GAO

United States
General Accounting Office
Washington, D.C. 20548

General Government Division

B-261981

October 12, 1995

The Honorable Dan Miller
House of Representatives

Dear Mr. Miller:

In a meeting with your office on January 26, 1995, we were asked to gather certain information relating to your proposal to change the retirement system provisions for Members of Congress. Specifically, we were asked to provide information on (1) the cost of retirement benefits afforded to Members, (2) the cost of retirement benefits afforded to congressional staff, (3) the potential savings available from your proposal, (4) how retirement systems in the private sector compare with the congressional retirement program, and (5) the extent to which nonfederal employers may be replacing their defined benefit pension plans with defined contribution pension plans.[1]

As discussed during the meeting, much of the information requested on congressional retirement costs was not readily available. As a result, we had to arrange with the Office of Personnel Management (OPM) to retrieve information, where possible, from its databases and to request salary and retirement system coverage information from the House Finance Office and the Senate Disbursing Office. In preparing responses to the questions pertaining to nonfederal retirement programs, we relied on our earlier reports and ongoing work in the retirement area, along with analyses of nonfederal retirement programs others had published.

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[1]A defined benefit pension plan specifies a formula for computing benefit amounts payable at retirement based on age, length of plan participation, and earnings history. A defined contribution pension plan specifies amounts the employer (and employees, if required) will contribute to the plan. The accumulated contributions, plus investment earnings, constitute the source of retirement benefits from a defined contribution plan. Put simply, a defined benefit plan specifies benefit amounts, and a defined contribution plan specifies contribution amounts.

We asked OPM officials to review the manner in which the information they provided was presented in the letter. They said we used the information appropriately.

It is important to note that, at the time we prepared this letter, Congress was contemplating reductions in the retirement benefits available to Members of Congress and congressional staff as part of its budget reduction efforts. The information in this letter pertains to the retirement system provisions that were in effect as of September 30, 1995.

BACKGROUND

Depending on when they entered federal service, Members of Congress and congressional staff can be covered by either the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS). These systems cover most federal civilian employees as well. In general, CSRS applies to persons who entered federal service on or before December 31, 1983, while FERS applies to persons who entered after that date. However, the CSRS and FERS statutes permitted Members of Congress to opt out of retirement system coverage. Congressional staff beginning service before FERS' enactment were also allowed to opt out of CSRS coverage, but staff beginning service after FERS was implemented were required to participate in FERS. The CSRS and FERS statutes mandated coverage for other federal employees.

Established in 1920, CSRS is a "stand-alone" defined benefit pension program that is not supplemented by Social Security or any other source of employment-related retirement income. FERS was developed in response to the Social Security Amendments of 1983 that extended Social Security coverage to federal civilian employees hired after December 1983. FERS is designed much like private sector retirement programs in that it provides a three-part retirement package consisting of (1) a defined benefit pension plan, (2) a defined contribution Thrift Savings Plan to which most employees and the government contribute, and (3) Social Security.

In addition to retirement benefits payable when covered employees attain prescribed age and service requirements, CSRS and the FERS pension plan also provide early, deferred, and disability retirement benefits under specified circumstances, as well as survivor benefits payable upon the deaths of employees and retirees.

The CSRS provisions for Members of Congress, congressional staff, law enforcement officers, firefighters, and air traffic controllers are generally more beneficial than the CSRS provisions for other federal employees. The pension plan portion of FERS also provides preferential benefits for the same employee groups.[2]

Several different retirement coverage arrangements can apply to individual Members and congressional staff, depending on when they began congressional service and the coverage options they selected. Members and staff who were in place on December 31, 1983, could continue in CSRS if they had elected CSRS coverage. However, the Social Security Amendments of 1983 required all Members, unlike congressional staff and other employees, to be covered by Social Security on January 1, 1984, regardless of when they became Members.[3] These Members were allowed to be fully covered by both CSRS and Social Security or to participate in a "CSRS offset" plan whereby the Social Security contributions they made and any Social Security benefits they received from their congressional service were deducted from their CSRS contributions and benefits. The offset plan also applied to congressional staff (and all other employees) who entered federal service between the end of December 1983, when Social Security coverage began, and January 1987, when the FERS pension plan was implemented. Members and staff who were in CSRS or the CSRS offset plan were given the option to switch to FERS at that time. Thus, any one of the following arrangements may now apply to individual Members and congressional staff:

