

113TH CONGRESS
1ST SESSION

H. R. 52

To amend title 5, United States Code, to provide for the termination of further retirement coverage of Members of Congress, except for the right to participate in the Thrift Savings Plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2013

Mr. FITZPATRICK 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 coverage of Members of Congress, except for the right to participate 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. AMENDMENTS RELATING TO THE CIVIL SERV-**
4 **ICE RETIREMENT SYSTEM.**

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

1 **“§ 8335a. Termination of further retirement coverage**
2 **of Members of Congress**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of this subchapter, effective as of the first day of
5 the first Congress beginning after the date of the enact-
6 ment of this section—

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

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

13 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
14 subsection (a) shall be considered to nullify, modify, or
15 otherwise affect any right, entitlement, or benefit under
16 this subchapter with respect to any Member covering any
17 period prior to the first day referred to in subsection (a).

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

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

1 “(1) be prescribed by the Director of the Office
 2 of Personnel Management, except with respect to
 3 matters under paragraph (2); and

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

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 of chapter 83 of title 5, United States Code, is amended
 9 by inserting after the item relating to section 8335 the
 10 following:

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

11 **SEC. 2. AMENDMENTS RELATING TO THE FEDERAL EM-**
 12 **PLOYEES’ RETIREMENT SYSTEM.**

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

16 **“§ 8425a. Termination of further retirement coverage**
 17 **of Members of Congress**

18 “(a) IN GENERAL.—Notwithstanding any other pro-
 19 vision of this chapter, effective as of the first day of the
 20 first Congress beginning after the date of the enactment
 21 of this section—

22 “(1) in the case of an individual who first be-
 23 comes a Member before such first day—

24 “(A) such Member shall not be subject to
 25 this chapter for any further period of time after

1 such first day or, if later, the date on which
2 such Member completes at least 5 years of
3 Member service; and

4 “(B) no further Government contributions
5 or deductions from basic pay may be made with
6 respect to such Member, for deposit in the
7 Treasury of the United States to the credit of
8 the Fund, after such Member ceases to be sub-
9 ject to this chapter; and

10 “(2) in the case of an individual who first be-
11 comes a Member on or after such first day—

12 “(A) such Member shall not be subject to
13 this chapter; and

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

19 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
20 subsection (a) shall be considered to nullify, modify, or
21 otherwise affect any right, entitlement, or benefit under
22 this chapter with respect to any Member covering any pe-
23 riod prior to the first day referred to in subsection (a).

24 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
25 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) be prescribed by the Director of the Office
7 of Personnel Management, except with respect to
8 matters under paragraph (2); 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 (b) CLERICAL AMENDMENT.—The table of sections
13 of chapter 84 of title 5, United States Code, is amended
14 by inserting after the item relating to section 8425 the
15 following:

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

