

119TH CONGRESS
2D SESSION

H. R. 8898

To amend title 5, United States Code, to deny Federal retirement benefits to Members of Congress convicted of sexual offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2026

Ms. MALLIOTAKIS (for herself and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government 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 5, United States Code, to deny Federal retirement benefits to Members of Congress convicted of sexual offenses, 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 “End Government Pen-
5 sions for Sexual Abusers Act of 2026”.

1 **SEC. 2. DENIAL OF RETIREMENT BENEFITS FOR MEMBERS**
2 **OF CONGRESS.**

3 (a) IN GENERAL.—Subchapter II of chapter 83 of
4 title 5, United States Code, is amended by inserting after
5 section 8312 the following:

6 **“§ 8312a. Conviction of certain offenses**

7 “(a) PROHIBITION.—

8 “(1) IN GENERAL.—An individual who is Mem-
9 ber of Congress or former Member of Congress, or
10 a survivor or beneficiary of such an individual, may
11 not be paid annuity or retired pay on the basis of
12 the service of the individual which is creditable to-
13 ward the annuity or retired pay, subject to the ex-
14 ceptions in sections 8311(2) and (3) of this title and
15 subsections (d) and (e) of this section, if the indi-
16 vidual is convicted of an offense—

17 “(A) within the purview of—

18 “(i) section 1470, 1591, 2241, 2242,
19 2243, 2244, 2245, 2251, 2252, 2260 of
20 title 18;

21 “(ii) paragraph (3) or (5) of section
22 2244(a) of title 18; or

23 “(iii) chapter 71 or 77 of title 18; and

24 “(B) for which the conduct constituting
25 the offense is committed on or after the date of
26 the enactment of the End Government Pensions

1 for Sexual Abusers Act of 2026, which shall in-
2 clude any offense that includes conduct that
3 continued on or after such date of enactment.

4 “(2) NOTICE.—If an individual entitled to an
5 annuity or retired pay is convicted of an offense de-
6 scribed in paragraph (1), the Attorney General shall
7 notify the head of the agency administering the an-
8 nuity or retired pay of the individual.

9 “(b) FOREIGN OFFENSES.—

10 “(1) IN GENERAL.—For purposes of subsection
11 (a), a conviction of an offense within the meaning of
12 such subsection may be established if the Attorney
13 General certifies to the agency administering the an-
14 nuity or retired pay concerned—

15 “(A) that an individual has been convicted
16 by an impartial court of appropriate jurisdiction
17 within a foreign country in circumstances in
18 which the conduct would constitute an offense
19 described in subsection (a)(1), had such con-
20 duct taken place within the United States, and
21 that such conviction is not being appealed or
22 that final action has been taken on such appeal;

23 “(B) that such conviction was obtained in
24 accordance with procedures that provided the
25 defendant due process rights comparable to

1 such rights provided by the United States Con-
2 stitution, and such conviction was based upon
3 evidence which would have been admissible in
4 the courts of the United States; and

5 “(C) that such conduct occurred after the
6 date of enactment of this section, which shall
7 include any offense that includes conduct that
8 continued on or after such date of enactment.

9 “(2) REVIEW.—Any certification made pursu-
10 ant to this subsection shall be subject to review by
11 the United States Court of Federal Claims based
12 upon the application of the individual concerned, or
13 his or her attorney, alleging that a condition set
14 forth in subparagraph (A), (B), or (C) of paragraph
15 (1), as certified by the Attorney General, has not
16 been satisfied in his or her particular circumstances.
17 Should the court determine that any of these condi-
18 tions has not been satisfied in such case, the court
19 shall order any annuity or retirement benefit to
20 which the individual concerned is entitled to be re-
21 stored and shall order that any payments which may
22 have been previously denied or withheld to be paid
23 by the department or agency concerned.

24 “(c) ABSENCE FROM THE UNITED STATES TO
25 AVOID PROSECUTION.—

1 “(1) IN GENERAL.—An individual who is Mem-
2 ber of Congress or former Member of Congress, or
3 a survivor or beneficiary of such an individual, may
4 not be paid annuity or retired pay on the basis of
5 the service of the individual in any position as an of-
6 ficer or employee of the Federal Government which
7 is creditable toward the annuity or retired pay, sub-
8 ject to the exceptions in sections 8311(2) and (3) of
9 this title, if the individual—

10 “(A) is under indictment for an offense de-
11 scribed in subsection (a); and

12 “(B) willfully remains outside the United
13 States, or its territories and possessions includ-
14 ing the Commonwealth of Puerto Rico, for more
15 than 1 year with knowledge of the indictment.

16 “(2) PERIOD.—The prohibition on payment of
17 annuity or retired pay under paragraph (1) applies
18 during the period—

19 “(A) beginning on the day after the end of
20 the 1-year period described in paragraph (1);
21 and

22 “(B) ending on the date on which—

23 “(i) a nolle prosequi to the entire in-
24 dictment is entered on the record or the

1 charges are dismissed by competent au-
2 thority;

3 “(ii) the individual returns and there-
4 after the indictment or charges is or are
5 dismissed; or

6 “(iii) after trial by court or court-mar-
7 tial, the accused is found not guilty of the
8 offense or offenses.

9 “(d) PAYMENTS TO VICTIMS.—

10 “(1) IN GENERAL.—Notwithstanding section
11 8346(a), section 8470(a), or any other provision of
12 law exempting an annuity or retired pay from execu-
13 tion, levy, attachment, garnishment, or other legal
14 process, if the annuity or retired pay of an indi-
15 vidual is subject to forfeiture under this section, the
16 head of the agency administering the annuity or re-
17 tired pay shall pay, from amounts that would have
18 been used to pay the annuity or retired pay,
19 amounts to a victim of an offense described in sub-
20 section (a) committed by the individual if and to the
21 extent payment of such amounts is expressly pro-
22 vided for in—

23 “(A) any court order of restitution to or
24 similar compensation of the victim; or

1 “(B) any court order or other similar proc-
2 ess in the nature of garnishment for the en-
3 forcement of a judgment rendered against such
4 individual relating to the offense or the course
5 of conduct constituting the offense.

6 “(2) MAXIMUM AMOUNT.—The total amount
7 paid to a victim under paragraph (1) shall not ex-
8 ceed the amount that is subject to forfeiture under
9 this section.

10 “(3) LIMIT ON REFUNDS.—Contributions and
11 deposits by an individual whose annuity or retired
12 pay is subject to forfeiture under this section shall
13 not be refunded under section 8316 to the extent the
14 amount of such contributions or deposits are paid to
15 a victim under paragraph (1).”.

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

18 (1) in subsection (a), in the matter preceding
19 paragraph (1), by inserting “under section 8312a
20 or” before “because an individual”; and

21 (2) in subsection (b)—

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

24 (B) in paragraph (2), by striking the pe-
25 riod at the end and inserting “or”; and

1 (C) by adding at the end the following:

2 “(3) if the individual is convicted of an offense
3 described in section 8312a(a), for the period after
4 the conviction.”.

5 (c) CLERICAL AMENDMENT.—The table of sections
6 for chapter 83 of title 5, United States Code, is amended
7 by inserting after the item relating to section 8312 the
8 following:

“8312a. Conviction of certain offenses.”.

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