1. <u>CSRS and Social Security</u> (Members in place as of January 1, 1984, who did not opt out of CSRS or switch to FERS);

2. <u>CSRS and no Social Security</u> (Staff in place as of January 1, 1984, who did not opt out of CSRS or switch to FERS);

3. <u>CSRS offset and Social Security</u> (Members in CSRS before January 1984 and Members and staff entering service between December 1983 and January 1987 who elected participation in the offset plan and did not switch to FERS);

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[2]For detailed information on the differing provisions for the various employee groups in CSRS and the FERS pension plan, see our report <u>Federal Retirement: Benefits for Members of Congress, Congressional Staff, and Other Employees</u> (GAO/GGD-95-78, May 15, 1995).

[3]Congressional staff who had opted out of CSRS were also covered by Social Security as of January 1, 1984.

4. FERS and Social Security (Members and staff in CSRS or the offset plan who switched to FERS and all Members and staff entering service after December 1986 except the Members who declined FERS coverage); and

5. Social Security only (Members and staff in place as of January 1, 1984, who opted out of CSRS and Members entering service after December 1983 who opted out of the offset plan and FERS).

The government contributes 1 percent of salary to the thrift plan account of each Member and staff person in FERS, and matches dollar-for-dollar any thrift plan contributions individual Members and staff make up to 3 percent of salary and 50 cents on the dollar for the next 2 percent of salary the individual contributes. Individual Members and staff may contribute another 5 percent of salary to the thrift plan with no government matching.

Members and staff in CSRS or the offset plan may contribute up to 5 percent of their salaries to the thrift plan, but the government makes no contributions to their accounts.

ANSWERS TO QUESTIONS ON CONGRESSIONAL RETIREMENT

In the January 26 meeting, we were asked to provide responses to four questions regarding congressional retirement benefits. Our responses to the questions follow.

Question 1

As quoted in the Wall Street Journal, the retirement system (for Members of Congress) costs roughly $20 million a year. Can this be confirmed? Is a 5-year estimate possible?

Our Response

The term "cost" can have a number of meanings in relation to a retirement system. One way to define it is as the system's "normal cost." Normal cost is commonly expressed as a percentage of payroll and represents the amount to be set aside during employees' working years so that, with investment earnings, the aggregated amount will be sufficient to pay the employees' annuities when they retire. A normal cost approach considers retirement benefits, along with salary and other benefits, to be part of the cost of employing workers during their working years. In this way, costs are recognized when the retirement benefits are earned rather than when they are paid.

We believe the normal cost approach is the appropriate way to determine and assign federal retirement system costs. When done properly, recognizing retirement costs as they are being accrued reflects the full cost of providing retirement benefits to federal personnel at the time their services are rendered.

According to OPM, the estimated normal cost of CSRS for Members of Congress is 29.3 percent of the Member payroll, or a cost to the government of 21.3 percent of payroll after Member contributions of 8 percent of salary are deducted. The estimated cost to the government for the CSRS offset plan, after Member contributions, is 22.3 percent.

OPM estimates the normal cost of the Member provisions in the pension plan portion of FERS to be 17.8 percent after Member contributions of 1.3 percent of salary are subtracted.[4] The government incurs additional costs for contributions to Social Security for all Members and to the thrift plan for Members in FERS.

In order to calculate the amount of accruing retirement costs for Members of Congress, we requested the House Finance Office and the Senate Disbursing Office to provide the number and associated annual payroll costs of Members who are in each of the retirement programs. The House Finance Office provided the requested information. It has not been provided by the Senate Disbursing Office. Thus, we calculated the retirement cost amounts for House Members only.

