

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3327
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “No Congressionally
3 Obligated Recurring Revenue Used as Pensions To Incar-
4 cerated Officials Now Act of 2021”.

5 SEC. 2. FORFEITURE OF PENSION.

6 Section 8332(o) of title 5, United States Code, is
7 amended by adding at the end the following:

8 “(7)(A) Subject to subparagraph (B), an individual
9 convicted of an offense described in paragraph (2) shall
10 not, between the date of sentencing and the date of final
11 conviction for such offense, be eligible to receive any pay-
12 ment of an annuity pursuant to the retirement system
13 under this subchapter or chapter 84, except that this sen-
14 tence applies only to such payments based on service ren-
15 dered as a Member (irrespective of when rendered).

16 “(B) If the conviction of an individual described in
17 subparagraph (A) is overturned by a court of competent

1 jurisdiction, such individual shall receive payments that
2 such individual would have received but for application of
3 subparagraph (A).

4 “(C) The provisions of this paragraph only apply to
5 a conviction that occurs after the date of enactment of
6 this paragraph.”

