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Description of document: Federal Retirement Thrift Investment Board (FRTIB)
External Affairs Tracking Log for the 116th and 117th
Congresses, 2019-2023

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FOIA Officer
Federal Retirement Thrift Investment Board
77 K Street N.E., Suite 1000
Washington, DC 20002
Fax: (202) 942-1676 (Attn: FOIA Officer: FOIA Request)
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FEDERAL RETIREMENT THRIFT INVESTMENT BOARD
77K Street, NE Washington, DC 20002

July 20, 2021

I am responding to your request submitted through the National FOIA Portal and received on June 28, 2020, in which you made a request for records to the Federal Retirement Thrift Investment Board (Agency) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended. The request and our response are set forth below.

REQUEST

A copy of the External Affairs Statute Tracking Log for the 116th and 117th Congress.

RESPONSE

Your request is granted. Please find attached, a copy of the External Affairs Statute Tracking Log for the 116th and 117th Congress.

You may appeal this decision in writing to the Executive Director, Federal Retirement Thrift Investment Board, 77 K St. NE, Washington, DC 20002. Please cite FOIA request number 21-TIB-30. You must appeal within 90 days of receipt of this decision. 5 C.F.R. § 1631.10.

In addition to filing an appeal, you have the option to contact the Agency's FOIA Liaison at FRTIBFOIALIAISON@tsp.gov, if you have any concerns regarding your request. You may also choose to contact the Office of Government Information Services (OGIS). OGIS offers their own mediation services to help resolve disputes between FOIA requestors and agencies. You may contact them by writing to Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740, by email at ogis@nara.gov, or by calling 1-877-684-6448.

If you have any further questions regarding this request, you may contact me at (202) 942-1660 or FOIAREQUEST@tsp.gov.

Sincerely,
AMANDA
HAAS

Amanda Haas
FOIA Officer

Digitally signed by
AMANDA HAAS
Date: 2021.07.20 11:37:59
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TSP Bills					
Subject	Bill #	Title	Sponsor	Referred to:	Description
Furlough	S 204	Emergency Relief for Federal Workers Act of 2019	Sen. Tim Kaine (D-VA)	Committee on Finance (1/24/2019)	Allows penalty-free distributions from TSP accounts during Federal Government shutdown, including a partial lapse. Allows participants to withdraw from the TSP up to \$30,000 per shutdown, defined as exceeding 14 days. Puts no limit on the number of withdrawals, but the aggregate amount withdrawn cannot exceed \$30,000 (i.e., one (1) withdrawal of \$30,000, or five (5) withdrawals of \$6,000). Participants may still contribute and are not subject to the 6 month non-contribution period. Participants may repay up to \$30,000 within 120 days of the last day of the shutdown. Participants may also borrow from TSP during a shutdown.
ERISA	S. 321		Sen. Susan Collins (R-ME)	Committee on Finance (2/4/19)	To amend the Internal Revenue Code of 1986 to modify safe harbor requirements applicable to automatic contribution arrangements (Companion bill to H.R. 1007)
Members Pensions	S.438	End Pensions in Congress Act (EPIC) Act	Sen. Mike Braun (R-IN)	Committee on Homeland Security and Governmental Affairs (2/12/19)	Excludes future Members of Congress from the Federal Employees Retirement System (FERS) and requires Members currently enrolled in FERS or the Civil Service Retirement System to opt in to continue their enrollment. (See H.R. 191)
Members Pensions	S. 439	End Plush Retirements Act RENAMED: Members of Congress Pension Opt Out Clarification Act	Sen. Mike Braun, (R-IN)	Committee on Homeland Security and Governmental Affairs (2/12/19) Passed Senate 12/19/19 Committees on Administration & Oversight and Reform	Allows Members of Congress to opt out of FERS but continue participating in the TSP.

