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## FEW Washington Legislative Update August 1-15, 2024

### CONGRESS IS IN RECESS FOR THE MONTH OF AUGUST

#### Tier I

#### Federal Women:

#### **Women in the Military and the Draft**

A bipartisan group of senators has introduced legislation to end the military draft, calling it an “outdated” government program that no longer serves a purpose.

The bill, introduced Thursday by Sens. Rand Paul (R-Ky.), Ron Wyden (D-Ore.), and Cynthia Lummis (R-Wyo.), would repeal the Military Selective Service Act, commonly known as the draft. First passed in 1917 to fill the ranks during World War I, the law requires all able-bodied men between the ages of 18 and 45 to register for possible military service, but it has not been used since the Vietnam War.

“It has been over 50 years since the draft was last used,” Paul said in a statement on the bill. “I’ve long stated that if a war is worth fighting, Congress will vote to declare it and people will volunteer. This outdated government program no longer serves a purpose and should be eliminated permanently.”

The legislation comes as Congress once again debates the expansion of the draft given the Defense Department opened all combat roles to women in 2015. Senate Democrats this year added language to the annual defense authorization bill to require women to register for the draft, prompting a backlash from Republicans and social conservatives.

A measure to compel women to register for potential service has continuously been stripped out of the National Defense Authorization Act (NDAA) year after year, most recently in 2021 and 2022.

What's more, the annual cost of the program has steadily inched upward, jumping from a \$26 million budget in 2021 to a \$33.4 million request for 2025.

"The Selective Service is a long-outdated program that eats up millions of taxpayer dollars and gives us nothing in return," Wyden said in a statement. "This is a commonsense bill that brings our military into the twentieth century and keeps money in American wallets."

Defenders of women included in the draft, meanwhile, argue that expansion makes it possible to draw on a wider range of talent should the worst happen.

A commission created by the 2017 NDAA to study the issue recommended as much, when it released a report in 2020 that called the move "a necessary and fair step, making it possible to draw on the talent of a unified Nation in a time of national emergency."

"Women are doing a remarkable job in our forces today, and if we were in a situation requiring a draft, I think we would need all able-bodied citizens 18 and above," Senate Armed Services Committee Chair Jack Reed (D-R.I.) said in June. "If we go to a draft, that means we're in a serious, serious situation."

(Source: [The Hill](#))

## **FEW Washington Legislative Update – August 1-15, 2024 Tier II**

### Federal Workforce:

#### **WEP (Windfall Elimination Provision)**

#### **House lawmakers plan to force a vote on bill to kill provision that cuts some feds' retirement pay.**

The Social Security Fairness Act would abolish two tax provisions that reduce retirement benefits for some federal workers.

A bipartisan pair of lawmakers announced Monday that they would act to force a vote on the House floor on a measure that would repeal a pair of controversial tax rules that negatively impact some federal employees' retirement income.

The Social Security Fairness Act ([H.R. 82](#)), introduced [last year](#) by Reps. Abigail Spanberger, D-Va., and Garrett Graves, R-La., would repeal Social Security's windfall elimination provision and government pension offset.

The windfall elimination provision reduces Social Security benefits for retired federal, state and local government workers who worked in both the private sector and at a

government job where Social Security is not intended as an element of their retirement income, like the Civil Service Retirement System. The government pension offset reduces spousal and survivor Social Security benefits by two-thirds if the beneficiary is also a government employee.

According to the lawmakers, the windfall elimination provision affects the Social Security benefits of roughly 2 million former government workers, while the GPO impacts nearly 800,000 retirees.

But despite widespread dissatisfaction with the two provisions among government workers who have spent part of their career in the private sector and growing bipartisan support for axing them, the measure has never made it to the House floor for a vote. As of Monday, the bill had 325 cosponsors in the House.

In a statement Monday, Spanberger and Graves announced that when Congress returns from the August recess next month, they will file a discharge petition in an effort to force a floor vote on the bill. In order to be successful, a discharge petition requires the signatures of at least 218 lawmakers.

