

104TH CONGRESS
1ST SESSION

H. R. 1124

To amend chapters 83 and 84 of title 5, United States Code, to provide that, for civil service retirement purposes, inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service shall be treated in the same way as law enforcement officers.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1995

Mr. COLEMAN introduced the following bill; which was referred to the
Committee on Government Reform and Oversight

A BILL

To amend chapters 83 and 84 of title 5, United States Code, to provide that, for civil service retirement purposes, inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service shall be treated in the same way as law enforcement officers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CIVIL SERVICE RETIREMENT SYSTEM.**

2 (a) TREATMENT AS LAW ENFORCEMENT OFFI-
3 CERS.—Section 8331(20) of title 5, United States Code,
4 is amended by striking “administrative position.” and in-
5 serting “administrative position, and any revenue officer,
6 customs inspector, customs canine enforcement officer,
7 and Immigration and Naturalization inspector.”.

8 (b) DEFINITIONS.—Section 8331 of title 5, United
9 States Code, is amended—

10 (1) by striking “and” at the end of paragraph
11 (25);

12 (2) by striking the period at the end of para-
13 graph (26) and inserting a semicolon; and

14 (3) by adding at the end the following:

15 “(27) ‘revenue officer’ means an employee of
16 the Internal Revenue Service, the duties of whose
17 position are primarily the collection of delinquent
18 taxes and the securing of delinquent returns, includ-
19 ing an employee engaged in this activity who is
20 transferred to a supervisory or administrative posi-
21 tion;

22 “(28) ‘customs inspector’ means an employee of
23 the United States Customs Service, the duties of
24 whose position are primarily to—

1 “(A) enforce laws and regulations govern-
2 ing the importing and exporting of merchan-
3 dise;

4 “(B) process and control passengers and
5 baggage;

6 “(C) interdict smuggled merchandise and
7 contraband; and

8 “(D) apprehend (if warranted) persons in-
9 volved in violations of customs laws,
10 including an employee engaged in this activity who
11 is transferred to a supervisory or administrative po-
12 sition;

13 “(29) ‘customs canine enforcement officer’
14 means an employee of the United States Customs
15 Service, the duties of whose position are primarily to
16 work directly with a dog in an effort to—

17 “(A) enforce laws and regulations govern-
18 ing the importing and exporting of merchan-
19 dise;

20 “(B) process and control passengers and
21 baggage;

22 “(C) interdict smuggled merchandise and
23 contraband; and

24 “(D) apprehend (if warranted) persons in-
25 volved in violations of customs laws,

1 including an employee engaged in this activity who
2 is transferred to a supervisory or administrative po-
3 sition; and

4 “(30) ‘Immigration and Naturalization inspec-
5 tor’ means an employee of the Immigration and Nat-
6 uralization Service, the duties of whose position are
7 primarily the controlling and guarding of the bound-
8 aries and borders of the United States against the
9 illegal entry of aliens, including an employee en-
10 gaged in this activity who is transferred to a super-
11 visory or administrative position.”.

12 **SEC. 2. FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.**

13 (a) TREATMENT AS LAW ENFORCEMENT OFFI-
14 CERS.—Section 8401(17) of title 5, United States Code,
15 is amended by adding at the end the following: “such term
16 includes any revenue officer, customs inspector, customs
17 canine enforcement officer, and Immigration and Natu-
18 ralization inspector;”.

19 (b) DEFINITIONS.—Section 8401 of title 5, United
20 States Code, is amended—

21 (1) by striking “and” at the end of paragraph

22 (31);

23 (2) by striking the period at the end of para-
24 graph (32) and inserting a semicolon; and

25 (3) by adding at the end the following:

1 “(33) ‘revenue officer’ means an employee of
2 the Internal Revenue Service, the duties of whose
3 position are primarily the collection of delinquent
4 taxes and the securing of delinquent returns, includ-
5 ing an employee engaged in this activity who is
6 transferred to a supervisory or administrative posi-
7 tion;

8 “(34) ‘customs inspector’ means an employee of
9 the United States Customs Service, the duties of
10 whose position are primarily to—

