

110TH CONGRESS
1ST SESSION

H. R. 466

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of certain offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2007

Mr. SHADEGG (for himself, Mr. GARRETT of New Jersey, Mr. FLAKE, Mr. HOEKSTRA, Mr. SOUDER, Mr. RYAN of Wisconsin, Mr. PITTS, and Mrs. WILSON of New Mexico) 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 deny Federal retirement benefits to individuals convicted of certain offenses, 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 “Congressional Pension
5 Accountability Act”.

1 **SEC. 2. DENIAL OF RETIREMENT BENEFITS.**

2 (a) IN GENERAL.—Section 8312(a) of title 5, United
3 States Code, is amended—

4 (1) by striking “or” at the end of paragraph
5 (1), by striking the period at the end of paragraph
6 (2) and inserting “; or”, and by inserting after para-
7 graph (2) the following:

8 “(3) was convicted of an offense described in
9 subsection (d), to the extent provided by that sub-
10 section.”; and

11 (2) by striking “and” at the end of subpara-
12 graph (A), by striking the period at the end of sub-
13 paragraph (B) and inserting “; and”, and by insert-
14 ing after subparagraph (B) the following:

15 “(C) with respect to the offenses described in
16 subsection (d), to the period after the date of convic-
17 tion.”.

18 (b) OFFENSES DESCRIBED.—Section 8312 of such
19 title 5 is amended by redesignating subsection (d) as sub-
20 section (e), and by inserting after subsection (c) the fol-
21 lowing:

22 “(d) The offenses to which subsection (a)(3) applies
23 are the following:

24 “(1) An offense within the purview of—

25 “(A) section 201 of title 18 (bribery of
26 public officials and witnesses); or

1 “(B) section 371 of title 18 (conspiracy to
2 commit offense or to defraud United States), to
3 the extent of any conspiracy to commit an act
4 which constitutes an offense within the purview
5 of such section 201.

6 “(2) Perjury committed under the statutes of
7 the United States or the District of Columbia in
8 falsely denying the commission of any act which con-
9 stitutes an offense within the purview of a statute
10 named by paragraph (1), but only—

11 “(A) if the offense to which such perjury
12 relates was committed after the date of the en-
13 actment of this subsection; and

14 “(B) in the case of the statute named by
15 subparagraph (B) of paragraph (1), to the ex-
16 tent provided by such subparagraph.

17 “(3) Subornation of perjury committed in con-
18 nection with the false denial or false testimony of
19 another individual as specified by paragraph (2).

20 An offense shall not be considered to be an offense de-
21 scribed in this subsection except if or to the extent that
22 it is committed (i) after the date of the enactment of this
23 subsection, and (ii) by a Member of Congress (as defined
24 by section 2106, including a Delegate to Congress).”.

1 (c) ABSENCE FROM UNITED STATES TO AVOID
 2 PROSECUTION.—Section 8313(a)(1) of such title 5 is
 3 amended by striking “or” at the end of subparagraph (A),
 4 by striking “and” at the end of subparagraph (B) and
 5 inserting “or”, and by adding at the end the following:

6 “(C) after the date of the enactment of
 7 subsection (d) of section 8312, for an offense
 8 described in such subsection; and”.

9 (d) NONACCRUAL OF INTEREST ON REFUNDS.—Sec-
 10 tion 8316(b) of such title 5 is amended by striking “or”
 11 at the end of paragraph (1), by striking the period at the
 12 end of paragraph (2) and inserting “; or”, and by adding
 13 at the end the following:

14 “(3) if the individual was convicted of an of-
 15 fense described in section 8312(d), for the period
 16 after the conviction.”.

17 **SEC. 3. CONSTITUTIONAL AUTHORITY.**

18 The Constitutional authority for this Act is the power
 19 of Congress to make all laws which shall be necessary and
 20 proper as enumerated in Article I, Section 8 of the United
 21 States Constitution, and the power to ascertain compensa-
 22 tion for Congressional service under Article I, Section 6
 23 of the United States Constitution.

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