

AMENDMENT TO DIVISION C OF THE RULES
COMMITTEE PRINT 116-17
OFFERED BY MR. BANKS OF INDIANA

At the end of division C (before the short title), insert the following:

1 **SEC. ____ . PROHIBITION ON INVESTMENT OF TSP I FUND IN**
2 **PEER AND NEAR-PEER COMPETITORS.**

3 (a) IN GENERAL.—Section 8438(b)(4) of title 5,
4 United States Code, is amended by adding at the end the
5 following:

6 “(C) The index selected by the Board under subpara-
7 graph (A) may not include investments in any stock of
8 an entity based in a peer or near-peer competitor, includ-
9 ing China or Russia.”.

10 (b) DIVESTITURE OF ASSETS.—Not later than 30
11 days after the date of the enactment of this Act, the Fed-
12 eral Retirement Thrift Investment Board (as established
13 under section 8472(a) of title 5, United States Code), in
14 consultation with the manager of the Thrift Savings Fund,
15 shall—

16 (1) review whether any sums in the Thrift Sav-
17 ings Fund are invested in contravention of subpara-

1 graph (C) of section 8438(b)(4) of such title, as
2 added by subsection (a);

3 (2) if any sums are so invested, and consistent
4 with the legal and fiduciary duties provided under
5 chapter 84 of such title or any other provision of
6 law, divest such sums; and

7 (3) re-invest the divested sums in investments
8 that do not contradict such subparagraph.

9 (c) EVALUATION.—Five years after the date of enact-
10 ment of this Act and every five years thereafter, the re-
11 striction provided in the amendment made by subsection
12 (a) shall be evaluated by the Committee on Oversight and
13 Reform of the House of Representatives and the Com-
14 mittee on Homeland Security and Governmental Affairs
15 of the Senate based on the threat that peer and near-peer
16 competitor nations pose.

