

116TH CONGRESS  
1ST SESSION

# S. 1264

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of child sex abuse.

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IN THE SENATE OF THE UNITED STATES

MAY 1, 2019

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of child sex abuse.

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 “Denying Pensions to  
5 Convicted Child Molesters Act of 2019”.

6 **SEC. 2. DENIAL OF RETIREMENT BENEFITS.**

7 (a) IN GENERAL.—Section 8312(a) of title 5, United  
8 States Code, is amended—

9 (1) in paragraph (1), by striking “or” at the  
10 end;

1           (2) in paragraph (2), by striking the period at  
2           the end and inserting “; or”;

3           (3) by inserting after paragraph (2) the fol-  
4           lowing:

5           “(3) was convicted of an offense described in  
6           subsection (d), to the extent provided by that sub-  
7           section.”; and

8           (4) in the matter following paragraph (3), as  
9           added by this subsection—

10           (A) in subparagraph (A), by striking  
11           “and” at the end;

12           (B) in subparagraph (B), by striking the  
13           period at the end and inserting “; and”; and

14           (C) by inserting after subparagraph (B)  
15           the following:

16           “(C) with respect to the offenses described in  
17           subsection (d), to the period after the date of convic-  
18           tion.”.

19           (b) OFFENSES DESCRIBED.—Section 8312 of title 5,  
20           United States Code, is amended—

21           (1) by redesignating subsection (d) as sub-  
22           section (e); and

23           (2) by inserting after subsection (e) the fol-  
24           lowing:

1 “(d) The offenses to which subsection (a)(3) applies  
2 are any offense—

3 “(1) within the purview of section 2241(c),  
4 2243(a), or section 2244(a)(2) of title 18; and

5 “(2) for which the conduct constituting the of-  
6 fense is committed on or after the date of enactment  
7 of the Denying Pensions to Convicted Child Molest-  
8 ers Act of 2019, which shall include any offense that  
9 includes conduct that continued on or after the date  
10 of enactment of such Act.”.

11 (c) ABSENCE FROM UNITED STATES TO AVOID  
12 PROSECUTION.—Section 8313(a)(1) of title 5, United  
13 States Code, is amended—

14 (1) in subparagraph (A), by striking “or” at  
15 the end;

16 (2) in subparagraph (B), by striking “and” at  
17 the end and inserting “or”; and

18 (3) by adding at the end the following:

19 “(C) for an offense described under section  
20 8312(d); and”.

21 (d) NONACCRUAL OF INTEREST ON REFUNDS.—Sec-  
22 tion 8316(b) of title 5, United States Code, is amended—

23 (1) in paragraph (1), by striking “or” at the  
24 end;

1           (2) in paragraph (2), by striking the period at  
2           the end and inserting “or”; and

3           (3) by adding at the end the following:

4           “(3) if the individual was convicted of an of-  
5           fense described in section 8312(d), for the period  
6           after the conviction.”.

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