

112TH CONGRESS
1ST SESSION

H. R. 2162

To amend title 5, United States Code, to deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2011

Mr. DOLD (for himself, Mr. QUIGLEY, Mr. LIPINSKI, Mr. SCHILLING, Mr. GARDNER, Mr. HULTGREN, Mr. COSTELLO, Mr. ROSKAM, Mr. WALSH of Illinois, Mr. KINZINGER of Illinois, Mr. SCHOCK, and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government 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 deny retirement benefits accrued by an individual as a Member of Congress if such individual is convicted of certain offenses.

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 “Congressional Integrity
5 and Pension Forfeiture Act of 2011”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) Members of Congress pledge to uphold the
4 Constitution and the laws of the United States;

5 (2) Members of Congress and other elected
6 Government officials are elected to serve in, and
7 pledge to uphold, the public trust;

8 (3) a breach of the public trust by a Member
9 of Congress or other elected Government official is
10 a serious offense that should have serious con-
11 sequences; and

12 (4) taxpayers should not pay for the congres-
13 sional retirement benefits of present or former Mem-
14 bers of Congress who have been convicted of a felony
15 committed while serving as an elected Government
16 official.

17 **SEC. 3. APPLICATION TO OTHER ELECTED OFFICIALS AND**
18 **CRIMINAL OFFENSES.**

19 (a) APPLICATION TO OTHER ELECTED OFFICIALS.—

20 (1) CIVIL SERVICE RETIREMENT SYSTEM.—Sec-
21 tion 8332(o)(2)(A) of title 5, United States Code, is
22 amended—

23 (A) in clause (i), by inserting “, the Presi-
24 dent, the Vice President, or an elected official
25 of a State or local government” after “Mem-
26 ber”; and

1 (B) in clause (ii), by inserting “, the Presi-
2 dent, the Vice President, or an elected official
3 of a State or local government” after “Mem-
4 ber”.

5 (2) FEDERAL EMPLOYEES RETIREMENT SYS-
6 TEM.—Section 8411(1)(2) of title 5, United States
7 Code, is amended—

8 (A) in subparagraph (A), by inserting “,
9 the President, the Vice President, or an elected
10 official of a State or local government” after
11 “Member”; and

12 (B) in subparagraph (B), by inserting “,
13 the President, the Vice President, or an elected
14 official of a State or local government” after
15 “Member”.

16 (b) CRIMINAL OFFENSES.—Section 8332(o)(2)(B) of
17 title 5, United States Code, is amended to read as follows:

18 “(B) An offense described in this subpara-
19 graph is only the following, and only to the ex-
20 tent that the offense is a felony:

21 “(i) An offense under section 201 of
22 title 18 (relating to bribery of public offi-
23 cials and witnesses).

24 “(ii) An offense under section 203 of
25 title 18 (relating to compensation to Mem-

1 ber of Congress, officers, and others in
2 matters affecting the Government).

3 “(iii) An offense under section 204 of
4 title 18 (relating to practice in the United
5 States Court of Federal Claims or the
6 United States Court of Appeals for the
7 Federal Circuit by Member of Congress).

8 “(iv) An offense under section 219 of
9 title 18 (relating to officers and employees
10 acting as agents of foreign principals).

11 “(v) An offense under section 286 of
12 title 18 (relating to conspiracy to defraud
13 the Government with respect to claims).

14 “(vi) An offense under section 287 of
15 title 18 (relating to false, fictitious or
16 fraudulent claims).

17 “(vii) An offense under section 597 of
18 title 18 (relating to expenditures to influ-
19 ence voting).

20 “(viii) An offense under section 599
21 of title 18 (relating to promise of appoint-
22 ment by candidate).

23 “(ix) An offense under section 602 of
24 title 18 (relating to solicitation of political
25 contributions).

1 “(x) An offense under section 606 of
2 title 18 (relating to intimidation to secure
3 political contributions).

