

117TH CONGRESS
1ST SESSION

H. R. 665

To provide that a former Member of Congress or former senior Congressional employee who receives compensation as a lobbyist representing a foreign principal shall not be eligible for retirement benefits or certain other Federal benefits.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2021

Mr. POSEY introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and 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 provide that a former Member of Congress or former senior Congressional employee who receives compensation as a lobbyist representing a foreign principal shall not be eligible for retirement benefits or certain other Federal benefits.

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 “Retirement Forfeiture
5 for Members of Congress Turned Foreign Lobbyists Act”.

1 **SEC. 2. PROHIBITION RELATING TO CERTAIN FEDERAL**
 2 **BENEFITS FOR A FORMER MEMBER OF CON-**
 3 **GRESS OR FORMER SENIOR CONGRESSIONAL**
 4 **EMPLOYEE WHO RECEIVES COMPENSATION**
 5 **AS A LOBBYIST REPRESENTING FOREIGN**
 6 **PRINCIPAL.**

7 (a) IN GENERAL.—A covered individual who is a reg-
 8 istered lobbyist shall not be eligible for any covered bene-
 9 fits for any month—

10 (1) which begins after the date of the enact-
 11 ment of this Act; and

12 (2) in or for which such covered individual is—

13 (A) employed as a lobbyist who represents
 14 a foreign principal; and

15 (B) entitled to compensation as a lobbyist
 16 who represents a foreign principal.

17 (b) COVERED INDIVIDUAL.—For purposes of this
 18 section, the term “covered individual” means an individual
 19 who becomes a former Member of Congress or a former
 20 senior Congressional employee after the date of the enact-
 21 ment of this Act.

22 (c) COVERED BENEFITS.—For purposes of this sec-
 23 tion, the term “covered benefits”, as used with respect to
 24 a covered individual, means any payment or other benefit
 25 which is payable, by virtue of service performed by such
 26 covered individual, under any of the following:

1 (1) The Civil Service Retirement System, in-
2 cluding the Thrift Savings Plan.

3 (2) The Federal Employees Retirement System,
4 including the Thrift Savings Plan.

5 (3) The Federal Employees Health Benefits
6 Program, including enhanced dental benefits and en-
7 hanced vision benefits under chapters 89A and 89B,
8 respectively, of title 5, United States Code.

9 (4) The Federal Employees' Group Life Insur-
10 ance Program.

11 (d) DEFINITIONS.—For purposes of this section—

12 (1) the term “Member of Congress” means a
13 Senator, Member of the House of Representatives,
14 or Delegate to the House of Representatives, and
15 the Resident Commissioner from Puerto Rico;

16 (2) the term “senior Congressional employee”
17 means—

18 (A) each officer or employee of the legisla-
19 tive branch (except any officer or employee of
20 the Government Accountability Office) who, for
21 at least 60 days, occupies a position for which
22 the rate of basic pay is equal to or greater than
23 120 percent of the minimum rate of basic pay
24 payable for GS–15 of the General Schedule;

1 (B) each officer or employee of the Govern-
2 ment Accountability Office who, for at least 60
3 consecutive days, occupies a position for which
4 the rate of basic pay, minus the amount of lo-
5 cality pay that would have been authorized
6 under section 5304 of title 5, United States
7 Code (had the officer or employee been paid
8 under the General Schedule), for the locality
9 within which the position of such officer or em-
10 ployee is located (as determined by the Comp-
11 troller General), is equal to or greater than 120
12 percent of the minimum rate of basic pay pay-
13 able for GS–15 of the General Schedule; and

14 (C) at least one principal assistant des-
15 ignated for purposes of this paragraph by each
16 Member who does not have an employee who
17 occupies a position for which the rate of basic
18 pay is equal to or greater than 120 percent of
19 the minimum rate of basic pay payable for GS–
20 15 of the General Schedule;

21 (3) the term “registered lobbyist” means—

22 (A) a lobbyist registered or required to
23 register, or on whose behalf a registration is
24 filed or required to be filed, under section 4 of

1 the Lobbying Disclosure Act of 1995 (2 U.S.C.
2 1603); and

3 (B) an individual registered or required to
4 register as the agent of a foreign principal
5 under the Foreign Agents Registration Act of
6 1938, as amended (22 U.S.C. 611 et seq.);

7 (4) the term “lobbyist” has the meaning given
8 such term by section 3 of the Lobbying Disclosure
9 Act of 1995 (2 U.S.C. 1602); and

10 (5) the term “foreign principal” has the mean-
11 ing given such term by section 1(b) of the Foreign
12 Agents Registration Act of 1938 (22 U.S.C. 611(b)).

13 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion shall be considered to prevent the payment of—

15 (1) any lump-sum credit, as defined by section
16 8331(8) or 8401(19) of title 5, United States Code,
17 to which an individual is entitled; or

18 (2) any amount in the account of an individual
19 in the Thrift Savings Fund which, as of the date on
20 which paragraphs (1) and (2) of subsection (a) are
21 first met with respect to such individual, is non-
22 forfeitable.

23 (f) REGULATIONS.—Any regulations necessary to
24 carry out this section may be prescribed—

1 (1) except as provided in paragraph (2), by the
2 Director of the Office of Personnel Management;
3 and

4 (2) to the extent that this Act relates to the
5 Thrift Savings Plan, by the Executive Director (as
6 defined by section 8401(13) of title 5, United States
7 Code).

○