II

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 Govern- mental Affairs
A BILL To amend title 5, United States Code, to impose certain

limitations relating to participation by a Member of Con-
gress in the Civil Service Retirement System or the Fed-
eral 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:

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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

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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—

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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.

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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.’’.
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