

104TH CONGRESS
1ST SESSION

S. 48

To amend title II of the Social Security Act to impose the social security earnings test on the retirement annuities of Members of Congress.

IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. McCAIN introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend title II of the Social Security Act to impose the social security earnings test on the retirement annuities of Members of Congress.

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. CONGRESSIONAL ANNUITIES SUBJECT TO SO-**
4 **CIAL SECURITY EARNINGS TEST.**

5 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

6 (1) IN GENERAL.—Chapter 83 of title 5, United
7 States Code, is amended by inserting after section
8 8339 the following new section:

1 **“§ 8339a. Limitation on annuities of Members of Con-**
2 **gress**

3 “(a) Notwithstanding any other provision of this
4 chapter, the annuity of any individual described in sub-
5 section (b) shall be subject to the provisions of section
6 203(b) of the Social Security Act in the same manner as
7 if such annuity was a benefit of such individual under sec-
8 tion 202 of such Act.

9 “(b) An individual is described in this subsection if—

10 “(1) such individual has attained the age of 62
11 years, and

12 “(2) the computation of the annuity of such in-
13 dividual is based in whole or in part on the service
14 of such individual as a Member of Congress on or
15 after the date of the enactment of this section.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions for chapter 83 of title 5, United States Code,
18 is amended by inserting after the item relating to
19 section 8339 the following new item:

“8339a. Limitation on annuities of Members of Congress.”.

20 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

21 (1) IN GENERAL.—Chapter 84 of title 5, United
22 States Code, is amended by inserting after section
23 8415 the following new section:

1 **“§ 8415a. Limitation on annuities of Members of Con-**
2 **gress**

3 “(a) Notwithstanding any other provision of this
4 chapter, the annuity of any individual described in sub-
5 section (b) shall be subject to the provisions of section
6 203(b) of the Social Security Act in the same manner as
7 if such annuity was a benefit of such individual under sec-
8 tion 202 of such Act.

9 “(b) An individual is described in this subsection if—

10 “(1) such individual has attained the age of 62
11 years, and

12 “(2) the computation of the annuity of such in-
13 dividual is based in whole or in part on the service
14 of such individual as a Member of Congress on or
15 after the date of the enactment of this section.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions for chapter 84 of title 5, United States Code,
18 is amended by adding after the item relating to sec-
19 tion 8415, the following new item:

“8415a. Limitation on annuities of Members of Congress.”.

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