[4]In actual practice, Members contribute 1.3 percent of their salaries to the FERS pension plan and 6.2 percent to Social Security on salary amounts up to the Social Security wage ceiling ($60,600 in 1994). Members contribute 7.5 percent to the FERS pension plan on salary amounts above the Social Security ceiling. (The same contribution requirements apply to congressional staff.) In making its normal cost estimates, OPM did not take these differing contribution requirements into account; rather, it assumed that Members and staff contributed 1.3 percent to the FERS pension plan on their full salary amounts. This approach results in the cost to the government to be overstated somewhat. OPM also cautioned that its cost estimates for Member benefits under CSRS and FERS were done differently. More specifically, the CSRS estimate assumed Members retire at age 65, and the FERS estimate assumed Members retire at age 62.

The House Finance Office provided amounts for Member salaries during calendar year 1994, along with the amounts the government contributed to Social Security and the thrift plan on their behalf during the year. The House Finance Office also provided the number of Members in each retirement program. Using the information provided and OPM's estimates of the normal costs of CSRS, CSRS offset, and the FERS pension plan, we calculated that the total cost to the government of providing the future retirement benefits earned by House Members during calendar year 1994 was about $14.3 million.[5] At this annual amount, the 5-year total for House Members would be about $71.5 million.[6]

Table 1 shows the numbers of House Members covered by each program and the costs of providing the associated retirement benefits in calendar year 1994.

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[5]The CSRS statute requires that Members contribute 8 percent of their salaries to the retirement fund. The statute requires that the employing organizations contribute amounts equal to Member contributions. Thus, the normal cost of CSRS benefits for Members (29.3 percent) is greater than the amounts being contributed (16 percent). Some of the difference is covered by payments to the retirement fund by the Department of the Treasury. Unlike CSRS, the FERS statute requires that the amount of the normal cost of the FERS pension plan not covered by Member contributions be paid by the employing organizations. Currently, this amount is 17.8 percent of each Member's salary (19.1 percent normal cost less 1.3 percent Member contributions) in addition to Social Security and thrift plan contributions.

[6]The 5-year projection does not adjust for factors that could influence the cost calculations, such as inflation, Members' salary levels, and the Members' and the government's contributions to the pension plans, the Thrift Savings Plan, and Social Security.

Table 1: Cost to the Government of Providing Future Retirement Benefits Earned by Members of the House of Representatives in Calendar Year 1994

Retirement program	Number of House Members[a]	Government cost
CSRS pension plan	2	$56,914
CSRS offset pension plan	117	4,128,139
FERS pension plan	312	6,953,273
Cost of pension plans[b]		**$11,138,326**
Thrift Savings Plan	312	1,532,118
Social Security	440	1,656,780
Cost of all retirement programs		**$14,327,224**

Note: The House Finance Office provided the payroll data on which this table is based. The number of Members in each retirement program is as of April 1995. The costs are based on calendar year 1994 payroll amounts.

[a]The number of Members is 440, which includes 435 Members of the House of Representatives; the Delegates from American Samoa, the District of Columbia, Guam, and the Virgin Islands; and the Resident Commissioner of Puerto Rico.

[b]The number of Members in the pension plans was 431 since 9 Members of the House had opted out of coverage under any of the pension plans and were participating in Social Security only.

Some could consider a retirement system's cost to be the amount paid to retirees each year. According to OPM information on retirement benefits paid in fiscal year 1994 (the latest information available), somewhat less than $20 million was paid in that year to retired Members of Congress (both House and Senate) under CSRS (including the offset plan) and the FERS pension plan. The information shows that, as of October 1, 1994, annuities were being paid to 336 retired Members of Congress under CSRS. Their monthly annuities averaged $3,835. At this monthly rate, the total annual annuities paid to the 336 retirees would be about $15.5 million. The information also shows that 18 retired Members were receiving annuities under the FERS pension plan at an average monthly rate of $4,267. This monthly rate equates to an annual amount of just over $900,000 for the 18 retirees. Adding the CSRS and FERS annuity payments together, the annual amount for all 354 retirees would be about $16.4

million.[7] This amount does not include any benefits the retirees may have been receiving from Social Security and any payments from the thrift plan to the 18 FERS retirees. We have no information on how much these amounts were in fiscal year 1994.

