

115TH CONGRESS
1ST SESSION

H. R. 1935

To amend title 5, United States Code, to provide for the termination of further retirement coverage for Members of Congress under the Federal Employees' Retirement System, except for the right to continue participating in the Thrift Savings Plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2017

Mr. GALLAGHER 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 for Members of Congress under the Federal Employees' Retirement System, except for the right to continue participating 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. SHORT TITLE.**

4 This Act may be cited as the “Congressional Pension
5 Reform Act”.

1 **SEC. 2. TERMINATION OF RETIREMENT COVERAGE OF**
2 **MEMBERS OF CONGRESS UNDER FEDERAL**
3 **EMPLOYEES' RETIREMENT SYSTEM.**

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

7 **“§ 8425a. Termination of further retirement coverage**
8 **of Members of Congress**

9 “(a) IN GENERAL.—Notwithstanding any other pro-
10 vision of this chapter, effective as of the date of enactment
11 of this section—

12 “(1) subject to subsection (f), in the case of an
13 individual who first becomes a Member before such
14 date of enactment—

15 “(A) such Member shall not be subject to
16 this chapter for any further period of time after
17 such date of enactment; and

18 “(B) no further Government contributions
19 or deductions from basic pay may be made with
20 respect to such Member for deposit in the
21 Treasury of the United States to the credit of
22 the Fund; and

23 “(2) in the case of an individual who first be-
24 comes a Member on or after such date of enact-
25 ment—

1 “(A) such Member shall not be subject to
2 this chapter; and

3 “(B) no Government contributions or de-
4 ductions from basic pay may be made with re-
5 spect to such Member for deposit in the Treas-
6 ury of the United States to the credit of the
7 Fund.

8 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
9 subsection (a) shall be considered to nullify, modify, or
10 otherwise affect any right, entitlement, or benefit under
11 this chapter with respect to any Member covering any pe-
12 riod prior to the date of enactment of this section.

13 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
14 PLAN NOT AFFECTED.—Nothing in subsection (a) or (b)
15 shall affect the eligibility of a Member to participate in
16 the Thrift Savings Plan in accordance with otherwise ap-
17 plicable provisions of law.

18 “(d) REGULATIONS.—

19 “(1) IN GENERAL.—Any regulations necessary
20 to carry out this section may—

21 “(A) except with respect to matters under
22 subparagraph (B), be prescribed by the Direc-
23 tor of the Office of Personnel Management; and

24 “(B) with respect to matters relating to
25 the Thrift Savings Plan, be prescribed by the

1 Executive Director (as defined by section
2 8401(13)).

3 “(2) REFUNDS.—Notwithstanding subsection
4 (b), the regulations under paragraph (1)(A) shall, in
5 the case of a Member who has not completed at
6 least 5 years of civilian service as of the date of en-
7 actment of this section, provide that the lump-sum
8 credit shall be payable to such Member to the same
9 extent and in the same manner as if such Member
10 satisfied paragraphs (1) through (4) of section
11 8424(a) as of such date of enactment.

12 “(e) EXCLUSIONS.—For purposes of this section, the
13 term ‘Member’ does not include the Vice President.

14 “(f) OPT-IN FOR MEMBERS.—Not later than 90 days
15 after the date of enactment of this section, a Member cov-
16 ered by this chapter as of such date may elect, by giving
17 notice in writing to the official by whom such Member is
18 paid, to remain subject to this chapter.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 84 of title 5, United States
21 Code, is amended by inserting after the item relating to
22 section 8425 the following:

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

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