Furlough	S. 486		Sen. Bill Cassidy (R-LA)	Finance (2/14/19)	Mimics 2017 hurricane relief legislation, withdrawal cap limited to \$25k, and slightly shorter time frames. -Eliminates 10% withdrawal penalty. -Allows the withdrawal to be recontributed within 1 year. -Allows the participant to spread the recognition of income tax on the withdrawal over 2 years. -Includes Fed contractors (definition from H.R. 545) -Applies to any eligible retirement plans or IRAs; not just the TSP. -Permanent law; applies to all future lapses in appropriations.
ERISA	S. 972	Retirement Enhancement and Savings Act of 2019	Sen. Chuck Grassley (R-IA)	Senate Finance (4/1/19)	See H.R. 1007 and S. 321
ERISA	S. 1020	Retirement Security Flexibility Act of 2019	Sen. Todd Young (R-IN)	Senate Finance (4/3/19)	Provides for an additional nondiscrimination safe harbor for automatic contribution arrangements
TSP Funds	S. 1460	Retirement Investments for a Sustainable Economy Act of 2019	Sen. Jeff Merkley (D-OR)	Committee on Homeland Security and Governmental Affairs (5/14/19)	Requires the TSP to offer an investment option that does not include investment in any fossil fuel companies
TSP Funds	S. 2791	Taxpayers and Savers Protection Act	Sen. Marco Rubio (R-FL)	Committee on Homeland Security and Governmental Affairs (11/6/19)	Prohibits TSP from offering an I Fund unless PCAOB has an agreement with the country and has issued an audit for that country
Members Pensions	H.R. 164		Rep. Brian Fitzpatrick (R-PA)	House Administration & Oversight and Reform (1/3/19)	Excludes future Members of Congress from the Federal Employees Retirement System (FERS) but allows for continued participation in the TSP.
Members Pensions	HR 191	End Pensions in Congress Act” (EPIC Act)	Rep. Thomas Massie (R-KY)	Committees on House Administration and Oversight and Reform (1/3/2019)	Amends title 5, United States Code, to provide for the termination of certain retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan. Differs in other similar past bills in that it provides

					Members who are currently covered by CSRS or FERS 90 days after enactment to opt-in and retain their retirement coverage. (See S. 438)
Members Pensions	H.R. 199	Stop Congressional Retirees Accessing Perks Act” or “SCRAP Act	Rep. Ralph Norman (R-SC)	House Administration; Oversight and Reform; Rules (1/3/19)	Excludes future Members of Congress from the Federal Employees Retirement System (FERS) but allows for continued participation in the TSP. (See S. 439)
Furlough	H.R. 338	Essential Employees Pay Certainty Act	Rep. Mark Meadows (R-NC)	Oversight and Reform & Ways and Means (1/8/19)	- Creates a “withdrawal” equal to the missed salary that is neither truly a hardship withdrawal (because it allows for repayment into the TSP account) nor a loan (because there is no payroll deduction or interest payment) - Not clear if multiple withdrawals are contemplated
Furlough	HR 545	Financial Relief for Feds Act of 2019	Rep. Pete Olson (R-TX)	Ways & Means (1/15/2019) Oversight & Reform (1/15/2019)	Allows penalty-free distributions from retirement accounts in the case of Federal employees and certain Federal contractors impacted by the Federal Government shutdown. Provides that TSP participants furloughed or working without pay, or affected contractors, may withdraw from the TSP, a personal 401(k), or an IRA up to \$4,000 every 14 days that the Federal appropriations lapse (shutdown) is in effect. Affected participants may continue to contribute, and they may also recontribute the amount withdrawn up to 3 years from the date of the withdrawal.
Members Pensions	H.R. 577	Prohibiting Perks and Privileges Act	Rep. Bradley Schneider (D-IL)	House Administration, Oversight and Reform, Rules, Transportation and Infrastructure (1/15/19)	Prohibits a former Member of Congress or a former senior Congressional employee who receives compensation as a lobbyist representing a foreign principal from receiving retirement benefits, including the TSP; allows affected individuals to receive the amount in the TSP that is non-forfeitable
Furlough	H.R. 673	Shutdown Relief Act	Rep. Elaine Luria (D-VA)	Oversight and Reform & Ways and Means (1/17/19)	- Becomes permanent law - Beginning on or after 12-22-18, if a participant works for an agency that is not funded, a participant may make a hardship withdrawal that is not larger than the amount that the person