OPM reports do not specify the amount of benefits paid to survivors of deceased Members of Congress. OPM determined from its database that CSRS and the FERS pension plan were paying annuities to 1,226 survivors of retired Members and congressional staff as of October 1, 1994, at a total annual rate of about $21.1 million.[8] OPM did not separate the CSRS and FERS amounts, nor could it determine how much of the benefits were paid to survivors of Members of Congress. Thus, while survivor benefits are being paid on behalf of former Members, the amount is unknown. It is possible that survivor payments were of a sufficient amount to make the combined total of all CSRS and FERS pension plan benefit payments as much as $20 million in 1994.

The amount of benefit payments to retired Members will vary each year as additional Members retire and retired Members die. Individual benefit amounts differ depending on salary levels and years of congressional service. In addition, like other federal retirees, retired Members receive cost-of-living adjustments to their annuity amounts. Nevertheless, not adjusting for survivor benefits, inflation, or other factors that could influence benefit amounts, the 5-year total would be about $82 million, if the approximately $16.4 million paid by the CSRS and FERS pension plans in 1994 to all retired Members were paid in each of the

[7]Some retired Members worked in other federal jobs before becoming Members of Congress. Thus, not all of their annuities were earned as Members. Information on the length of their nonmember service was not available. Also, the OPM information shows that 26 other persons receiving CSRS annuities and 1 other person receiving a FERS annuity as of October 1, 1994, had served as Members of Congress but retired from other federal jobs rather than as Members. The 26 CSRS retirees were receiving annuities averaging $2,786 a month, for an annual total of $869,232. The FERS retiree was receiving $624 a month, or $7,488 a year. Information was not available on the length of Member service for these retirees.

[8]The OPM information also showed that CSRS and the FERS pension plan were paying benefits to another 286 survivors of persons who had served as Members and/or congressional staff during their careers but did not retire from Congress. The annual rate of these benefits was about $3.6 million.

next 5 years. Again, any benefits the retirees received from Social Security and the thrift plan would be additional amounts.

Question 2

Is it possible to "score" the pension reform bill? Over the next 20 years?

Our Response

As discussed in our meeting, the Congressional Budget Office (CBO) is responsible for "scoring" proposed legislation. Any estimate of the savings that could result from the bill should come from CBO. However, it is apparent to us that, if enacted, the bill would significantly reduce the cost of Member retirement programs. The bill would eventually eliminate CSRS, CSRS offset, and FERS pension plan coverage for Members and allow them to receive government contributions to the thrift plan for a maximum of 12 years. This would clearly be less costly than the current arrangements whereby Members may participate in CSRS, CSRS offset, or FERS during their entire congressional service and Members under FERS may also receive government contributions to their thrift plan accounts. (Currently, the government does not contribute to Members' thrift plan accounts under CSRS or the CSRS offset.)

Question 3

How much does the retirement system spend on congressional staffers?

Our Response

OPM estimates that the normal cost of CSRS benefits for congressional staff is 34 percent of the payroll. Congressional staff contribute 7.5 percent of their salaries to CSRS, leaving a cost to the government of 26.5 percent. The estimated cost to the government for the CSRS offset plan, after staff contributions, is 22.9 percent of payroll. For the FERS pension plan, the estimated normal cost is 18.2 percent, or 16.9 percent cost to the government after staff contributions of 1.3 percent of their salaries. Government contributions to Social Security for staff in the offset plan and FERS, as well as to the thrift plans of staff in FERS, are additional costs.

As was the case for Members, the House Finance Office provided information on House staff payroll and retirement program coverage, but the Senate Disbursing Office has not provided comparable information for Senate staff.

