

105TH CONGRESS
1ST SESSION

S. 205

To eliminate certain benefits for Members of Congress, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 1997

Mr. FRIST (for himself and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To eliminate certain benefits for Members of Congress, 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. 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, at anytime during
8 the 12-year period beginning on the date the Member be-
9 gins his or her first term.

10 (c) REFUNDS OF CONTRIBUTIONS.—

11 (1) IN GENERAL.—Nothing in subsection (a)
12 shall prevent refunds from being made, in accord-
13 ance with otherwise applicable provisions of law (in-
14 cluding those relating to the Thrift Savings Plan),
15 on account of an individual's becoming ineligible to
16 participate in the Civil Service Retirement System or
17 the Federal Employees' Retirement System (as the
18 case may be) as a result of the enactment of this
19 section.

20 (2) TREATMENT OF REFUND.—For purposes of
21 any refund referred to in paragraph (1), a Member
22 who so becomes ineligible to participate in either of
23 the retirement systems referred to in paragraph (1)
24 shall be treated in the same way as if separated
25 from service.

1 (d) ANNUITIES NOT AFFECTED TO THE EXTENT
2 BASED ON PRIOR SERVICE.—Subsection (a) shall not be
3 considered to affect—

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

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

11 (e) PRESERVATIONS OF RIGHTS BASED ON PRIOR
12 SERVICE.—

13 (1) IN GENERAL.—For purposes of determining
14 eligibility for, or the amount of, any annuity (or
15 other benefit) referred to in subsection (d)(2) based
16 on service as a Member of Congress—

17 (A) all service as a Member of Congress
18 shall be disregarded except for any such service
19 performed before the date of the enactment of
20 this Act; and

21 (B) all pay for service performed as a
22 Member of Congress shall be disregarded other
23 than pay for service which may be taken into
24 account under subparagraph (A).

1 (2) PRESERVATION OF RIGHTS.—To the extent
2 practicable, eligibility for, and the amount of, any
3 annuity (or other benefit) to which an individual is
4 entitled based on a separation of a Member of Con-
5 gress occurring after such Member becomes ineli-
6 gible to participate in the Civil Service Retirement
7 System or the Federal Employees’ Retirement Sys-
8 tem (as the case may be) by reason of subsection (a)
9 shall be determined in a manner that preserves any
10 rights to which the Member would have been enti-
11 tled, as of the date of the enactment of this Act, had
12 separation occurred on such date.

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

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

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

5 **SEC. 3. DISCLOSURE OF ESTIMATES OF FEDERAL RETIRE-**
6 **MENT BENEFITS OF MEMBERS OF CONGRESS.**

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

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

15 “(A) the total amount of individual contribu-
16 tions made by each Member to the Civil Service Re-
17 tirement and Disability Fund and the Thrift Savings
18 Fund under chapters 83 and 84 of title 5, United
19 States Code, for all Federal service performed by the
20 Member as a Member of Congress and as a Federal
21 employee;

22 “(B) an estimate of the annuity each Member
23 would be entitled to receive under chapters 83 and
24 84 of such title based on the earliest possible date
25 to receive annuity payments by reason of retirement

1 (other than disability retirement) which begins after
2 the date of expiration of the term of office such
3 Member is serving; and

4 “(C) any other information necessary to enable
5 the public to accurately compute the Federal retire-
6 ment benefits of each Member based on various as-
7 sumptions of years of service and age of separation
8 from service by reason of retirement.”.

9 (b) EFFECTIVE DATE.—This section shall take effect
10 1 year after the date of the enactment of this Act.

11 **SEC. 4. ELIMINATION OF AUTOMATIC ANNUITY ADJUST-**
12 **MENTS FOR MEMBERS OF CONGRESS.**

13 The portion of the annuity of a Member of Congress
14 which is based solely on service as a Member of Congress
15 shall not be subject to a COLA adjustment under section
16 8340 or 8462 of title 5, United States Code.

17 **SEC. 5. ELIMINATION OF AUTOMATIC PAY ADJUSTMENTS**
18 **FOR MEMBERS OF CONGRESS.**

19 (a) PAY ADJUSTMENTS.—Paragraph (2) of section
20 601(a) of the Legislative Reorganization Act of 1946 (2
21 U.S.C. 31) is repealed.

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

24 (1) by striking “(a)(1)” and inserting “(a)”;

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

2 (1) the term “travel award” means any fre-
3 quent flier mileage, free travel, discounted travel, or
4 other travel benefit, whether awarded by coupon,
5 membership, or otherwise; and

6 (2) the term “official travel” means, with re-
7 spect to the House of Representatives, travel per-
8 formed for the conduct of official business of the
9 House of Representatives.

