

112TH CONGRESS
1ST SESSION

H. R. 2913

To amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2011

Mr. COFFMAN of Colorado (for himself and Ms. FOXX) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to provide for the termination of further retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan.

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

1 **SECTION 1. AMENDMENTS RELATING TO THE CIVIL SERV-**
2 **ICE RETIREMENT SYSTEM.**

3 (a) IN GENERAL.—Subchapter III of chapter 83 of
4 title 5, United States Code, is amended by inserting after
5 section 8335 the following:

6 **“§ 8335a. Termination of further retirement coverage**
7 **of Members of Congress**

8 “(a) IN GENERAL.—Notwithstanding any other pro-
9 vision of this subchapter, effective as of the date of enact-
10 ment of this section—

11 “(1) a Member shall not be subject to this sub-
12 chapter for any further period of time; and

13 “(2) no further Government contributions or
14 deductions from basic pay may be made with respect
15 to such Member for deposit in the Treasury of the
16 United States to the credit of the Fund.

17 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
18 subsection (a) shall be considered to nullify, modify, or
19 otherwise affect any right, entitlement, or benefit under
20 this subchapter with respect to any Member covering any
21 period prior to the date of enactment of this section.

22 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
23 PLAN NOT AFFECTED.—Nothing in subsection (a) shall
24 affect the eligibility of a Member to participate in the
25 Thrift Savings Plan in accordance with otherwise applica-
26 ble provisions of law.

1 “(d) REGULATIONS.—Any regulations necessary to
2 carry out this section may—

3 “(1) except with respect to matters under sub-
4 paragraph (B), be prescribed by the Director of the
5 Office of Personnel Management; and

6 “(2) with respect to matters relating to the
7 Thrift Savings Plan, be prescribed by the Executive
8 Director (as defined by section 8401(13)).

9 “(e) EXCLUSION.—For purposes of this section, the
10 term ‘Member’ does not include the Vice President.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 83 of title 5, United States
13 Code, is amended by inserting after the item relating to
14 section 8335 the following:

“8335a. Termination of further retirement coverage of Members of Congress.”.

15 **SEC. 2. AMENDMENTS RELATING TO THE FEDERAL EM-**
16 **PLOYEES’ RETIREMENT SYSTEM.**

17 (a) IN GENERAL.—Subchapter II of chapter 84 of
18 title 5, United States Code, is amended by inserting after
19 section 8425 the following:

20 **“§ 8425a. Termination of further retirement coverage**
21 **of Members of Congress**

22 “(a) IN GENERAL.—Notwithstanding any other pro-
23 vision of this chapter, effective as of the date of enactment
24 of this section—

1 “(1) in the case of an individual who first be-
2 comes a Member before such date of enactment—

3 “(A) such Member shall not be subject to
4 this chapter for any further period of time after
5 such date of enactment; and

6 “(B) no further Government contributions
7 or deductions from basic pay may be made with
8 respect to such Member for deposit in the
9 Treasury of the United States to the credit of
10 the Fund; and

11 “(2) in the case of an individual who first be-
12 comes a Member on or after such date of enact-
13 ment—

14 “(A) such Member shall not be subject to
15 this chapter; and

16 “(B) no Government contributions or de-
17 ductions from basic pay may be made with re-
18 spect to such Member for deposit in the Treas-
19 ury of the United States to the credit of the
20 Civil Service Retirement and Disability Fund.

21 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
22 subsection (a) shall be considered to nullify, modify, or
23 otherwise affect any right, entitlement, or benefit under
24 this chapter with respect to any Member covering any pe-
25 riod prior to the date of enactment of this section.

1 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
2 PLAN NOT AFFECTED.—Nothing in subsection (a) shall
3 affect the eligibility of a Member to participate in the
4 Thrift Savings Plan in accordance with otherwise applica-
5 ble provisions of law.

6 “(d) REGULATIONS.—

7 “(1) IN GENERAL.—Any regulations necessary
8 to carry out this section may—

9 “(A) except with respect to matters under
10 subparagraph (B), be prescribed by the Direc-
11 tor of the Office of Personnel Management; and

12 “(B) with respect to matters relating to
13 the Thrift Savings Plan, be prescribed by the
14 Executive Director (as defined by section
15 8401(13)).

16 “(2) REFUNDS.—Notwithstanding subsection
17 (b), the regulations under paragraph (1)(A) shall, in
18 the case of a Member who has not completed at
19 least 5 years of civilian service as of the date of en-
20 actment of this section, provide that the lump-sum
21 credit shall be payable to such Member to the same
22 extent and in the same manner as if such Member
23 satisfied paragraphs (1) through (4) of section
24 8424(a) as of such date of enactment.

1 “(e) EXCLUSION.—For purposes of this section, the
2 term ‘Member’ does not include the Vice President.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 84 of title 5, United States
5 Code, is amended by inserting after the item relating to
6 section 8425 the following:

“8425a. Termination of further retirement coverage of Members of Congress.”.

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