

105TH CONGRESS
1ST SESSION

H. R. 436

To eliminate certain benefits for Members of Congress.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1997

Mr. SANFORD introduced the following bill; which was referred to the Committee on House Oversight, and in addition to the Committees on Government Reform and Oversight, Rules, Transportation and Infrastructure, and National Security, 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 eliminate certain benefits for Members of Congress.

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 “Citizen Congress Act”.

5 **SEC. 2. LIMITATION ON RETIREMENT COVERAGE FOR MEM-**
6 **BERS OF CONGRESS.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, effective at the beginning of the Congress next
9 beginning after the date of the enactment of this Act, a
10 Member of Congress shall be ineligible to participate in

1 the Civil Service Retirement System or the Federal Em-
2 ployees' Retirement System, except as otherwise provided
3 under this section.

4 (b) PARTICIPATION IN THE THRIFT SAVINGS
5 PLAN.—Notwithstanding subsection (a), a Member may
6 participate in the Thrift Savings Plan subject to section
7 8351 of title 5, United States Code.

8 (c) REFUNDS OF CONTRIBUTIONS.—(1) Nothing in
9 subsection (a) shall prevent refunds from being made, in
10 accordance with otherwise applicable provisions of law (in-
11 cluding those relating to the Thrift Savings Plan), on ac-
12 count of an individual's becoming ineligible to participate
13 in the Civil Service Retirement System or the Federal Em-
14 ployees' Retirement System (as the case may be) as a re-
15 sult of the enactment of this section.

16 (2) For purposes of any refund referred to in para-
17 graph (1), a Member who so becomes ineligible to partici-
18 pate in either of the retirement systems referred to in
19 paragraph (1) shall be treated in the same way as if sepa-
20 rated from service.

21 (d) ANNUITIES NOT AFFECTED TO THE EXTENT
22 BASED ON PRIOR SERVICE.—Subsection (a) shall not be
23 considered to affect—

1 (1) any annuity (or other benefit) entitlement
2 to which is based on a separation from service occur-
3 ring before the date of the enactment of this Act (in-
4 cluding any survivor annuity based on the death of
5 the individual who so separated); or

6 (2) any other annuity (or benefit), to the extent
7 provided under subsection (e).

8 (e) PRESERVATIONS OF RIGHTS BASED ON PRIOR
9 SERVICE.—(1) For purposes of determining eligibility for,
10 or the amount of, any annuity (or other benefit) referred
11 to in subsection (d)(2) based on service as a Member of
12 Congress—

13 (A) all service as a Member of Congress shall
14 be disregarded except for any such service performed
15 before the date of the enactment of this Act; and

16 (B) all pay for service performed as a Member
17 of Congress shall be disregarded other than pay for
18 service which may be taken into account under sub-
19 paragraph (A).

20 (2) To the extent practicable, eligibility for, and the
21 amount of, any annuity (or other benefit) to which an indi-
22 vidual is entitled based on a separation of a Member of
23 Congress occurring after such Member becomes ineligible
24 to participate in the Civil Service Retirement System or
25 the Federal Employees' Retirement System (as the case

1 may be) by reason of subsection (a) shall be determined
 2 in a manner that preserves any rights to which the Mem-
 3 ber would have been entitled, as of the date of the enact-
 4 ment of this Act, had separation occurred on such date.

5 (f) REGULATIONS.—Any regulations necessary to
 6 carry out this section may be prescribed by the Office of
 7 Personnel Management and the Executive Director (re-
 8 ferred to in section 8401(13) of title 5, United States
 9 Code) with respect to matters within their respective areas
 10 of responsibility.

11 (g) DEFINITION.—As used in this section, the terms
 12 “Member of Congress” and “Member” mean any individ-
 13 ual under section 8331(2) or 8401(20) of title 5, United
 14 States Code.

15 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
 16 tion shall be considered to apply with respect to any sav-
 17 ings plan or other matter outside of subchapter III of
 18 chapter 83 or chapter 84 of title 5, United States Code.

19 **SEC. 3. DISCLOSURE OF ESTIMATES OF FEDERAL RETIRE-**
 20 **MENT BENEFITS OF MEMBERS OF CONGRESS.**

21 (a) IN GENERAL.—Section 105(a) of the Legislative
 22 Branch Appropriations Act, 1965 (2 U.S.C. 104a; Public
 23 Law 88–454; 78 Stat. 550) is amended by adding at the
 24 end thereof the following new paragraph:

1 “(4) The Secretary of the Senate and the Clerk of
2 the House of Representatives shall include in each report
3 submitted under paragraph (1), with respect to Members
4 of Congress, as applicable—

5 “(A) the total amount of individual contribu-
6 tions made by each Member to the Civil Service Re-
7 tirement and Disability Fund and the Thrift Savings
8 Fund under chapters 83 and 84 of title 5, United
9 States Code, for all Federal service performed by the
10 Member as a Member of Congress and as a Federal
11 employee;

12 “(B) an estimate of the annuity each Member
13 would be entitled to receive under chapters 83 and
14 84 of such title based on the earliest possible date
15 to receive annuity payments by reason of retirement
16 (other than disability retirement) which begins after
17 the date of expiration of the term of office such
18 Member is serving; and

19 “(C) any other information necessary to enable
20 the public to accurately compute the Federal retire-
21 ment benefits of each Member based on various as-
22 sumptions of years of service and age of separation
23 from service by reason of retirement.”.

