

103^D CONGRESS
2^D SESSION

H. R. 5223

To provide that a spouse, former spouse, surviving spouse, or surviving former spouse may qualify for retirement, survivor, and health benefits under the Foreign Service Act if the Foreign Service participant is disqualified for such benefits for reasons of misconduct or disloyalty to the United States.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 1994

Mrs. MALONEY introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Post Office and Civil Service

A BILL

To provide that a spouse, former spouse, surviving spouse, or surviving former spouse may qualify for retirement, survivor, and health benefits under the Foreign Service Act if the Foreign Service participant is disqualified for such benefits for reasons of misconduct or disloyalty to the United States.

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. RETENTION OF SPOUSAL RETIREMENT, SURVI-**
2 **VOR, AND HEALTH BENEFITS UNDER FOR-**
3 **EIGN SERVICE ACT IF PARTICIPANT DIS-**
4 **QUALIFIED DUE TO MISCONDUCT OR DIS-**
5 **LOYALTY TO THE UNITED STATES.**

6 (a) IN GENERAL.—The Foreign Service Act of 1980
7 (22 U.S.C. 3901 et seq.) is amended by inserting after
8 section 833 the following new section:

9 “SEC. 834. RETENTION OF SPOUSAL RETIREMENT,
10 SURVIVOR, AND HEALTH BENEFITS IF PARTICIPANT DIS-
11 QUALIFIED DUE TO MISCONDUCT OR DISLOYALTY TO
12 THE UNITED STATES.—Notwithstanding any other provi-
13 sion of this subchapter, any retirement, survivor, health,
14 or other benefit which would be payable or available under
15 this subchapter to an otherwise qualified surviving spouse,
16 former spouse, or surviving former spouse except that the
17 participant is disqualified for such benefits under this Act
18 for official misconduct or disloyalty to the United States,
19 shall be paid and made available to any such spouse (in
20 the same manner as such payments would have been made
21 but for the participant’s disqualification) if such spouse
22 had no involvement in such misconduct or disloyalty to
23 the United States.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply with respect to any application
3 for benefits after the date of the enactment of this Act.

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