Using the calendar year 1994 salary amounts, Social Security contributions, and thrift plan cost information the House Finance Office provided, along with the OPM estimates of the normal cost of CSRS, the offset plan, and the FERS pension plan, we calculated that the total cost to the government of providing future retirement benefits earned by House staff during the year was about $116.5 million.[9]

Table 2 shows the numbers of House staff covered by each retirement program and the cost to the government of providing the associated retirement benefits.

[9]The CSRS statute requires the employing organizations to match staff contributions of 7.5 percent of salary to the retirement fund. Thus, as for Members, the normal cost of CSRS benefits for staff (34 percent) is greater than the amounts being contributed (15 percent). Payments by the Treasury to the retirement fund cover some of the difference. In contrast, the FERS statute requires that the amount of the normal cost of the FERS pension plan not covered by staff contributions be paid by the employing organizations. Currently, this amount is 16.9 percent of each staff member's salary (18.2 percent normal cost less 1.3 percent staff contributions) in addition to Social Security and thrift plan contributions.

Table 2: Cost to the Government of Providing Future Retirement Benefits Earned by Staff of the House of Representatives in Calendar Year 1994

Retirement program	Number of House staff[a]	Government cost
CSRS pension plan	1,522	$31,414,315
CSRS offset pension plan	374	4,911,872
FERS pension plan	8,235	50,991,266
Cost of pension plans		**$87,317,453**
Thrift Savings Plan	8,235	9,886,468
Social Security	8,846	19,256,429
Cost of all retirement programs		**$116,460,350**

Note: The House Finance Office provided the payroll data on which this table is based. The number of staff in each retirement program is as of April 1995. The costs are based on calendar year 1994 payroll amounts.

[a]The number of House staff was 10,368. Of these, 237 were not covered by a pension plan and, thus, were participating in Social Security only.

OPM's retirement system reports do not show the amount of benefit payments made to retired congressional staff members. Rather, these payments are combined with those to general employees in the payment statistics. At our request, OPM analyzed its retirement database and developed information on payments to retired House and Senate staff members. According to this analysis, CSRS annuities (including the offset plan) were being paid to 4,831 retired staff members as of October 1, 1994. Their monthly annuities averaged $2,006, which equates to about $116.3 million a year for the 4,831 retirees. An additional 286 retired staff members were receiving annuities from the FERS pension plan. Their annuities averaged $823 a month, for a total of $2.8 million a year. Overall, the 5,117 retired staff members were receiving annuities at an annual amount of $119.1 million.[10] As with the totals for Members, these annuity amounts do not include any survivor benefits being paid on behalf of deceased congressional staff members or retirees. Neither do they include any benefits retired staff members were receiving from Social Security or the thrift plan.

Question 4

Is it possible to do a comparison between retirement systems in the private sector and for Members of Congress?

Our Response

At the request of the Chairman of the Subcommittee on Civil Service of the House Committee on Government Reform and Oversight and the Chairman of the Subcommittee on Post Office and Civil Service of the Senate Committee on Governmental Affairs, we are in the process of updating our earlier reports on the prevailing features and benefit levels of nonfederal retirement programs.[11] The requesters also asked that we compare nonfederal programs with CSRS and FERS. This work is not yet complete. However, based on our earlier work, we expect the comparison to show that general federal employees under CSRS receive greater benefit amounts at the same salary levels and years of service than nonfederal employees when they retire before age 62 but smaller amounts at age 62 and older when Social Security benefits are available to nonfederal employees.

In fiscal year 1994, the mean (average) retirement ages for federal employees retiring under the optional retirement provisions were 61.5 under CSRS and 63.5 under FERS. Three Members of Congress retired under CSRS in fiscal year 1994. They averaged 57.3 years of age. No Members retired under FERS in fiscal year 1994. A total of 289 congressional staff members retired in fiscal year 1994 (221 under CSRS and 68 under FERS).

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[10]The OPM information showed that 1,099 other persons receiving CSRS annuities and 16 other persons receiving FERS pension plan annuities as of October 1, 1994, had worked as congressional staff for some period during their careers but retired from other federal jobs. The 1,099 CSRS retirees were receiving annuities averaging $1,860 a month, for an annual total of about $23.5 million. The 16 FERS retirees were receiving annuities averaging $1,584 a month, for an annual total of $304,128.