24 (b) EFFECTIVE DATE.—This section shall take effect
25 1 year after the date of the enactment of this Act.

1 **SEC. 4. ELIMINATION OF AUTOMATIC ANNUITY ADJUST-**
2 **MENTS FOR MEMBERS OF CONGRESS.**

3 The portion of annuity of a Member of Congress
4 which is based solely on service as a Member of Congress
5 shall not be subject to a COLA adjustment under section
6 8340 or 8462 of title 5, United States Code.

7 **SEC. 5. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS**
8 **FOR MEMBERS OF CONGRESS.**

9 (a) PAY ADJUSTMENTS.—Paragraph (2) of section
10 601(a) of the Legislative Reorganization Act of 1946 (2
11 U.S.C. 31) is repealed.

12 (b) CONFORMING AMENDMENT.—Section 601(a)(1)
13 of such Act is amended—

- 14 (1) by striking “(a)(1)” and inserting “(a)”;
- 15 (2) by redesignating subparagraphs (A), (B),
16 and (C) as paragraphs (1), (2), and (3), respectively;
17 and
- 18 (3) by striking “, as adjusted by paragraph (2)
19 of this subsection”.

20 **SEC. 6. ROLLCALL VOTE FOR ANY CONGRESSIONAL PAY**
21 **RAISE.**

22 It shall not be in order in the Senate or the House
23 of Representatives to dispose of any amendment, bill, reso-
24 lution, motion, or other matter relating to the pay of Mem-
25 bers of Congress unless the matter is decided by a rollcall
26 vote.

1 **SEC. 7. TRAVEL AWARDS FROM OFFICIAL TRAVEL OF A**
2 **MEMBER, OFFICER, OR EMPLOYEE OF THE**
3 **HOUSE OF REPRESENTATIVES TO BE USED**
4 **ONLY WITH RESPECT TO OFFICIAL TRAVEL.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, or any rule, regulation, or other authority,
7 any travel award that accrues by reason of official travel
8 of a Member, officer, or employee of the House of Rep-
9 resentatives may be used only with respect to official trav-
10 el.

11 (b) REGULATIONS.—The Committee on House Over-
12 sight of the House of Representatives shall have authority
13 to prescribe regulations to carry out this section.

14 (c) DEFINITIONS.—As used in this section—

15 (1) the term “travel award” means any fre-
16 quent flier mileage, free travel, discounted travel, or
17 other travel benefit, whether awarded by coupon,
18 membership, or otherwise; and

19 (2) the term “official travel” means, with re-
20 spect to the House of Representatives, travel per-
21 formed for the conduct of official business of the
22 House of Representatives.

23 **SEC. 8. BAN ON MASS MAILINGS.**

24 (a) IN GENERAL.—(1) Paragraph (6)(A) of section
25 3210(a) of title 39, United States Code, is amended to
26 read as follows:

1 “(6)(A) It is the intent of Congress that a Member
2 of, or Member-elect to, Congress may not mail any mass
3 mailing as franked mail.”.

4 (2) The second sentence of section 3210(c) of title
5 39, United States Code, is amended by striking “sub-
6 section (a)(4) and (5)” and inserting “subsection (a)(4),
7 (5), and (6)”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) Section 3210 of title 39, United States Code, is
10 amended—

11 (A) in subsection (a)(3)—

12 (i) in subparagraph (G) by striking “, in-
13 cluding general mass mailings,”; and

14 (ii) in subparagraphs (I) and (J) by strik-
15 ing “or other general mass mailing”;

16 (B) in subsection (a)(6) by repealing subpara-
17 graphs (B), (C), and (F), and the second sentence
18 of subparagraph (D);

19 (C) by repealing paragraph (7) of subsection
20 (a); and

21 (D) by repealing subsection (f).

22 (2) Section 316(a) of the Legislative Branch Appro-
23 priations Act, 1990 (39 U.S.C. 3210 note) is repealed.

1 (3) Subsection (f) of section 311 of the Legislative
2 Branch Appropriations Act, 1991 (2 U.S.C. 59e(f)) is re-
3 pealed.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect at the beginning of the Con-
6 gress next beginning after the date of the enactment of
7 this Act.

