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.

This Act may be cited as the “No Congressionally Obligated Recurring Revenue Used as Pensions To Incarcerated Officials Now Act of 2021”.

5 SEC. 2. FORFEITURE OF PENSION.

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

“(7)(A) Subject to subparagraph (B), an individual convicted of an offense described in paragraph (2) shall not, between the date of sentencing and the date of final conviction for such offense, be eligible to receive any payment of an annuity pursuant to the retirement system under this subchapter or chapter 84, except that this sentence applies only to such payments based on service rendered as a Member (irrespective of when rendered).

“(B) If the conviction of an individual described in subparagraph (A) is overturned by a court of competent
jurisdiction, such individual shall receive payments that such individual would have received but for application of subparagraph (A).

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