AMENDMENT TO RULES COMMITTEE PRINT 116–7

OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 617, after line 2, insert the following new subtitle (and redesignate the subsequent subtitle accordingly):

Subtitle E—Retirement Benefits for Members of Congress

SEC. 9401. SHORT TITLE.

This subtitle may be cited as the “Citizen Legislature Anti-Corruption Reform of Public Service Act” or the “CLEAN Public Service Act”.

SEC. 9402. TERMINATION OF FURTHER RETIREMENT BENEFITS FOR MEMBERS OF CONGRESS.

(a) Amendments Relating to the Civil Service Retirement System.—

(1) In general.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8335 the following:
§ 8335a. Termination of further retirement coverage of Members of Congress

“(a) IN GENERAL.—Notwithstanding any other provision of this subchapter and subject to subsection (f), effective on the date that is 90 days after the date of enactment of this section—

“(1) a Member shall not be subject to this subchapter for any further period of time; and

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

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

“(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS PLAN NOT AFFECTED.—Nothing in subsection (a) shall affect the eligibility of a Member to participate in the Thrift Savings Plan in accordance with otherwise applicable provisions of law.

“(d) REGULATIONS.—Any regulations necessary to carry out this section may—
“(1) except with respect to matters relating to the Thrift Savings Plan, be prescribed by the Director of the Office of Personnel Management; and

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

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

(2) Clerical Amendment.—The table of sections at the beginning of chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8335 the following:

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

(b) Amendments Relating to the Federal Employees Retirement System.—

(1) In General.—Subchapter II of chapter 84 of title 5, United States Code, is amended by inserting after section 8425 the following:

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

“(a) In General.—Notwithstanding any other provision of this chapter, effective on the date that is 90 days after the date of enactment of this section—

“(1) subject to subsection (f), in the case of an individual who first becomes a Member before such date of enactment—
“(A) such Member shall not be subject to this chapter for any further period of time after such date of enactment; and

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

“(2) in the case of an individual who first becomes a Member on or after such date of enactment—

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

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

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

“(c) RIGHT TO PARTICIPATE IN THRIFT SAVINGS PLAN NOT AFFECTED.—Nothing in subsection (a) shall
affect the eligibility of a Member to participate in the Thrift Savings Plan in accordance with otherwise applicable provisions of law.

“(d) REGULATIONS.—

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

“(A) except with respect to matters relating to the Thrift Savings Plan, be prescribed by the Director of the Office of Personnel Management; and

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

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

“(e) EXCLUSIONS.—For purposes of this section, the term ‘Member’ does not include the Vice President.”.
(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8425 the following:

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