

116TH CONGRESS
1ST SESSION

H. R. 164

To amend title 5, United States Code, to terminate pensions for Members of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. FITZPATRICK (for himself and Mr. GALLAGHER) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and 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 terminate pensions 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 Legislature
5 Anti-Corruption Reform of Public Service Act” or the
6 “CLEAN Public Service Act”.

1 **SEC. 2. TERMINATION OF FURTHER RETIREMENT BENE-**
 2 **FITS FOR MEMBERS OF CONGRESS.**

3 (a) AMENDMENTS RELATING TO THE CIVIL SERVICE
 4 RETIREMENT SYSTEM.—

5 (1) IN GENERAL.—Subchapter III of chapter
 6 83 of title 5, United States Code, is amended by in-
 7 serting after section 8335 the following:

8 **“§ 8335a. Termination of further retirement coverage**
 9 **of Members of Congress**

10 “(a) IN GENERAL.—Notwithstanding any other pro-
 11 vision of this subchapter and subject to subsection (f), ef-
 12 fective on the date that is 90 days after the date of enact-
 13 ment of this section—

14 “(1) a Member shall not be subject to this sub-
 15 chapter for any further period of time; and

16 “(2) no further Government contributions or
 17 deductions from basic pay may be made with respect
 18 to such Member for deposit in the Treasury of the
 19 United States to the credit of the Fund.

20 “(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in
 21 subsection (a) shall be considered to nullify, modify, or
 22 otherwise affect any right, entitlement, or benefit under
 23 this subchapter with respect to any Member covering any
 24 period prior to the date of enactment of this section.

25 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
 26 PLAN NOT AFFECTED.—Nothing in subsection (a) shall

1 affect the eligibility of a Member to participate in the
 2 Thrift Savings Plan in accordance with otherwise applica-
 3 ble provisions of law.

4 “(d) REGULATIONS.—Any regulations necessary to
 5 carry out this section may—

6 “(1) except with respect to matters relating to
 7 the Thrift Savings Plan, be prescribed by the Direc-
 8 tor of the Office of Personnel Management; and

9 “(2) with respect to matters relating to the
 10 Thrift Savings Plan, be prescribed by the Executive
 11 Director (as defined by section 8401(13)).

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

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions at the beginning of chapter 83 of title 5,
 16 United States Code, is amended by inserting after
 17 the item relating to section 8335 the following:

“8335a. Termination of further retirement coverage of Members of Congress.”.

18 (b) AMENDMENTS RELATING TO THE FEDERAL EM-
 19 PLOYEES RETIREMENT SYSTEM.—

20 (1) IN GENERAL.—Subchapter II of chapter 84
 21 of title 5, United States Code, is amended by insert-
 22 ing after section 8425 the following:

1 **“§ 8425a. Termination of further retirement coverage**
2 **of Members of Congress**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of this chapter, effective on the date that is 90 days
5 after the date of enactment of this section—

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

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

12 “(B) no further Government contributions
13 or deductions from basic pay may be made with
14 respect to such Member for deposit in the
15 Treasury of the United States to the credit of
16 the Fund; and

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

20 “(A) such Member shall not be subject to
21 this chapter; and

22 “(B) no Government contributions or de-
23 ductions from basic pay may be made with re-
24 spect to such Member for deposit in the Treas-
25 ury of the United States to the credit of the
26 Fund.

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

6 “(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS
 7 PLAN NOT AFFECTED.—Nothing in subsection (a) shall
 8 affect the eligibility of a Member to participate in the
 9 Thrift Savings Plan in accordance with otherwise applica-
 10 ble provisions of law.

11 “(d) REGULATIONS.—

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

14 “(A) except with respect to matters relat-
 15 ing to the Thrift Savings Plan, be prescribed by
 16 the Director of the Office of Personnel Manage-
 17 ment; and

18 “(B) with respect to matters relating to
 19 the Thrift Savings Plan, be prescribed by the
 20 Executive Director (as defined by section
 21 8401(13)).

22 “(2) REFUNDS.—Notwithstanding subsection
 23 (b), the regulations under paragraph (1)(A) shall, in
 24 the case of a Member who has not completed at
 25 least 5 years of civilian service as of the date of en-

1 actment of this section, provide that the lump-sum
2 credit shall be payable to such Member to the same
3 extent and in the same manner as if such Member
4 satisfied paragraphs (1) through (4) of section
5 8424(a) as of such date of enactment.

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

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 84 of title 5,
10 United States Code, is amended by inserting after
11 the item relating to section 8425 the following:

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