11 “(A) enforce laws and regulations govern-
12 ing the importing and exporting of merchan-
13 dise;

14 “(B) process and control passengers and
15 baggage;

16 “(C) interdict smuggled merchandise and
17 contraband; and

18 “(D) apprehend (if warranted) persons in-
19 volved in violations of customs laws,
20 including an employee engaged in this activity who
21 is transferred to a supervisory or administrative po-
22 sition;

23 “(35) ‘customs canine enforcement officer’
24 means an employee of the United States Customs

1 Service, the duties of whose position are primarily to
2 work directly with a dog in an effort to—

3 “(A) enforce laws and regulations govern-
4 ing the importing and exporting of merchan-
5 dise;

6 “(B) process and control passengers and
7 baggage;

8 “(C) interdict smuggled merchandise and
9 contraband; and

10 “(D) apprehend (if warranted) persons in-
11 volved in violations of customs laws,
12 including an employee engaged in this activity who
13 is transferred to a supervisory or administrative po-
14 sition; and

15 “(36) ‘Immigration and Naturalization inspec-
16 tor’ means an employee of the Immigration and Nat-
17 uralization Service, the duties of whose position are
18 primarily the controlling and guarding of the bound-
19 aries and borders of the United States against the
20 illegal entry of aliens, including an employee en-
21 gaged in this activity who is transferred to a super-
22 visory or administrative position.”.

1 **SEC. 3. EFFECTIVE DATE; PRIOR SERVICE.**

2 (a) EFFECTIVE DATE.—Except as otherwise provided
3 in this section, this Act and the amendments made by this
4 Act—

5 (1) shall take effect on the 90th day after the
6 date of the enactment of this Act; and

7 (2) shall apply with respect to an individual
8 only if such individual serves as a revenue officer,
9 customs inspector, customs canine enforcement offi-
10 cer, or Immigration and Naturalization inspector on
11 or after the effective date of this Act.

12 (b) PRIOR SERVICE.—

13 (1) EMPLOYEE CONTRIBUTIONS.—In admin-
14 istering chapter 83 or 84 of title 5, United States
15 Code, with respect to an individual who satisfies
16 subsection (a)(2), the amendments made by this Act
17 shall be disregarded for purposes of any service per-
18 formed before the effective date of this Act as a rev-
19 enue officer, customs inspector, customs canine en-
20 forcement officer, or Immigration and Naturaliza-
21 tion inspector, unless such individual deposits into
22 the Fund, within such time and in such manner as
23 the Office of Personnel Management by regulation
24 requires, an amount equal to the amount by which—

1 (A) the deductions from pay which would
2 have been required for such service had such
3 amendments then been in effect; exceeds

4 (B) the amounts actually deducted from
5 such pay (less any amounts refunded and not
6 repaid),

7 with interest.

8 (2) AGENCY CONTRIBUTIONS.—Not later than
9 90 days after the full amount required under para-
10 graph (1) has been paid by an individual, the agency
11 that employed such individual during the period of
12 service to which such amount relates shall pay into
13 the Fund, with interest, an amount equal to the
14 amount by which—

15 (A) the Government contributions which
16 would have been required for such service, had
17 such amendments then been in effect; exceeds

18 (B) the Government contributions actually
19 made for such service.

20 (c) REGULATIONS.—The Office of Personnel Man-
21 agement shall prescribe such regulations as may be nec-
22 essary to carry out this Act, including regulations for de-
23 termining the amount of any interest to be paid under this
24 section.

25 (d) DEFINITIONS.—For the purpose of this section—

1 (1) each of the terms “revenue officer”, “cus-
2 toms inspector”, “customs canine enforcement offi-
3 cer”, and “Immigration and Naturalization inspec-
4 tor” has the meaning given it by section 8331 or
5 8401 (as the case may be) of title 5, United States
6 Code, as amended by this Act; and

7 (2) the term “Fund” means the Civil Service
8 Retirement and Disability Fund under section 8348
9 of title 5, United States Code.

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