

104TH CONGRESS
2D SESSION

S. 1776

To amend title 5, United States Code, to impose certain limitations relating to participation by a Member of Congress in the Civil Service Retirement System or the Federal Employees' Retirement System.

IN THE SENATE OF THE UNITED STATES

MAY 16, 1996

Mr. INHOFE (for himself, Mr. ABRAHAM, Mr. ASHCROFT, Mr. BROWN, Mr. COVERDELL, Mr. FAIRCLOTH, Mr. GRAMS, Mr. KYL, Mr. SANTORUM, Mr. SMITH, Mr. THOMAS, and Mr. THOMPSON) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend title 5, United States Code, to impose certain limitations relating to participation by a Member of Congress in the Civil Service Retirement System or the Federal Employees' Retirement System.

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 EMPLOYEES' RETIREMENT SYSTEM.**

4 (a) LIMITATION.—Chapter 84 of title 5, United
5 States Code, is amended by inserting after section 8410
6 the following:

1 **“§ 8410a. Limitation relating to Members**

2 “(a) This section shall apply with respect to any
3 Member serving as—

4 “(1) a Member of the House of Representatives
5 after completing 12 years of service as a Member of
6 the House of Representatives; or

7 “(2) a Senator after completing 12 years of
8 service as a Senator.

9 “(b) A Member to whom this section applies remains
10 subject to this chapter, except as follows:

11 “(1)(A) Deductions under section 8422 shall
12 not be made from any pay for service performed as
13 such a Member.

14 “(B) Government contributions under section
15 8423 shall not be made with respect to any such
16 Member.

17 “(C) Service performed as such a Member shall
18 not be taken into account for purposes of any com-
19 putation under section 8415.

20 “(2) Government contributions under section
21 8432(c) shall not be made with respect to any period
22 of service performed as such a Member.

23 “(c) Nothing in subsection (b) shall be considered to
24 prevent any period of service from being taken into ac-
25 count for purposes of determining whether any age and

1 service requirements for entitlement to an annuity have
2 been met.

3 “(d) For purposes of subsection (a)—

4 “(1) only service performed after the 104th
5 Congress shall be taken into account; and

6 “(2) service performed while subject to sub-
7 chapter III of chapter 83 (if any) shall be treated
8 in the same way as if it had been performed while
9 subject to this chapter.

10 “(e) For purposes of this section, the term ‘Member
11 of the House of Representatives’ includes a Delegate to
12 the House of Representatives and the Resident Commis-
13 sioner from Puerto Rico.”.

14 (b) TABLE OF CONTENTS.—The table of contents for
15 chapter 84 of title 5, United States Code, is amended by
16 inserting after the item relating to section 8410 the follow-
17 ing:

“8410a. Limitation relating to Members.”.

18 **SEC. 2. CIVIL SERVICE RETIREMENT SYSTEM.**

19 (a) LIMITATION.—Chapter 83 of title 5, United
20 States Code, is amended by inserting after section 8333
21 the following:

22 **“§ 8333a. Limitation relating to Members**

23 “(a) This section shall apply with respect to any
24 Member serving as—

1 “(1) a Member of the House of Representatives
2 after completing 12 years of service as a Member of
3 the House of Representatives; or

4 “(2) a Senator after completing 12 years of
5 service as a Senator.

6 “(b) A Member to whom this section applies remains
7 subject to this subchapter, except as follows:

8 “(1) Deductions under the first sentence of sec-
9 tion 8334(a) shall not be made from any pay for
10 service performed as such a Member.

11 “(2) Government contributions under the sec-
12 ond sentence of section 8334(a) shall not be made
13 with respect to any such Member.

14 “(3) Service performed as such a Member shall
15 not be taken into account for purposes of any com-
16 putation under section 8339, except in the case of
17 a disability annuity.

18 “(c)(1) Nothing in subsection (b) shall be considered
19 to prevent any period of service from being taken into ac-
20 count for purposes of determining whether any age and
21 service requirements for entitlement to an annuity have
22 been met.

23 “(2) Nothing in subsection (b) or (c) of section 8333
24 shall apply with respect to a Member who, at the time
25 of separation, is a Member to whom this section applies.

1 “(d) For purposes of subsection (a), only service per-
2 formed after the 104th Congress shall be taken into ac-
3 count.

4 “(e) For purposes of this section, the term ‘Member
5 of the House of Representatives’ includes a Delegate to
6 the House of Representatives and the Resident Commis-
7 sioner from Puerto Rico.”.

“8333a. Limitation relating to Members of the House of Representatives.”.

