

116TH CONGRESS
1ST SESSION

H. R. 673

To amend title 5, United States Code, to provide that a lapse in discretionary appropriations constitutes a financial hardship for purposes of a withdrawal from the Thrift Savings Plan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2019

Mrs. LURIA (for herself, Mr. BROWN of Maryland, Mr. GRIFFITH, Ms. HOULAHAN, Mr. JONES, Mr. MCEACHIN, Mr. RUPPERSBERGER, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Ms. SHERRILL, Ms. SLOTKIN, and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on Ways and Means, 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 amend title 5, United States Code, to provide that a lapse in discretionary appropriations constitutes a financial hardship for purposes of a withdrawal from the Thrift Savings Plan, and for other purposes.

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 “Shutdown Relief Act”.

1 **SEC. 2. TREATMENT OF GOVERNMENT SHUTDOWN FOR**
2 **PURPOSES OF TSP FINANCIAL HARDSHIP DE-**
3 **TERMINATION.**

4 Section 8433(h) of title 5, United States Code, is
5 amended by adding at the end the following:

6 “(6)(A) Beginning on or after December 22,
7 2018, any lapse in the appropriations of an account
8 providing the salary of an employee shall be deemed
9 a financial hardship for purposes of paragraph
10 (1)(B).

11 “(B) A withdrawal by operation of subpara-
12 graph (A) may not be greater than the amount of
13 annual salary that the employee would have received
14 but for such lapse in appropriations.

15 “(C)(i) Section 72(t) of the Internal Revenue
16 Code of 1986 shall not apply to any Federal Govern-
17 ment shutdown distribution.

18 “(ii) For purposes of clause (i), the term ‘Fed-
19 eral Government shutdown distribution’ means any
20 distribution by an applicable individual from the
21 Thrift Savings Fund made during a lapse in appro-
22 priations with respect to such individual, by oper-
23 ation of subparagraph (A), but only to the extent,
24 not later than 180 days after the date of such dis-
25 tribution, such amount is contributed (in such man-

1 ner as the Board shall prescribe) to the individual's
2 account.

3 “(iii) For purposes of the Internal Revenue
4 Code of 1986, if a contribution described in clause
5 (ii) is made by an individual with respect to a Fed-
6 eral Government shutdown distribution, then the in-
7 dividual shall, to the extent of the amount of the
8 contribution, be treated as having received the Fed-
9 eral Government shutdown distribution in an eligible
10 rollover distribution (as defined in section 402(c)(4)
11 of such Code) and as having transferred the amount
12 to an eligible retirement plan in a direct trustee to
13 trustee transfer within 60 days of the distribution.”.

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