

110TH CONGRESS
2D SESSION

H. R. 5797

To amend title 5, United States Code, to provide for a qualified Roth contribution program under the Thrift Savings Plan.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2008

Mrs. DRAKE introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to provide for a qualified Roth contribution program under the Thrift Savings Plan.

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 “Roth TSP Act of
5 2008”.

1 **SEC. 2. REQUIREMENT THAT THRIFT SAVINGS PLAN IN-**
2 **CLUDE A QUALIFIED ROTH CONTRIBUTION**
3 **PROGRAM.**

4 (a) IN GENERAL.—Subchapter III of chapter 84 of
5 title 5, United States Code, is amended by inserting after
6 section 8432c the following:

7 **“§ 8432d. Qualified Roth contribution program**

8 “(a) IN GENERAL.—The Executive Director, in con-
9 sultation with the Secretary of the Treasury, shall by reg-
10 ulation provide for the inclusion in the Thrift Savings Plan
11 of a qualified Roth contribution program (hereinafter in
12 this section referred to as the ‘Program’).

13 “(b) QUALIFIED ROTH CONTRIBUTION PROGRAM.—
14 For purposes of this section, the term ‘qualified Roth con-
15 tribution program’ means a program that satisfies the re-
16 quirements of paragraphs (1) and (2) of section 402A(b)
17 of the Internal Revenue Code of 1986.

18 “(c) REQUIRED PROVISIONS.—The regulations shall
19 include—

20 “(1) provisions under which an election to make
21 designated Roth contributions may be made—

22 “(A) by any individual who is eligible to
23 make contributions under section 8351,
24 8432(a), 8440a, 8440b, 8440c, 8440d, or
25 8440e; and

1 “(B) by any individual not described in
2 subparagraph (A) who is otherwise eligible to
3 make elective deferrals under the Thrift Sav-
4 ings Plan, as identified under such regulations;
5 and

6 “(2) such other provisions as may be necessary
7 to carry out this section.

8 “(d) RETURNS AND REPORTS.—The Executive Di-
9 rector shall, with respect to designated Roth contributions
10 under the Program, make such returns and reports as the
11 Secretary of the Treasury may prescribe under section
12 6047(f) of the Internal Revenue Code of 1986.

13 “(e) DEFINITIONS.—For purposes of this section, the
14 terms ‘designated Roth contribution’ and ‘elective defer-
15 ral’ have the respective meanings given such terms in sec-
16 tion 402A of the Internal Revenue Code of 1986.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) ACCOUNTING AND INFORMATION.—Section
19 8439(a) of title 5, United States Code, is amended
20 by adding at the end the following:

21 “(4) Pursuant to regulations prescribed by the Exec-
22 utive Director, this section shall be carried out in a man-
23 ner consistent with section 8432d of this title and section
24 402A of the Internal Revenue Code of 1986, including by

1 making any modifications to the definition of an ‘account’
2 under this subsection which may be necessary.”.

3 (2) CLERICAL AMENDMENT.—The analysis for
4 chapter 84 of title 5, United States Code, is amend-
5 ed by inserting after the item relating to section
6 8432e the following:

“8432d. Qualified Roth contribution program.”.

