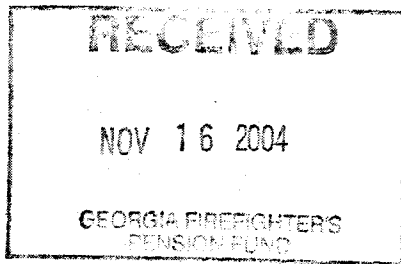




SOCIAL SECURITY



Federal Building Room 104
600 East First Street
Rome Georgia 30161
Phone: (706) 291-5660
FAX: (706) 291-5689
Office Hours: 8:30AM to 3:30PM

Date
November 12, 2004

Mr. James R. Meynard
Georgia Firefighters' Pension Fund
720 Church Street
Decatur, GA 30030

Dear Mr. Meynard,

You asked the Social Security Administration (SSA) to determine if pension payments from the Georgia Firefighters' Pension Fund (GFPF) are excluded from consideration in determining applicability of the Windfall Elimination Provision (WEP) and/or Government Pension Offset (GPO) provisions of the law. After evaluating the nature and source of the payments, it has been determined by SSA that payments from the GFPF are not to be considered when determining whether WEP or GPO is applicable. GFPF payments are based on voluntary contributions from the firefighter and contributions from fire insurance premiums. Since no employer contributions are made to the fund and it is a secondary pension for the firefighter, these payments would not be considered when determining the applicability of WEP and/or GPO.

Even though GFPF payments would not be counted to determine whether WEP and/or GPO apply to the firefighter's SSA payments, that does not mean that WEP or GPO are not applicable. This can only be determined by a complete evaluation of the firefighter's work history and pension payments based on work as a firefighter. WEP and/or GPO may apply in cases where the GFPF is not relevant to the receipt of or calculation of the SSA benefit because of noncovered employment and the receipt of a pension based on that employment. A determination must be made on a case by case basis.

I hope this answers your question. If you need any further assistance, please contact me at (706) 291-5620.

Sincerely yours,

Stephen E. Conrad
District Manager
Rome, GA Social Security Office