4 “(xi) An offense under section 607 of
5 title 18 (relating to place of solicitation).

6 “(xii) An offense under section 641 of
7 title 18 (relating to public money, property
8 or records).

9 “(xiii) An offense under section 666
10 of title 18 (relating to theft or bribery con-
11 cerning programs receiving Federal funds).

12 “(xiv) An offense under section 1001
13 of title 18 (relating to statements or en-
14 tries generally).

15 “(xv) An offense under section 1341
16 of title 18 (relating to frauds and swindles,
17 including as part of a scheme to deprive
18 citizens of honest services thereby).

19 “(xvi) An offense under section 1343
20 of title 18 (relating to fraud by wire, radio,
21 or television, including as part of a scheme
22 to deprive citizens of honest services there-
23 by).

1 “(xvii) An offense under section 1503
2 of title 18 (relating to influencing or injur-
3 ing officer or juror).

4 “(xviii) An offense under section 1505
5 of title 18 (relating to obstruction of pro-
6 ceedings before departments, agencies, and
7 committees).

8 “(xix) An offense under section 1512
9 of title 18 (relating to tampering with a
10 witness, victim, or an informant).

11 “(xx) An offense under section 1951
12 of title 18 (relating to interference with
13 commerce by threats of violence).

14 “(xxi) An offense under section 1952
15 of title 18 (relating to interstate and for-
16 eign travel or transportation in aid of rack-
17 eteering enterprises).

18 “(xxii) An offense under section 1956
19 of title 18 (relating to laundering of mone-
20 tary instruments).

21 “(xxiii) An offense under section 1957
22 of title 18 (relating to engaging in mone-
23 tary transactions in property derived from
24 specified unlawful activity).

1 “(xxiv) An offense under chapter 96
2 of title 18 (relating to racketeer influenced
3 and corrupt organizations).

4 “(xxv) An offense under section 7201
5 of the Internal Revenue Code of 1986 (re-
6 lating to attempt to evade or defeat tax).

7 “(xxvi) An offense under section
8 104(a) of the Foreign Corrupt Practices
9 Act of 1977 (15 U.S.C. 78dd–2(a)) (relat-
10 ing to prohibited foreign trade practices by
11 domestic concerns).

12 “(xxvii) An offense under section 371
13 of title 18 (relating to conspiracy to com-
14 mit offense or to defraud United States),
15 to the extent of any conspiracy to commit
16 an act which constitutes—

17 “(I) an offense under clause (i),
18 (ii), (iii), (iv), (v), (vi), (vii), (viii),
19 (ix), (x), (xi), (xii), (xiii), (xiv), (xv),
20 (xvi), (xvii), (xviii), (xix), (xx), (xxi),
21 (xxii), (xiii), (xiv), (xv), (xvi), (xvii),
22 (xviii), (xix), (xx), (xxi), (xxii), (xxiii),
23 (xxiv), (xxv), or (xxvi); or

24 “(II) an offense under section
25 207 of title 18 (relating to restrictions

1 on former officers, employees, and
2 elected officials of the executive and
3 legislative branches).

4 “(xxviii) Perjury committed under
5 section 1621 of title 18 in falsely denying
6 the commission of an act which con-
7 stitutes—

8 “(I) an offense under clause (i),
9 (ii), (iii), (iv), (v), (vi), (vii), (viii),
10 (ix), (x), (xi), (xii), (xiii), (xiv), (xv),
11 (xvi), (xvii), (xviii), (xix), (xx), (xxi),
12 (xxii), (xxiii), (xxiv), (xxv), or (xxvi);
13 or

14 “(II) an offense under clause
15 (xxvii), to the extent provided in such
16 clause.

17 “(xxix) Subornation of perjury com-
18 mitted under section 1622 of title 18 in
19 connection with the false denial or false
20 testimony of another individual as specified
21 in clause (xxviii).”.

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