Offset (GPO) law, if that person was a government employee who didn't pay into Social Security and earned an \$800 government pension, there was no offset. We had to pay them a full spouse's benefit and their full government pension.

If their government work had been subject to Social Security taxes, we would have reduced any spouse's or surviving spouse's benefit because of their own Social Security retirement benefit. The GPO ensured that we calculated the benefits of government employees who didn't pay Social Security taxes the same as workers in the private sector who pay Social Security taxes.

When won't my Social Security benefits be reduced? GPO Exemptions

Prior to enactment of the Social Security Fairness Act, certain exemptions applied to GPO. Generally, we would not reduce your Social Security benefits as a spouse or surviving spouse if you:

- Received a government pension that wasn't based on your earnings.
- Were a federal (including Civil Service Offset), state, or local government employee and your pension was from a job for which you paid Social Security taxes.
- Were characterized by one of the following:
 - Your last day of employment (that your pension is based on) was before July 1, 2004.
 - You filed for and were entitled to spouse's or surviving spouse's benefits before April 1, 2004.

—You paid Social Security taxes on your earnings during the last 60 months of government service. (Note: Under certain conditions, we require fewer than 60 months for people whose last day of employment falls after June 30, 2004, and before March 2, 2009. We reduce the work covered by Social Security by the number of months the worker was in government service under the same retirement system on or before March 2, 2004. The months do not have to be consecutive. Any remaining months needed to fulfill the 60 months requirement must be worked after March 2, 2004.)

There are other situations for which we would not reduce your Social Security benefits as a spouse or surviving spouse. For example, if you:

- Were a federal employee who switched from the Civil Service Retirement System (CSRS) to the Federal Employees' Retirement System (FERS) after December 31, 1987, and:
 - Your last day of service (that your pension is based on) was before July 1, 2004.
 - You paid Social Security taxes on your earnings for 60 months or more during the period beginning January 1988 and ending with the first month of entitlement to benefits.
 - You filed for and were entitled to spouse's or surviving spouse's benefits before April 1, 2004.
- Received, or were eligible to receive, a government pension before December 1982 and met all the requirements for Social Security spouse's benefits in effect in January 1977.
- Received, or were eligible to receive, a federal, state, or local government pension before July 1, 1983, and received one-half support from your spouse.

Note: A Civil Service Offset employee is a federal employee, rehired after December 31, 1983, following a break in service of more than 365 days, with 5 years of prior CSRS coverage.

What about Medicare?

Even if you don't get benefit payments from your spouse's work, you can still get Medicare at age 65 on your spouse's record if you aren't eligible for it on your own record.

If the spouse's or surviving spouse's benefit you receive is not enough to cover the entire Medicare Part B premium, we will use your benefits to offset the cost of the premium. After all credits are applied, we will bill you for the remaining balance once a year. If your Social Security benefit is reduced to zero, you will receive a bill from Medicare quarterly.

Can I still get Social Security benefits from my own work?

The offset applied only to Social Security benefits for a spouse or surviving spouse through December 2023. However, we may have reduced your own retirement or disability benefits because of another provision called Windfall Elimination Provision (WEP) through December 2023. For more information, go online to read *Windfall Elimination Provision* (Publication No. 05-10045).

Note: Legislation (Section 419c of Public Law 108-20, the Social Security Protection Act of 2004) requires state and local government employers to provide a statement to employees hired after January 1, 2005, or later. This statement is the form SSA-1945, *Statement Concerning Your Employment in a Job Not Covered by Social Security*.

Contacting Us

The most convenient way to do business with us is to visit www.ssa.gov to get information and use our online services. There are several things you can do online: apply for benefits; start or complete your request for an original or replacement Social Security card; get useful information; find publications; and get answers to frequently asked questions.

Or, you can call us toll-free at **1-800-772-1213** or at **1-800-325-0778 (TTY)** if you're deaf or hard of hearing. We can answer your call from 8 a.m. to 7 p.m., weekdays. We provide free interpreter services upon request. For quicker access to a representative, try calling early in the day (between 8 a.m. and 10 a.m. local time) or later in the day. **We are less busy later in the week (Wednesday to Friday) and later in the month.** You can also use our automated services via phone, 24 hours a day, so you do not need to speak with a representative. If you need to visit an office, you must have an appointment.



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and tomorrow

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