

Public Law 100-43
100th Congress

An Act

To amend title 5, United States Code, to provide for procedures for the investment and payment of interest of funds in the Thrift Savings Fund when restrictions on such investments and payments are caused by the statutory public debt limit.

May 22, 1987

[S. 1177]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Thrift Savings Fund Investment Act of 1987".

Thrift Savings
Fund
Investment Act
of 1987.
Government
organization and
employees.
5 USC 8401 note.

SEC. 2. THRIFT SAVINGS INVESTMENT.

(a) INVESTMENT AND RESTORATION OF THE FUND.—Section 8438 of title 5, United States Code, is amended by adding at the end the following new subsection:

“(h)(1) Notwithstanding subsection (f) of this section, the Secretary of the Treasury may suspend the issuance of additional amounts of obligations of the United States, if such issuances could not be made without causing the public debt of the United States to exceed the public debt limit, as determined by the Secretary of the Treasury.

“(2) Any issuances of obligations to the Government Securities Investment Fund which, solely by reason of the public debt limit are not issued, shall be issued under subsection (f) by the Secretary of the Treasury as soon as such issuances can be issued without exceeding the public debt limit.

“(3) Upon expiration of the debt issuance suspension period, the Secretary of the Treasury shall immediately issue to the Government Securities Investment Fund obligations under chapter 31 of title 31 that (notwithstanding subsection (f)(2) of this section) bear such interest rates and maturity dates as are necessary to ensure that, after such obligations are issued, the holdings of obligations of the United States by the Government Securities Investment Fund will replicate the obligations that would then be held by the Government Securities Investment Fund under the procedure set forth in paragraph (5), if the suspension of issuances under paragraph (1) of this subsection had not occurred.

“(4) On the first business day after the expiration of any debt issuance suspension period, the Secretary of the Treasury shall pay to the Government Securities Investment Fund, from amounts in the general fund of the Treasury of the United States not otherwise appropriated, an amount equal to the excess of the net amount of interest that would have been earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period if—

“(A) amounts in the Government Securities Investment Fund that were available for investment in obligations of the United States and were not invested during such debt issuance suspension period solely by reason of the public debt limit had been invested under the procedure set forth in paragraph (5), over

“(B) the net amount of interest actually earned by the Government Securities Investment Fund from obligations of the United States during such debt issuance suspension period.

"(5) On each business day during the debt limit suspension period, the Executive Director shall notify the Secretary of the Treasury of the amounts, by maturity, that would have been invested or redeemed each day had the debt issuance suspension period not occurred.

"(6) For purposes of this subsection and subsection (i) of this section—

"(A) the term 'public debt limit' means the limitation imposed by section 3101(b) of title 31; and

"(B) the term 'debt issuance suspension period' means any period for which the Secretary of the Treasury determines for purposes of this subsection that the issuance of obligations of the United States may not be made without exceeding the public debt limit."

(b) **REPORTS REGARDING THE OPERATION AND STATUS OF THE FUND.**—Section 8438 of title 5, United States Code, as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(i)(1) The Secretary of the Treasury shall report to Congress on the operation and status of the Thrift Savings Fund during each debt issuance suspension period for which the Secretary is required to take action under paragraph (3) or (4) of subsection (h) of this section. The report shall be submitted as soon as possible after the expiration of such period, but not later than 30 days after the first business day after the expiration of such period. The Secretary shall concurrently transmit a copy of such report to the Executive Director and the Comptroller General of the United States.

"(2) Whenever the Secretary of the Treasury determines that, by reason of the public debt limit, the Secretary will be unable to fully comply with the requirements of subsection (f) of this section, the Secretary shall immediately notify Congress and the Executive Director of the determination. The notification shall be made in writing."

Approved May 22, 1987.

LEGISLATIVE HISTORY—S. 1177:

CONGRESSIONAL RECORD, Vol. 133 (1987):

May 12, considered and passed Senate.

May 13, considered and passed House.