

108TH CONGRESS
1ST SESSION

H. R. 3117

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.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2003

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

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) through (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)(2) 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 adding at the end the following: “In the case
17 of a law enforcement officer, firefighter, or member of the
18 Capitol Police who becomes disabled as a result of an in-
19 jury sustained in the performance of duty (as determined
20 under regulations prescribed by the Office of Personnel
21 Management), the 18-month requirement under the pre-
22 ceding 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.”.