

112TH CONGRESS
1ST SESSION

S. 644

To amend subchapter II of chapter 84 of title 5, United States Code, to prohibit coverage for annuity purposes for any individual hired as a Federal employee after 2012.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Mr. BURR (for himself, Mr. COBURN, Mr. CHAMBLISS, Mr. MCCAIN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, Mr. THUNE, Mr. INHOFE, Mr. KYL, Mr. SESSIONS, Mr. ENSIGN, Mr. LEE, and Mr. TOOMEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend subchapter II of chapter 84 of title 5, United States Code, to prohibit coverage for annuity purposes for any individual hired as a Federal employee after 2012.

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 “Public-Private Em-
5 ployee Retirement Parity Act”.

1 **SEC. 2. TERMINATION OF ANNUITIES UNDER THE FEDERAL**
 2 **EMPLOYEES RETIREMENT SYSTEM.**

3 (a) CREDITABLE SERVICE.—Section 8411 of title 5,
 4 United States Code, is amended—

5 (1) in subsection (b)(1), by inserting “except as
 6 provided under subsection (m),” after “(1)”; and

7 (2) by adding at the end the following:

8 “(m) Notwithstanding any other provision of this sec-
 9 tion, any period of service performed by an employee or
 10 Member after December 31, 2012 shall not be creditable
 11 service for purposes of this subchapter, if that employee
 12 or Member did not perform any period of creditable service
 13 under this section before January 1, 2013 (including any
 14 military service creditable under subsection (c)).”.

15 (b) EMPLOYEE CONTRIBUTIONS.—Section 8422 of
 16 title 5, United States Code, is amended—

17 (1) in subsection (a)(1), by striking “The” and
 18 inserting “Except as provided under subsection (j),
 19 the”; and

20 (2) by adding at the end the following:

21 “(j) Notwithstanding any other provision of this sec-
 22 tion, an employing agency shall not make any deduction
 23 or withholding under this section from the basic pay of
 24 any employee or Member for any period of service per-
 25 formed after December 31, 2012, if that period of service
 26 is not creditable service under section 8411(m).”.

1 (c) AGENCY CONTRIBUTIONS.—Section 8423 of title
2 5, United States Code, is amended—

3 (1) in subsection (a)(1), by striking “Each”
4 and inserting “Except as provided under subsection
5 (d), each”; and

6 (2) by adding at the end the following:

7 “(d) Notwithstanding any other provision of this sec-
8 tion, an employing agency shall not make any contribution
9 under this section for any employee or Member for any
10 period of service performed after December 31, 2012, if
11 that period of service is not creditable service under sec-
12 tion 8411(m).”.

13 (d) LIMITATION ON CREDIT FOR MILITARY SERV-
14 ICE.—

15 (1) IN GENERAL.—Section 8411(c) of title 5,
16 United States Code, is amended—

17 (A) in paragraph (1), by striking “para-
18 graphs (2), (3), and (5)” and inserting “para-
19 graphs (2), (3), (5), and (6)”; and

20 (B) by adding at the end the following:

21 “(6) Notwithstanding any other provision of
22 this subsection, any period of military service per-
23 formed after December 31, 2012 shall not be al-
24 lowed credit under this subchapter, if the employee

1 or Member did not perform any period of creditable
2 service under this section before January 1, 2013.”.

3 (2) CONTRIBUTIONS.—Section 8422(e)(1)(A) of
4 title 5, United States Code, is amended by striking
5 “Except as provided in subparagraph (B), and sub-
6 ject to paragraph (6),” and inserting “Except as
7 provided under section 8411(c)(6) and subparagraph
8 (B) of this paragraph, and subject to paragraph (6)
9 of this subsection,”.

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