

104TH CONGRESS  
1ST SESSION

# S. 228

To amend certain provisions of title 5, United States Code, relating to the treatment of Members of Congress and Congressional employees for retirement purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 13 (legislative day, JANUARY 10), 1995

Mr. BRYAN (for himself, Mr. THOMPSON, Mr. SANTORUM, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To amend certain provisions of title 5, United States Code, relating to the treatment of Members of Congress and Congressional employees for retirement 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. FEDERAL RETIREMENT PROVISIONS RELATING**  
4 **TO MEMBERS OF CONGRESS AND CONGRES-**  
5 **SIONAL EMPLOYEES.**

6 (a) SHORT TITLE.—This Act may be cited as the  
7 “Congressional Annuity Reform Act of 1995”.

8 (b) RELATING TO THE MAXIMUM ANNUITY ALLOW-  
9 ABLE PURSUANT TO COST-OF-LIVING ADJUSTMENTS.—

1 Section 8340(g)(1) of title 5, United States Code, is  
2 amended—

3 (1) in subparagraph (A) by striking “or” after  
4 the semicolon;

5 (2) in subparagraph (B)—

6 (A) by striking “employee or Member” and  
7 inserting “employee”;

8 (B) by striking “employee or Member,”  
9 and inserting “employee,”;

10 (C) by striking “employee’s or Member’s”  
11 and inserting “employee’s”; and

12 (D) by striking the period at the end of  
13 subparagraph (B)(ii) and inserting “; or”; and

14 (3) by adding at the end the following:

15 “(C) the final pay of the Member with respect  
16 to whom the annuity is paid.”.

17 (c) RELATING TO THE YEARS OF SERVICE AS A MEM-  
18 BER OF CONGRESS AND CONGRESSIONAL EMPLOYEES  
19 FOR PURPOSES OF COMPUTING AN ANNUITY.—

20 (1) CSRS.—Section 8339 of title 5, United  
21 States Code, is amended—

22 (A) by striking subsections (b) and (c);  
23 and

24 (B) in subsection (a) by inserting “or  
25 Member” after “employee”.

1 (2) FERS.—Section 8415 of title 5, United  
2 States Code, is amended—

3 (A) by striking subsections (b) and (c);

4 (B) in subsections (a) and (g) by inserting  
5 “or Member” after “employee” each place it  
6 appears; and

7 (C) in subsection (g)(2) by striking out  
8 “Congressional employee”.

9 (d) CONTRIBUTION RATES.—

10 (1) CSRS.—(A) Section 8334(a)(1) of title 5,  
11 United States Code, is amended—

12 (i) by striking out “of an employee, 7½  
13 percent of the basic pay of a Congressional em-  
14 ployee,” and inserting in lieu thereof “of an em-  
15 ployee, a Member,”; and

16 (ii) by striking out “basic pay of a Mem-  
17 ber,” and inserting in lieu thereof “basic pay  
18 of”.

19 (B) The table under section 8334(c) of title 5,  
20 United States Code, is amended—

21 (i) in the item relating to Member or em-  
22 ployee for Congressional employee service by  
23 striking out

“ 7½..... After December 31, 1969.”

1 and inserting in lieu thereof

“ 7½..... December 31, 1969 to (but not including)  
the effective date of the Congressional  
Annuity Reform Act of 1995.  
“ 7..... On and after the effective date of the Con-  
gressional Annuity Reform Act of  
1995.”;

2 and

3 (ii) in the item relating to Member for  
4 Member service by striking out

“ 8..... After December 31, 1969.”

5 and inserting in lieu thereof

“ 8..... December 31, 1969 to (but not including)  
the effective date of the Congressional  
Annuity Reform Act of 1995.  
“ 7..... On and after the effective date of the Con-  
gressional Annuity Reform Act of  
1995.”.

6 (2) FERS.—Section 8422(a)(2) of title 5, Unit-  
7 ed States Code, is amended—

8 (A) in subparagraph (A) by striking out  
9 “employee (other than a law enforcement offi-  
10 cer, firefighter, air traffic controller, or Con-  
11 gressional employee)” and inserting in lieu  
12 thereof “employee or Member (other than a law  
13 enforcement officer, firefighter, or air traffic  
14 controller)”; and

15 (B) in subparagraph (B)—

16 (i) by striking out “a Member,”; and

1 (ii) by striking out “air traffic con-  
2 troller, or Congressional employee,” and  
3 inserting in lieu thereof “or air traffic con-  
4 troller,”.

5 (e) ADMINISTRATIVE REGULATIONS.—The Secretary  
6 of the Senate and the Clerk of the House of Representa-  
7 tives, in consultation with the Office of Personnel Manage-  
8 ment, may prescribe regulations to carry out the provi-  
9 sions of this section and the amendments made by this  
10 section for applicable employees and Members of Con-  
11 gress.

12 (f) EFFECTIVE DATES.—

13 (1) SHORT TITLE.—Subsection (a) shall take  
14 effect on the date of the enactment of this Act.

15 (2) COLA ADJUSTMENTS.—The amendments  
16 made by subsection (b) shall take effect on the date  
17 of the enactment of this Act and shall apply with re-  
18 spect to annuities commencing on or after November  
19 6, 1996.

20 (3) YEARS OF SERVICE; ANNUITY COMPUTA-  
21 TION.—(A) The amendments made by subsection (c)  
22 shall take effect on the date of the enactment of this  
23 Act and shall apply only with regard to the computa-  
24 tion of an annuity relating to—

1 (i) the service of a Member of Congress as  
2 a Member or as a Congressional employee per-  
3 formed after November 6, 1996; and

4 (ii) the service of a Congressional employee  
5 as a Congressional employee performed after  
6 November 6, 1996.

7 (B) An annuity shall be computed as though  
8 the amendments made under subsection (c) had not  
9 been enacted with regard to—

10 (i) the service of a Member of Congress as  
11 a Member or a Congressional employee or mili-  
12 tary service performed before November 6,  
13 1996; and

14 (ii) the service of a Congressional employee  
15 as a Congressional employee or military service  
16 performed before November 6, 1996.

17 (4) CONTRIBUTION RATES.—The amendments  
18 made by subsection (d) shall take effect on the first  
19 day of the first applicable pay period beginning on  
20 or after November 6, 1996.

21 (5) REGULATIONS.—The provisions of sub-  
22 section (e) shall take effect on the date of the enact-  
23 ment of this Act.