					missed in salary during the shutdown - Section 72(t) does not apply to any TSP withdrawal shutdown distribution if the participant recontributes the withdrawal within 180 days of the withdrawal
Members Pensions	H.R. 765	Serve the People, Not the Swamp Act	Rep. Mike Gallagher (R-WI)	Judiciary; Budget; Rules; Oversight and Reform; House Administration (1/24/19)	Excludes future Members of Congress from the Federal Employees Retirement System (FERS) but allows for continued participation in the TSP. (See S. 439)
Reservists	H.R. 905	Servicemember Retirement Improvement Act	Rep. Peter King (R-NY)	Ways and Means (1/3/19)	Allows for reservists to contribute to both TSP and 401(k); double amount
ERISA	H.R. 1007	Retirement Enhancement and Savings Act of 2019 (RESA)	Rep. Ron Kind	Ways and Means; Education and Labor (2/6/19)	-Lifetime income disclosure - Fiduciary safe harbor for selection of lifetime income provider - TSP contributions for tax court judges (See S. 321)
Members Pensions	H.R. 1022		Rep. Bill Posey (R-FL)	Administration, Oversight and Reform (2/6/19)	Prohibits a former Member of Congress or a former senior Congressional employee who receives compensation as a lobbyist representing a foreign principal from receiving retirement benefits, including the TSP; allows affected individuals to receive the amount in the TSP that is non-forfeitable
ERISA	H.R. 1439		Rep. Tim Walberg (R-MI)	Education and Labor (2/28/19)	To amend the Employee Retirement Income Security Act of 1974 to provide a fiduciary safe harbor for the selection of a lifetime income provider (Subset of H.R. 1007)
Members Pensions	H.R.1612	Nonpartisan Bill For the People Act of 2019			
ERISA	H.R. 1994 P.L. 116-94	Setting Every Community Up for Retirement Enhancement Act of 2019 or SECURE Act	Rep. Richard Neal (D-MA)	Ways & Means (4/1/19) Reported to floor 4/2/19 Included in the FY20	-Lifetime income disclosure - Fiduciary safe harbor for selection of lifetime income provider -penalty free withdrawal for child birth & adoption - move RMD to age 72

				Consolidated Approps bill	Similar/replacement of H.R. 1007
ERISA	H.R. 2367	Lifetime Income Disclosure Act	Rep. Mark Pocan (D-WI)	Education and Labor (4/25/19)	Lifetime income disclosure See H.R. 1007 & H.R. 1994
FRTIB Fiduciary	H.R. 2553	Postal Service Financial Improvement Act of 2019	Congressman Stephen Lynch (D-MA)	Oversight and Reform (5/7/19)	-Requires the Secretary of the Treasury to invest a portion of the Postal Service Retiree Health Benefit Fund in an index fund that mimics the longest date L Fund; -Creates a Postal Service Retiree Health Benefits Fund Investment Committee to monitor and would require the FRTIB Chair to sit on the Committee and serve as a fiduciary to the new investment
TSP Funds	H.R.2828	LEO Fair Retirement Act of 2019	Rep. Peter King (R-NY)	Committees on Oversight and Reform & Ways and Means (5/17/19)	Would allow LEOs to use TSP Funds to make deposit for service credit See
TSP Funds	H.R. 2903		Congressman Jim Banks (R-IN)	Oversight and Reform (5/22/19)	-Prohibits the I Fund from investing in any entity in “peer or near-peer” competitor nations as outlined in the National Defense Strategy; -Prevents the investment of TSP funds from being invested in China and Russia in the words of the press release, the bill is intended to “forces the Investment Board to reevaluate their choice of index funds for the I-Fund”
Members Pensions	H.R. 3326		Rep. Bill Posey (R-FL)	House Administration & Oversight and Reform, (6/18/19)	Provides that a former Member of Congress or former senior Congressional employee who receives compensation as a lobbyist shall not be eligible for retirement benefits or certain other Federal benefits.
TSP Funds	H.R.5018	Taxpayers and Savers Protection Act	Rep. Mark Meadows (R-NC)	Oversight & Government Reform (11/8/19)	Prohibits TSP from offering an I Fund unless PCAOB has an agreement with the country and has issued an audit for that country
		Bills re Fed Agencies			

	Bill #	Title	Sponsor	Referred to:	Description
Agency	S 47 (Go to page 466)	Natural Resources Management Act	Sen. Lisa Murkowski (R-AL)	Introduced on 1/8/2019 and read second time 1/9/2019; placed on Senate Legislative Calendar. Senate invoked cloture (99-1) on 2/5/2019 and moved to consider S 47. Passed the Senate 2/12; passed the House 2/26 P.L. 116-9; 3/12/2019	Subtitle C, section 4201, Open Book on Equal Access to Justice, requires Federal agencies to disclose payments of attorney's fees and other expenses awarded to individuals or groups in civil and administrative proceedings. Chairman of Administrative Conference of the United States must create a database for all such payments that includes, among other things "...The basis for the finding that the position of the agency concerned was not substantially justified." Re-institutes a provision of law requiring release of this information which previously expired in 1995.
Agency	S. 2220		Sen. Chuck Grassley (R-IA)	Committee on Judiciary (7/23/19)	Modifies the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes.
Agency	H.R. 736	Access to Congressionally Mandated Reports Act	Rep. Mike Quigley (D-IL)	Oversight and Reform & House Administration Suspension calendar	Requires the Director of the Government Publishing Office to establish and maintain an online portal accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place
Agency	H.R. 1582		Rep. Elijah Cummings (D-MD)	Oversight and Reform & Committee on the Budget Passed House 3/12/19 Referred to HSGAC	Requires preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records
Agency	H.,R. 1608		Rep. Lacy Clay (D-MO)	Oversight and Reform & Ways and Means & Budget Passed House 3/12/19 Referred to HSGAC	Amends the Federal Advisory Committee Act to increase the transparency of Federal advisory committees
Agency	HR 752	Open Book on Equal Access to Justice Act	Rep. Doug Collins (R-GA)	Committee on Judiciary (1/24/2019)	Companion bill to S 47 provisions on Equal Access to Justice. https://www.bgov.com/core/news/#!/articles/PMELL06K50XU