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

11 (a) IN GENERAL.—Paragraph (6)(A) of section
12 3210(a) of title 39, United States Code, is amended to
13 read as follows:

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

17 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

22 (2) Section 3210 of title 39, United States
23 Code, is amended—

24 (A) in subsection (a)(3)—

1 (i) in subparagraph (G) by striking “,
2 including general mass mailings,”; and

3 (ii) in subparagraphs (I) and (J) by
4 striking “or other general mass mailing”;

5 (B) in subsection (a)(6) by repealing sub-
6 paragraphs (B), (C), and (F), and the second
7 sentence of subparagraph (D);

8 (C) by repealing paragraph (7) of sub-
9 section (a); and

10 (D) by repealing subsection (f).

11 (3) Section 316(a) of the Legislative Branch
12 Appropriations Act, 1990 (39 U.S.C. 3210 note) is
13 repealed.

14 (4) Subsection (f) of section 311 of the Legisla-
15 tive Branch Appropriations Act, 1991 (2 U.S.C.
16 59e(f)) is repealed.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect at the beginning of the Con-
19 gress next beginning after the date of the enactment of
20 this Act.

21 **SEC. 9. RESTRICTIONS ON USE OF MILITARY AIR COMMAND**

22 **BY MEMBERS OF CONGRESS.**

23 (a) RESTRICTIONS.—

1 (1) IN GENERAL.—Chapter 157 of title 10,
2 United States Code, is amended by adding at the
3 end the following:

4 **“§ 2646. Restrictions on provision of air transpor-**
5 **tation to Members of Congress**

6 “(a) RESTRICTIONS.—A Member of Congress may
7 not receive transportation in an aircraft of the Military
8 Air Command unless—

9 “(1) the transportation is provided on a space-
10 available basis as part of the scheduled operations of
11 the military aircraft unrelated to the provision of
12 transportation to Members of Congress;

13 “(2) the use of the military aircraft is necessary
14 because the destination of the Member of Congress,
15 or an airfield located within reasonable distance of
16 the destination, is not accessible by regularly sched-
17 uled flights of commercial aircraft; or

18 “(3) the use of the military aircraft is the least
19 expensive method for the Member of Congress to
20 reach the destination by aircraft, as demonstrated
21 by information released before the trip by the mem-
22 ber or committee of Congress sponsoring the trip.

23 “(b) DESTINATION.—In connection with transpor-
24 tation provided under subsection (a)(1), the destination of
25 the military aircraft may not be selected to accommodate

1 the travel plans of the Member of Congress requesting
2 such transportation.

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

6 (2) TECHNICAL AND CONFORMING AMEND-
7 MENT.—The table of sections at the beginning of
8 such chapter is amended by adding at the end the
9 following:

“2646. Restrictions on provision of air transportation to Members of Congress.”.

10 (b) EFFECT ON MEMBERS CURRENTLY RECEIVING
11 TRANSPORTATION.—Section 2643 of title 10, United
12 States Code, as added by subsection (a), shall not apply
13 with respect to a Member of Congress who, as of the date
14 of the enactment of this Act, is receiving air transpor-
15 tation or is scheduled to receive transportation in an air-
16 craft of the Military Air Command until the Member com-
17 pletes the travel plans for which the transportation is
18 being provided or scheduled.

19 **SEC. 10. PROHIBITION ON USE OF MILITARY MEDICAL**
20 **TREATMENT FACILITIES BY MEMBERS OF**
21 **CONGRESS.**

22 (a) PROHIBITION.—

23 (1) IN GENERAL.—Chapter 55 of title 10,
24 United States Code, is amended by adding at the
25 end the following:

1 **“§ 1107. Prohibition on provision of medical and den-**
 2 **tal care to Members of Congress**

3 “A Member of Congress may not receive medical or
 4 dental care in any facility of any uniformed service un-
 5 less—

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

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

12 (2) TECHNICAL AND CONFORMING AMEND-
 13 MENT.—The table of sections at the beginning of
 14 such chapter is amended by adding at the end the
 15 following:

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

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

1 **SEC. 11. ELIMINATION OF CERTAIN RESERVED PARKING**
2 **AREAS AT WASHINGTON NATIONAL AIRPORT**
3 **AND WASHINGTON DULLES INTERNATIONAL**
4 **AIRPORT.**

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

7 (1) shall not provide any reserved parking areas
8 free of charge to Members of Congress, other Gov-
9 ernment officials, or diplomats at Washington Na-
10 tional Airport or Washington Dulles International
11 Airport; and

12 (2) shall establish a parking policy for such air-
13 ports that provides equal access to the public, and
14 does not provide preferential parking privileges to
15 Members of Congress, other Government officials, or
16 diplomats.

17 (b) **DEFINITIONS.**—As used in this section, the terms
18 “Airports Authority”, “Washington National Airport”,
19 and “Washington Dulles International Airport” have the
20 same meanings as in section 6004 of the Metropolitan
21 Washington Airports Act of 1986 (49 U.S.C. App. 2453).

○