

As convicted ex-Rep. Bob Ney (R-Ohio) prepares to be sentenced Friday for accepting bribes in exchange for legislative favors and conspiracy, a group of his former colleagues will reintroduce legislation that would strip any subsequent members convicted of a felony of their federal pensions.

Majority Leader Steny Hoyer (D-Md.) indicated that the House would take up a measure similar to the one passed Jan. 12 in the Senate.

A spokeswoman for Hoyer, Stacey Bernards, said, "Mr. Hoyer announced on Friday ... the House would consider legislation that would assure that members who, while in office, commit certain federal crimes related to the performance of their official duties do not benefit from a federal pension based on their service in the Congress."

She added that although final details are still in the works, the bill is based on a measure attached to the 527 Reform Act of 2006 that barred members from the pension funds accumulated during their tenure in Congress and to "an identical provision that was contained in the Democrats' Motion to Recommit on that bill."

Rep. Mark Kirk (R-Ill.), who originally introduced the legislation that passed the 109th Congress, offered his version of the bill again last week. Ney helped insert the pension measure into the bill last April and voted for its passage. He resigned from Congress on Nov. 3, 2006.

In a "Dear Colleague" sent to members last week, Kirk urged members to support legislation that would bar lawmakers-turned-felons from receiving a hefty reward for their public service after their prison time.

"Taxpayers will have to pay \$40,000 per year to James Traficant (D-Ohio) and \$64,000 to Duke Cunningham (R-Calif.) even though they have been convicted of felonies," Kirk said. "The Congressional Integrity Act would deny a congressional pension to any member convicted and denied final appeal for a range of crimes directly relating to their public duties, including bribery, illegal compensation, fraud, solicitation and tax evasion."

Kirk added that a similar measure introduced by former Rep. Randy Tate (R-Wash.) passed the House in 1996, with a vote of 391-32. Ney and Cunningham both voted for the measure.

Rep. Lee Terry (R-Neb.), who introduced a bill similar to Kirk's, said any bill that would prevent voters from being defrauded by a federal official would be acceptable.

"My bill would extend to all federal workers convicted of asking for a bribe," Terry said, adding that he would support similar legislation if his colleagues decided, as they did last year, that his own is too far-reaching.

In a Jan. 5 letter John Berthoud, president of the American Taxpayers Union, praised the Kirk legislation.

"Congress has constituted a retirement system for itself that includes pension and 401(k)-style plans, whose payments are far more generous than what similarly salaried workers in the private sector typically receive," Berthoud's letter said. "Most taxpayers are surprised to learn that no member of Congress is required to forfeit a pension unless convicted of crimes related to treason and espionage."

The push to revoke congressional pensions was resurrected after the conviction

of Cunningham, who will receive nearly \$60,000 a year as a result of his military and congressional service. On Mar. 3, 2006, Cunningham was sentenced to more than eight years in prison for accepting more than \$2.4 million in bribes and fraud.

Terry said that constitutionally the legislation couldn't work retroactively, leaving Ney and Cunningham to keep their federal pensions despite their convictions.

Neither last year's House lobbying reform bill nor the 1996 measure including the pension language were ever considered by the Senate, until last week.

Friday, members of the Senate voted 87-0 to revoke the pensions of convicted lawmakers. The amendment, attached to the body's ethics and lobbying bill and introduced by Sens. John Kerry (D-Mass.) and Ken Salazar (D-Colo.), denies a federal pension to members of Congress "convicted of white-collar crimes, such as bribery of public officials and witnesses, conspiracy to defraud the United States, perjury in falsely denying the commission of bribery or conspiracy, and subornation of perjury committed in connection with the false denial or false testimony of another individual."

<http://www.hillnews.com/thehill/export/TheHill/News/Frontpage/011607/pension.html>

