

111TH CONGRESS
2D SESSION

H. R. 6319

To waive the annuity buyback requirement under the Federal Employees Retirement Service with respect to certain law enforcement officers involuntarily called or retained on active duty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2010

Mr. CARNEY (for himself and Mr. CRITZ) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To waive the annuity buyback requirement under the Federal Employees Retirement Service with respect to certain law enforcement officers involuntarily called or retained on active duty, and for other purposes.

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. WAIVER OF FEDERAL EMPLOYEES RETIRE-**
4 **MENT SERVICE ANNUITY BUYBACK REQUIRE-**
5 **MENT.**

6 Section 8411(c) of title 5, United States Code, is
7 amended—

1 (1) in paragraph (1), by striking “and (5)” and
 2 inserting “(5), and (6)”;

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

4 “(6)(A) If, for any period beginning on or after
 5 September 11, 2001, a law enforcement officer is or
 6 was involuntarily called or ordered to active duty
 7 under section 12301(a) of title 10 (or any other pro-
 8 vision of law) or involuntarily retained on active
 9 duty under section 502(f) of title 32 (or any other
 10 provision of law)—

11 “(i) such officer shall be allowed credit for
 12 such period of active duty (as military service);
 13 and

14 “(ii) no deposit under section 8422(e) shall
 15 be required for any period for which credit is so
 16 allowed.

17 “(B) The Director of the Office of Personnel
 18 Management shall prescribe regulations to carry out
 19 this paragraph.”.

20 **SEC. 2. EFFECTIVE DATES.**

21 (a) IN GENERAL.—The amendments made by section
 22 1—

23 (1) shall apply to any annuity commencing on
 24 or after the date of the enactment of this Act; and

1 (2) shall apply to any annuity commencing be-
2 fore the date of enactment of this Act only if appro-
3 priate application is made, in accordance with Office
4 of Personnel Management regulations, within 2
5 years after date of enactment of this Act.

6 (b) RECOMPUTATION.—An annuity commencing be-
7 fore date of enactment of this Act, for which appropriate
8 application is made in accordance with subsection (a)(2),
9 shall be recomputed to reflect the amendments made by
10 section 1 with respect to amounts payable for months be-
11 ginning on or after the date on which such application is
12 made.

13 (c) SURVIVOR ANNUITY.—A survivor may submit an
14 application described in subsection (a)(2) for purposes of
15 a survivor annuity to which such survivor is entitled.

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