				Passed House 2/26/19	S. 47 = P.L. 116-9; 3/12/2019
		Bills of Interest			
	Bill #	Title	Sponsor	Referred to:	Description
Contracts	S 29	An Act to establish the Office of Critical Technologies and Security	Sen. Mark Warner (D-VA)	Committee on Homeland Security and Governmental Affairs (1/4/2019)	Establishes the Office of Critical Technologies and Security to coordinate the stop of transfer of critical emerging, foundational, and dual-use technologies to countries that post a national security risk (supply chain). Tracking for OGC.
Privacy	S 142	American Data Dissemination Act of 2019 (ADD Act)	Sen. Marco Rubio (R-FL)	Committee on Commerce, Science, and Transportation (1/16/2019)	A bill to impose privacy requirements on providers of internet services similar to the requirements imposed on Federal agencies under the Privacy Act of 1974. Gives the FTC six months to make recommendations for a “comprehensive” federal privacy law. After one year, the agency would be required to draft and publish specific regulations it believes that law should include. If Congress doesn’t act on the FTC’s recommendations within two years, the bill would give FTC the authority to enact their proposed regulations. Tracking for OGC (Privacy).
Privacy	S 189	Social Media Privacy Protection and Consumer Rights Act of 2019	Sen. Amy Klobuchar (D-MN)	Committee on Commerce, Science, and Transportation (1/17/2019)	Requires online platform operators to inform a user, prior to a user creating an account or otherwise using the platform, that the user's personal data produced during online behavior will be collected and used by the operator and third parties. Also, operator must 1) offer a user a copy of the personal data of the user that the operator has processed, free of charge, and in electronic format; and 2) notify a user within 72 hours of becoming aware that the user’s data has been transmitted in violation of the security platform. Tracking for OGC (Privacy).
Contracts	HR 618	An Act to establish the Office of Critical Technologies and Security	Rep. Dutch Ruppersberger (D-MD)	Committees on Foreign Affairs, Armed Services, and Intelligence (1/16/2019)	Companion bill to S 29. Tracking for OGC.

