

115TH CONGRESS
1ST SESSION

H. R. 322

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2017

Mr. DESANTIS (for himself, Ms. FOXX, Mr. MASSIE, Mr. PALAZZO, and Mr. BLUM) 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 certain retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan, and for other purposes.

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 “End Pensions in Con-
5 gress Act” or the “EPIC Act”.

1 **SEC. 2. AMENDMENTS RELATING TO THE CIVIL SERVICE**
2 **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 and subject to subsection (f), ef-
10 fective as of the date of enactment 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 para-
4 graph (2), be prescribed by the Director of the Of-
5 fice 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 “(f) OPT-IN.—Not later than 90 days after the date
12 of enactment of this section, a Member covered by this
13 subchapter as of such date of enactment may elect, by giv-
14 ing notice in writing to the official by whom such Member
15 is paid, to remain subject to this subchapter.”

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

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

20 **SEC. 3. AMENDMENTS RELATING TO THE FEDERAL EM-**
21 **PLOYEES RETIREMENT SYSTEM.**

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

1 **“§ 8425a. Termination of further retirement coverage**
2 **of Members of Congress**

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

6 “(1) subject to subsection (f), in the case of an
7 individual who first becomes a Member before such
8 date of enactment—

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

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

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

20 “(A) such Member shall not be subject to
21 this chapter; and

22 “(B) no Government contributions or de-
23 ductions from basic pay may be made with re-
24 spect to such Member for deposit in the Treas-
25 ury of the United States to the credit of the
26 Fund.

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

6 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
7 PLAN NOT AFFECTED.—Nothing in subsection (a) or (b)
8 shall affect the eligibility of a Member to participate in
9 the Thrift Savings Plan in accordance with otherwise ap-
10 plicable provisions of law.

11 “(d) REGULATIONS.—

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

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

17 “(B) with respect to matters relating to
18 the Thrift Savings Plan, be prescribed by the
19 Executive Director (as defined by section
20 8401(13)).

21 “(2) REFUNDS.—Notwithstanding subsection
22 (b), the regulations under paragraph (1)(A) shall, in
23 the case of a Member who has not completed at
24 least 5 years of civilian service as of the date of en-
25 actment of this section, provide that the lump-sum

1 credit shall be payable to such Member to the same
2 extent and in the same manner as if such Member
3 satisfied paragraphs (1) through (4) of section
4 8424(a) as of such date of enactment.

5 “(e) EXCLUSIONS.—For purposes of this section, the
6 term ‘Member’ does not include the Vice President.

7 “(f) OPT-IN FOR MEMBERS.—Not later than 90 days
8 after the date of enactment of this section, a Member cov-
9 ered by this chapter as of such date may elect, by giving
10 notice in writing to the official by whom such Member is
11 paid, to remain subject to this chapter.”.

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

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

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