

113TH CONGRESS
1ST SESSION

H. R. 423

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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2013

Mr. COFFMAN (for himself, Mr. POLIS, Mr. SCHWEIKERT, Mr. FLEMING, Ms. FOXX, and Mr. CICILLINE) 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, 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,*

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.—

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

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

7 “(B) with respect to matters relating to
8 the Thrift Savings Plan, be prescribed by the
9 Executive Director (as defined by section
10 8401(13)).

11 “(2) REFUNDS.—The regulations under para-
12 graph (1)(A) shall, in the case of any Member de-
13 scribed in subsection (a), provide that the lump-sum
14 credit shall be payable to such Member to the same
15 extent and in the same manner as if such Member
16 satisfied paragraphs (1), (3), and (4) of section
17 8342(a) as of the date of enactment of this section.

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

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

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

1 **SEC. 2. AMENDMENTS RELATING TO THE FEDERAL EM-**
 2 **PLOYEES' RETIREMENT SYSTEM.**

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

6 **“§ 8425a. Termination of further retirement coverage**
 7 **of Members of Congress**

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

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

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

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

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

24 “(A) such Member shall not be subject to
 25 this chapter; and

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

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

11 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
12 PLAN NOT AFFECTED.—Nothing in subsection (a) shall
13 affect the eligibility of a Member to participate in the
14 Thrift Savings Plan in accordance with otherwise applica-
15 ble provisions of law.

16 “(d) REGULATIONS.—

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

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

22 “(B) with respect to matters relating to
23 the Thrift Savings Plan, be prescribed by the
24 Executive Director (as defined by section
25 8401(13)).

1 “(2) REFUNDS.—The regulations under para-
2 graph (1)(A) shall, in the case of a Member de-
3 scribed in subsection (a)(1), provide that the lump-
4 sum credit shall be payable to such Member to the
5 same extent and in the same manner as if such
6 Member satisfied paragraphs (1), (3), and (4) of
7 section 8424(a) as of the date of enactment of this
8 section.

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 84 of title 5, United States
13 Code, is amended by inserting after the item relating to
14 section 8425 the following:

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

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