8 **SEC. 9. RESTRICTIONS ON USE OF MILITARY AIR COMMAND**
9 **BY MEMBERS OF CONGRESS.**

10 (a) RESTRICTIONS.—(1) Chapter 157 of title 10,
11 United States Code, is amended by adding at the end the
12 following:

13 **“§ 2643. Restrictions on provision of air transpor-**
14 **tation to Members of Congress**

15 “(a) RESTRICTIONS.—A Member of Congress may
16 not receive transportation in an aircraft of the Military
17 Air Command unless—

18 “(1) the transportation is provided on a space-
19 available basis as part of the scheduled operations of
20 the military aircraft unrelated to the provision of
21 transportation to Members of Congress;

22 “(2) the use of the military aircraft is necessary
23 because the destination of the Member of Congress,
24 or an airfield located within reasonable distance of

1 the destination, is not accessible by regularly sched-
2 uled flights of commercial aircraft; or

3 “(3) the use of the military aircraft is the least
4 expensive method for the Member of Congress to
5 reach the destination by aircraft, as demonstrated
6 by information released before the trip by the mem-
7 ber or committee of Congress sponsoring the trip.

8 “(b) DESTINATION.—In connection with transpor-
9 tation provided under subsection (a)(1), the destination of
10 the military aircraft may not be selected to accommodate
11 the travel plans of the Member of Congress requesting
12 such transportation.

13 “(c) AIRCRAFT DEFINED.—For purposes of this sec-
14 tion, the term ‘aircraft’ includes both fixed-wing airplanes
15 and helicopters.

16 (2) The table of sections at the beginning of such
17 chapter is amended by adding at the end the following:

“2643. Restrictions on provision of air transportation to Members of Congress.”.

18 (b) EFFECT ON MEMBERS CURRENTLY RECEIVING
19 TRANSPORTATION.—Section 2643 of title 10, United
20 States Code, as added by subsection (a), shall not apply
21 with respect to a Member of Congress who, as of the date

1 of the enactment of this Act, is receiving air transpor-
 2 tation or is scheduled to receive transportation in an air-
 3 craft of the Military Air Command until the Member com-
 4 pletes the travel plans for which the transportation is
 5 being provided or scheduled.

6 **SEC. 10. PROHIBITION ON USE OF MILITARY MEDICAL**
 7 **TREATMENT FACILITIES BY MEMBERS OF**
 8 **CONGRESS.**

9 (a) PROHIBITION.—(1) Chapter 55 of title 10, Unit-
 10 ed States Code, is amended by adding at the end of the
 11 following:

12 **“§ 1107. Prohibition on provision of medical and den-**
 13 **tal care to Member of Congress**

14 “A Member of Congress may not receive medical or
 15 dental care in any facility of any uniformed service un-
 16 less—

17 “(1) the Member of Congress is eligible or enti-
 18 tled to such care as a member or former member of
 19 a uniformed service or as a covered beneficiary; or

20 “(2) such care is provided on an emergency
 21 basis unrelated to the person’s status as a Member
 22 of Congress.”.

23 (2) The table of sections at the beginning of such
 24 chapter is amended by adding at the end of the following:

“1107. Prohibition on provision of medical and dental care to Members of Con-
 gress.”.

1 (b) EFFECT ON MEMBERS CURRENTLY RECEIVING
2 CARE.—Section 1107 of title 10, United States Code, as
3 added by subsection (a), shall not apply with respect to
4 a Member of Congress who is receiving medical or dental
5 care in a facility of the uniformed services on the date
6 of the enactment of this Act until the Member is dis-
7 charged from that facility.

8 **SEC. 11. ELIMINATION OF CERTAIN RESERVED PARKING**
9 **AREAS AT WASHINGTON NATIONAL AIRPORT**
10 **AND WASHINGTON DULLES INTERNATIONAL**
11 **AIRPORT.**

12 (a) IN GENERAL.—Effective 30 days after the date
13 of the enactment of this section, the Airports Authority—

14 (1) shall not provide any reserved parking areas
15 free of charge to Members of Congress, other Gov-
16 ernment officials, or diplomats at Washington Na-
17 tional Airport or Washington Dulles International
18 Airport; and

19 (2) shall establish a parking policy for such air-
20 ports that provides equal access to the public, and
21 does not provide preferential parking privileges to
22 Members of Congress, other Government officials, or
23 diplomats.

24 (b) DEFINITIONS.—As used in the section, the terms
25 “Airports Authority”, “Washington National Airport”,

1 and “Washington Dulles International Airport” have the
2 same meanings as in section 6004 of the Metropolitan
3 Washington Airports Act of 1986 (49 U.S.C. App. 2453).

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