

113TH CONGRESS
1ST SESSION

H. R. 151

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

JANUARY 3, 2013

Mr. YODER (for himself and Ms. JENKINS) 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Termination of Life-
5 long Pensions for Members of Congress Act”.

1 **SEC. 2. TERMINATION OF FURTHER RETIREMENT BENE-**
2 **FITS FOR MEMBERS OF CONGRESS.**

3 (a) AMENDMENTS RELATING TO THE CIVIL SERVICE
4 RETIREMENT SYSTEM.—

5 (1) IN GENERAL.—Subchapter III of chapter
6 83 of title 5, United States Code, is amended by in-
7 serting after section 8335 the following:

8 **“§ 8335a. Termination of further retirement coverage**
9 **of Members of Congress**

10 “(a) IN GENERAL.—Notwithstanding any other pro-
11 vision of this subchapter and subject to subsection (f), ef-
12 fective on the date that is 90 days after the date of enact-
13 ment of this section—

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

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

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

25 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
26 PLAN NOT AFFECTED.—Nothing in subsection (a) shall

1 affect the eligibility of a Member to participate in the
2 Thrift Savings Plan in accordance with otherwise applica-
3 ble provisions of law.

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

6 “(1) except with respect to matters relating to
7 the Thrift Savings Plan, be prescribed by the Direc-
8 tor of the Office of Personnel Management; and

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

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

14 “(f) OPT-IN.—Not later than 90 days after the date
15 of enactment of this section, a Member covered by this
16 subchapter as of such date of enactment may elect, by giv-
17 ing notice in writing to the official by whom such Member
18 is paid, to remain subject to this subchapter.”.

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

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

23 (b) AMENDMENTS RELATING TO THE FEDERAL EM-
24 PLOYEES’ RETIREMENT SYSTEM.—

1 (1) IN GENERAL.—Subchapter II of chapter 84
2 of title 5, United States Code, is amended by insert-
3 ing after section 8425 the following:

4 **“§ 8425a. Termination of further retirement coverage**
5 **of Members of Congress**

6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of this chapter, effective on the date that is 90 days
8 after the date of enactment of this section—

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

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

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

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

23 “(A) such Member shall not be subject to
24 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 relat-
20 ing to the Thrift Savings Plan, be prescribed by
21 the Director of the Office of Personnel Manage-
22 ment; and

23 “(B) with respect to matters relating to
24 the Thrift Savings Plan, be prescribed by the

1 Executive Director (as defined by section
2 8401(13)).

3 “(2) REFUNDS.—Notwithstanding subsection
4 (b), the regulations under paragraph (1)(A) shall, in
5 the case of a Member who has not completed at
6 least 5 years of civilian service as of the date of en-
7 actment of this section, provide that the lump-sum
8 credit shall be payable to such Member to the same
9 extent and in the same manner as if such Member
10 satisfied paragraphs (1) through (4) of section
11 8424(a) as of such date of enactment.

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

14 “(f) OPT-IN.—Not later than 90 days after the date
15 of enactment of this section, a Member covered by this
16 chapter as of such date may elect, by giving notice in writ-
17 ing to the official by whom such Member is paid, to remain
18 subject to this chapter.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of chapter 84 of title 5,
21 United States Code, is amended by inserting after
22 the item relating to section 8425 the following:

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

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