

107TH CONGRESS  
1ST SESSION

# H. R. 446

To amend certain provisions of title 5, United States Code, relating to disability annuities for law enforcement officers, firefighters, and members of the Capitol Police.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. FOSSELLA introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend certain provisions of title 5, United States Code, relating to disability annuities for law enforcement officers, firefighters, and members of the Capitol Police.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Law Enforce-  
5 ment Officers Retirement Relief Act”.

6 **SEC. 2. COMPUTATION PROVISIONS.**

7 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section  
8 8339(g) of title 5, United States Code, is amended—

1           (1) in paragraph (2), by inserting “(d) (in the  
2       case of a law enforcement officer or firefighter),”  
3       after “(a)–(c),”; and

4           (2) by adding at the end the following: “For  
5       purposes of applying the first sentence of this sub-  
6       section and the last sentence of section 8337(a), a  
7       law enforcement officer, firefighter, or member of  
8       the Capitol Police shall be considered eligible for an  
9       annuity computed under section 8339(d) or (q)  
10      (whichever applies), whether or not such officer, fire-  
11      fighter, or member satisfies the age and service re-  
12      quirements for retirement under section 8335(b) or  
13      (d) or section 8336(c) or (m), and whether or not  
14      such member meets the requirements of subsection  
15      (b)(2).”.

16      (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—  
17      Section 8452 of title 5, United States Code, is amended  
18      by adding at the end the following:

19      “(e) For purposes of applying subsections (c)(1) and  
20      (d), a law enforcement officer, firefighter, or member of  
21      the Capitol Police shall be considered eligible for an annu-  
22      ity computed under section 8415(d), whether or not such  
23      officer, firefighter, or member meets the age and service  
24      requirements for retirement under section 8412(d) or sec-  
25      tion 8425(b) or (c).”.

1 **SEC. 3. MINIMUM CREDITABLE SERVICE REQUIREMENT**  
2 **NOT APPLICABLE IF DISABILITY RESULTS**  
3 **FROM AN INJURY SUSTAINED IN THE PER-**  
4 **FORMANCE OF DUTY.**

5 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section  
6 8337(a) of title 5, United States Code, is amended by in-  
7 serting after the first sentence the following: “In the case  
8 of a law enforcement officer, firefighter, or member of the  
9 Capitol Police who becomes disabled as a result of an in-  
10 jury sustained in the performance of duty (as determined  
11 under regulations prescribed by the Office of Personnel  
12 Management), the 5-year requirement under the preceding  
13 sentence shall not apply.”.

14 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—  
15 Section 8451(a)(1)(A) of title 5, United States Code, is  
16 amended by inserting after the first sentence the fol-  
17 lowing: “In the case of a law enforcement officer, fire-  
18 fighter, or member of the Capitol Police who becomes dis-  
19 abled as a result of an injury sustained in the performance  
20 of duty (as determined under regulations prescribed by the  
21 Office of Personnel Management), the 18-month require-  
22 ment under the preceding sentence shall not apply.”.

1 **SEC. 4. PERIODIC MEDICAL EXAMINATIONS AND CERTAIN**  
 2 **RELATED REQUIREMENTS NOT APPLICABLE**  
 3 **AFTER AGE 50.**

4 (a) CIVIL SERVICE RETIREMENT SYSTEM.—Section  
 5 8337 of title 5, United States Code, is amended by adding  
 6 at the end the following:

7 “(i) In the case of a law enforcement officer, fire-  
 8 fighter, or member of the Capitol Police, subsections (c)  
 9 and (d) shall be applied by substituting ‘50 years of age’  
 10 for ‘60 years of age’ each place it appears.”.

11 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

12 (1) IN GENERAL.—Subchapter V of chapter 84  
 13 of title 5, United States Code, is amended by adding  
 14 at the end the following:

15 **“§ 8457. Special rules relating to law enforcement of-**  
 16 **ficers and certain others**

17 “In the case of a law enforcement officer, firefighter,  
 18 or member of the Capitol Police, sections 8454 and 8455  
 19 shall be applied by substituting ‘50 years of age’ for ‘60  
 20 years of age’ each place it appears.”.

21 (2) CLERICAL AMENDMENT.—The analysis for  
 22 chapter 84 of title 5, United States Code, is amend-  
 23 ed by inserting after the item relating to section  
 24 8456 the following:

“8457. Special rules relating to law enforcement officers and certain others.”.