[11]Features of Nonfederal Retirement Programs (GAO/OCG-84-2, June 26, 1984) and Benefit Levels of Nonfederal Retirement Programs (GAO/GGD-85-30, Feb. 26, 1985).

Twenty-four of the congressional staff retired under the optional retirement provisions. They averaged 64.3 years of age in CSRS and 64.4 in FERS. However, 145 of the congressional staff retired under the involuntary retirement provisions. This group averaged 58.5 years in CSRS and 62.6 in FERS.

We have not yet made any comparisons of nonfederal benefits with FERS or any comparisons specifically for Members of Congress. Since Members receive considerably better benefits than general employees, the comparisons could well differ for Members. We will provide this information to you when it is completed.

NONFEDERAL RETIREMENT PROGRAM TRENDS

Your office also asked us to inquire into whether nonfederal organizations may be moving toward defined contribution plans rather than defined benefit pension plans as the means of providing retirement benefits to their employees.[12]

According to information we gathered on this subject, there does not appear to be a discernible trend toward replacing defined benefit plans with defined contribution plans.

A 1993 report by the Employee Benefit Research Institute (EBRI) showed that the number of defined contribution plans sponsored by employers in the country increased and the number of defined benefit plans decreased between 1985 and 1989, but concluded that "there is little evidence of a shift from defined benefit plans to defined contribution plans."[13] EBRI found that 76 percent of the decrease in defined benefit plans occurred in plans with two to nine participants, meaning that a small proportion of all defined benefit plan participants were affected. The percentage of large organizations (10,000 or more employees) sponsoring defined benefit plans actually increased.

EBRI concluded from its findings that "While on the surface there appeared to be a shift from defined benefit to defined contribution plans, on closer examination it appears that...large defined benefit plans are stable and increasing by some measures." "...the growth in defined contribution plans resulted from something in addition to plan sponsors terminating defined benefit plans and replacing them with defined contribution plans." The report also noted that "Many defined contribution

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[12]See footnote 1 for definitions of defined contribution and defined benefit plans.

[13]Pension Evolution in a Changing Economy, EBRI Issue Brief No. 141 (Employee Benefit Research Institute, September 1993).

plans are supplemental plans offered to participants with primary defined benefit plans."

Table 3 summarizes the information contained in the EBRI report on total plans and participants.

Table 3: Employer-Sponsored Defined Benefit Plans and Defined Contribution Plans, 1975, 1983, and 1989

	Defined benefit plans			Defined contribution plans		
	1975	1983	1989	1975	1983	1989
Number of plans	103,000	175,000	132,000	208,000	428,000	599,000
Number of plan participants	33 million	40 million	40 million	12 million	29 million	36 million

Source: Employee Benefit Research Institute.

A more recent report on nonfederal retirement programs by the Hay Group tended to confirm the EBRI analysis. Hay noted the following in a 1994 report: "Defined benefit pension plans...continue to play an integral role in most organizations' benefit packages. A majority [of the organizations studied] offer a defined benefit plan, and almost all of these...supplement their plan with some type of defined contribution plan."[14]

In our continuing studies of retirement issues, we will further examine whether nonfederal employers may be changing the manner in which they provide retirement benefits to their employees. Thus far, however, it appears that the prevailing nonfederal practice is to provide a three-part retirement program--a defined pension plan, a defined contribution plan, and Social Security.

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Copies of this letter are being sent to the congressional committees with jurisdiction over federal employee retirement matters. Copies are also being sent to the Director of OPM and will be made available to others upon request.

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Assistant Director Robert E. Shelton, Senior Evaluator Laura G. Shumway, and Evaluator Brenda J. Lindsey developed the information for this letter. Please contact me on (202) 512-8676 if you have any questions.

Sincerely yours,

L. Nye Stevens

L. Nye Stevens
Director
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(966651)

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