Subject	Bill Number	Title	Sponsor	Referred To	Introduced	Description
DC Plans	H.R. 3387		Rep. Suzan DelBene	Education and Labor		To amend the Employee Retirement Income Security Act of 1974 to permit retirement plans to consider certain factors in investment decisions. Companion to S. 1762.
DC Plans	S. 1703	Improving Access to Retirement Savings Act	Sen. Charles Grassley (R-IA)	Finance		A bill to amend the Internal Revenue Code of 1986 to increase retirement savings, to improve retirement plan administration, and for other purposes.
DC Plans	S. 1762	Financial Factors in Selecting Retirement Plan Investments Act	Sen. Tina Smith (D-MN)	HELP		A bill to amend the Employee Retirement Income Security Act of 1974 to permit retirement plans to consider certain factors in investment decisions.
ESG	H.R. 1187	Corporate Governance Improvement and Investor Protection Act	Rep. Juan Vargas (D-CA)	Financial Services		To provide for disclosure of additional material information about public companies and establish a Sustainable Finance Advisory Committee, and for other purposes.
Members Pension	H.R. 1078	Prohibiting Perks and Privileges Act	Rep. Bradley Scott Schneider (D-IL)	OR, Administration	2/15/2021	Makes former Members of Congress who are lobbyists ineligible to receive certain federal retirement and health benefits or to use certain congressional benefits and services.
Members Pension	H.R. 1358	EPIC Act	Rep. Thomas Massie (R-KY)	OGR, Administration		provide for the termination of certain retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan,
Members Pension	H.R. 1359	Members of Congress Pension Opt Out Clarification Act	Rep. Thomas Massie (R-KY)	OGR, Administration		allow Members of Congress to opt out of the Federal Employees Retirement System, and allow Members who opt out of the Federal Employees Retirement System to continue to participate in the Thrift Savings Plan.
Members Pension	H.R. 417	End the Congressional Revolving Door Act	Rep. Bill Posey (R-FL)			
Members Pension	H.R. 665	Retirement Forfeiture for Members of Congress Turned Foreign Lobbyists Act	Rep. Bill Posey (R-FL)	OGR, Administration		
Members Pension	S. 471		Sen. Mike Braun (R-IN).	HSGAC		Allow Members of Congress to opt out of the Federal Employees Retirement System, and allow Members who opt out of the Federal Employees Retirement System to continue to participate in the Thrift Savings Plan.
Members Pension	S. 472	Members of Congress Pension Opt Out Clarification Act	Sen. Mike Braun (R-IN)	HSGAC		provide for the termination of certain retirement benefits for Members of Congress, except the right to continue participating in the Thrift Savings Plan,
Members Pension	S. 693		Sen. Jacky Rosen (D-NV)	HSGAC		Provides for the halt in pension payments for Members
Members Pension	H.R. 101	CLEAN Public Service Act	Rep. Brian Fitzpatrick (R-PA)	OR, Administration		To amend title 5, United States Code, to terminate pensions for Members of Congress, and for other purposes
Members Pension	H.R. 3327	No Congressionally Obligated Recurring Revenue Used as Pensions To Incarcerated Officials Now Act	Rep. Ralph Norman (R-SC)	OR		To amend title 5, United States Code, to provide for the temporary halt in pension payments for Members of Congress sentenced for certain offenses, and for other purposes.
TSP	S. 1888		Sen. Cory Booker (D-NJ)	HSGAC		A bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.
TSP Funds	H.R. 1618	RESPOND Act	Rep. Emanuel Cleaver (D-MO)	OR, Financial Services		Requires the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change, to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change, and for other purposes.
TSP Funds	S. 606	RESPOND Act	Sen. Jeff Merkley (D-OR)	HSGAC		require the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change, to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change, and for other purposes.
TSP/China	H.R. 3295		Rep. Jim Banks (R-IN)	OR	5/18/2021	To prohibit sums in the Thrift Savings Fund from being invested in any security of an entity based in the People's Republic of China
TSP/China	H.R. 3553		Rep. Michael Waltz (R-FL)	OR	5/25/2021	To provide that sums in the Thrift Savings Fund may not be invested in securities that are listed on certain foreign exchanges, and for other purposes.
TSP/China	S. 1665	Prohibiting TSP Investment in China Act	Sen. Tommy Tuberville (R-AL)	HSGAC	5/18/2021	
TSP/China	S. 1742	TSP Act	Sen. Marco Rubio (R-FL)	HSGAC	5/20/2021	A bill to amend title 5, United States Code, to provide that sums in the Thrift Savings Fund may not be invested in securities that are listed on certain foreign exchanges, and for other purposes.

TSP/China	S. 1993		Sen. Marco Rubio (R-FL)	HSGAC	6/9/2021	Address the responsibilities of fiduciaries with respect to the Thrift Savings Fund, and for other purposes. Governmental Affairs. (All Actions)
TSP/DC Plans	H.R. 175	Expanding Penalty Free Withdrawal Act	Rep. Bonnie Watson Coleman (D-NJ)	Ways & Means		To amend the Internal Revenue Code of 1986 to expand the availability of penalty-free distributions to unemployed individuals from retirement plans.
TSP/DC Plans	S. 1443	Retirement Parity for Student Loans Act	Sen. Ron Wyden (D-OR)	Finance		A bill to amend the Internal Revenue Code of 1986 to permit treatment of student loan payments as elective deferrals for purposes of employer matching contributions, and for other purposes.
TSP/DC Plans	S. 1730	Retirement Savings Lost and Found Act	Sen. Elizabeth Warren (D-MA)	Finance		A bill to increase portability of and access to retirement savings, and for other purposes.
TSP/DC Plans	S. 1770	Retirement Security and Savings Act of 2021	Sen. Ben Cardin (D-MD)	Finance		A bill to amend the Internal Revenue Code of 1986 to reform retirement provisions, and for other purposes (SECURE Act 2.0)
TSP/DC Plans	S. 1870		Sen. James Lankford (R-OK)	Finance		A bill to amend the Internal Revenue Code of 1986 to provide for penalty-free withdrawals from retirement accounts for certain emergency expenses, and for other purposes.
TSP/DC Plans	S. 1959		Sen. John Kennedy (R-LA)	Finance		A bill to amend the Internal Revenue Code of 1986 to increase the age for required mandatory distributions from retirement accounts, and for other purposes.