

117TH CONGRESS
1ST SESSION

H. R. 4396

To amend title II of the Social Security Act to prohibit credit for service for purposes of a Federal annuity to employees of the Social Security Administration for certain violations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2021

Mr. RICE of South Carolina (for himself, Mr. JACKSON, Mr. NORMAN, Mr. SCHWEIKERT, Mr. KELLY of Pennsylvania, Mr. SMITH of Missouri, Mr. GRAVES of Louisiana, Mr. POSEY, Mr. CARTER of Texas, and Mr. PERRY) introduced the following bill; which was referred to the Committee on Ways and Means, 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 amend title II of the Social Security Act to prohibit credit for service for purposes of a Federal annuity to employees of the Social Security Administration for certain violations, 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 “Holding SSA Employ-
5 ees Accountable Act”.

1 **SEC. 2. LOSS OF CREDIT FOR FEDERAL PENSION AFTER**
2 **CERTAIN VIOLATIONS.**

3 Section 208 of the Social Security Act (42 U.S.C.
4 408) is amended by adding at the end the following:

5 “(f)(1) Notwithstanding any other provision of law,
6 an individual convicted of an offense under subsection (a)
7 may not receive credit under section 8332 or section 8411
8 (as the case may be) of title 5, United States Code, for
9 any service that occurs on or after the date on which the
10 offense for which the individual was convicted occurs, if,
11 with respect to such conviction, every act or omission of
12 the individual that is needed to satisfy the elements of the
13 offense—

14 “(A) is committed while the individual is an
15 employee of the Social Security Administration; and

16 “(B) directly relates to the performance of the
17 individual’s official duties.

18 “(2) An individual convicted of an offense described
19 in paragraph (1)—

20 “(A) shall not, after the date of the conviction,
21 be further eligible to participate in the retirement
22 system under chapter 83 or 84 of title 5, United
23 States Code; and

24 “(B) shall be entitled to be paid any amounts
25 contributed by the individual towards an annuity
26 that were contributed on or after the date on which

1 the offense for which the individual was convicted
2 under this section occurs pursuant to, or in a similar
3 manner as, the terms of section 8316 of such title.

4 “(3) The Director of the Office of Personnel Manage-
5 ment, in consultation with the Commissioner of Social Se-
6 curity, shall prescribe any regulations necessary to carry
7 out this section.

8 “(4) This subsection shall apply with respect to any
9 offense that occurs on or after the date of enactment of
10 this subsection.”.

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