“For more than 40 years, millions of Americans—police officers, teachers, firefighters and other local and state public servants—have been stripped of their Social Security benefits as an unjust penalty for devoting much of their careers to serving their communities and fellow Americans,” the pair said. “These Virginians, Louisianans and American[s] across our country deserve their full retirement benefits—just like every other American who has paid into Social Security. For years, we have worked together to build bipartisan support for this effort and urge House leadership to take real action to right this wrong. As these efforts have stalled, we are using every tool at our disposal to finally get this done.”

Spanberger’s and Graves’ bill is not the only piece of legislation aimed at reforming how ex-government workers who spent some time in the private sector receive Social Security benefits. The Equal Treatment of Public Servants Act ([H.R. 5342](#)), introduced by Reps. Jody Arrington, R-Texas, and Vincente Gonzalez, D-Texas, would replace the windfall elimination provision with a new formula for calculating the Social Security benefits of those who split their career between the private and public sectors. The measure has 34 cosponsors.

(Source: [Government Executive](#))

## FEW in Action

### A Reminder: FEW's Advocacy Day – September 17-19, 2024

Mark your calendars for *FEW's Advocacy Day on September 18, 2024!* This important event has been rescheduled due to a last-minute joint session of Congress, but your advocacy remains crucial.

If you aren't scheduled to be in Washington for FEW's Advocacy Day, you can still make your voice heard by writing to your Congressional Representatives through Voter Voice. Participate from anywhere and ensure your concerns are communicated to your representatives!

This is a valuable opportunity to engage in important discussions, advocate for vital issues, and connect with like-minded individuals dedicated to making a difference.

For all of those who are not in-person you can still have an impact by writing to your members of Congress for FEW's Advocacy Day.

Don't miss out on this impactful event!

### FEW Washington Legislative Update – August 1-15, 2024 Tier III

#### Women as a Class:

#### **The Gender Pay Gap – Equal Pay** (*excerpts*)

The [recent memo from OPM Acting Director Rob Shriver on pay equity](#) coincidentally was issued within days of a related statement from the Society for Human Resource Management that sets forth a change in policy that is counter to OPM's message. The change was summarized succinctly in the *Wall Street Journal* column, "[America's HR Lobby Scraps the 'E' From DEI.](#)"

[In a recent statement](#), SHRM indicated that they will shift "to leading with Inclusion as the catalyst for holistic change in workplaces and society" because they aim to address the "current shortcomings of DE&I programs, which have led to societal backlash and increasing polarization."

The gap, as OPM has defined it, is an artificial number comparing the average pay of men and women. It compares male and female data from the multiple pay schedules across the country and the hundreds of occupations, which is not consistent with federal

EEO statutes. However, calculated, the gap comparison pits men and women against each other – the reason for SHRM’s decision.

### **Equal Pay Has Been a Long-Term Goal**

Shriver’s memo on pay equity opens with federal data showing the current gender pay gap is 5.6 percent. That’s compared with the current 16 percent in the private sector. Superficially, a gap that small should be celebrated – but it’s not a meaningful measure of the gender gap or equitable pay.

Government has a long history of addressing equal pay. It first made headlines in World War I when the War Labor Board ordered employers to pay women the same as the men they replaced. The equal pay policy was adopted again at the start of World War II.

In the early 1960s President Kennedy created the President’s Commission on the Status of Women, which led to passage of the Equal Pay Act in June 1963.

That law requires men and women in the same workplace be given “equal pay for equal work”. Jobs need not be identical, but they must be substantially equal. The court cases summarized on the EEOC website focus narrowly on men and women in very similar jobs, and with rare exceptions they have the same title.

This is consistent with the views of many political leaders. When the Paycheck Fairness Act was reintroduced in 2021, one of its sponsors, Rep. Rosa DeLauro, D-Conn., said, “the concept is simple: men and women in the same job deserve the same pay.”

(Source: [Government Executive](#))

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