

Pub. L. 103-335, title VIII, § 8042, Sept. 30, 1994, 108 Stat. 2627.
 Pub. L. 103-139, title VIII, § 8047, Nov. 11, 1993, 107 Stat. 1450.
 Pub. L. 102-396, title IX, § 9064, Oct. 6, 1992, 106 Stat. 1916.
 Pub. L. 102-172, title VIII, § 8068, Nov. 26, 1991, 105 Stat. 1187.
 Pub. L. 101-511, title VIII, § 8086, Nov. 5, 1990, 104 Stat. 1895.

DEFINITION OF OFFICERS AND EMPLOYEES

Act July 1, 1947, ch. 192, § 4, 61 Stat. 239, as amended by June 22, 1956, ch. 428, 70 Stat. 331, provided that: ‘‘The words ‘officers and employees of the United States or of the District of Columbia’ as used in the third paragraph, subheading ‘Ordinance Stores and Equipment for Reserve Officers Training Corps’, of the Act of May 12, 1917 (40 Stat. 72; 10 U.S.C. Annotated 371) [covered by this section], as now or hereafter amended, as used in that part of section 80 of the Act of June 3, 1916 (39 Stat. 203; 32 U.S.C. 75) [covered by this section], as now or hereafter amended, which precedes the proviso, and as used in the first proviso of section 9 of the Naval Reserve Act of 1938 (52 Stat. 1177; 34 U.S.C. 853g) [covered by this section], as now or hereafter amended, shall be construed to mean all officers and employees of the United States or of the District of Columbia, permanent or temporary indefinite, without regard to classifications or terminology peculiar to the Federal Civil Service System. The words ‘officers and employees of the United States or of the District of Columbia’, as used in such provisions of law, as now or hereafter amended, also shall be construed to mean substitute employees in the postal field service; such substitute employees shall be entitled to military leave of absence on the basis of one hour of such leave for each period or periods aggregating twenty-six hours of work performed in the calendar year immediately preceding the year in which they are ordered to duty by proper authority: *Provided*, That the number of hours worked during the preceding calendar year shall not be less than one thousand forty hours before such substitute employee shall be entitled to military leave of absence, pay for such leave not to exceed eighty hours in each calendar year.’’

§ 6324. Absence of certain police and firemen

(a) Sick leave may not be charged to the account of a member of the Metropolitan Police force or the Fire Department of the District of Columbia, the United States Park Police force, or the United States Secret Service Uniformed Division for an absence due to injury or illness resulting from the performance of duty.

(b) The determination of whether an injury or illness resulted from the performance of duty shall be made under regulations prescribed by—

- (1) the District of Columbia Council for members of the Metropolitan Police force and the Fire Department of the District of Columbia;
- (2) the Secretary of the Interior for the United States Park Police force; and
- (3) the Secretary of Homeland Security for the United States Secret Service Uniformed Division.

(c) This section shall not apply to members of the United States Secret Service Uniformed Division who are covered under chapter 84 for the purpose of retirement benefits.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 522; Pub. L. 90-623, § 1(18), Oct. 22, 1968, 82 Stat. 1313; Pub. L. 94-183, § 2(28), (29), Dec. 31, 1975, 89 Stat. 1058; Pub. L. 111-282, § 2(c), Oct. 15, 2010, 124 Stat. 3038.)

HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
.....	5 U.S.C. 2071.	Aug. 21, 1964, Pub. L. 88-471, § 5, 78 Stat. 583.

The word ‘‘officer’’ is omitted as covered by ‘‘member’’.

In subsection (b), the words ‘‘injury or illness’’ are substituted for ‘‘injury or disease’’ to conform to subsection (a).

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Editorial Notes

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-282, § 2(c)(1), substituted ‘‘United States Secret Service Uniformed Division’’ for ‘‘Executive Protective Service force’’.

Subsec. (b)(3). Pub. L. 111-282, § 2(c)(2), substituted ‘‘Homeland Security for the United States Secret Service Uniformed Division’’ for ‘‘the Treasury for the Executive Protective Service force’’.

Subsec. (c). Pub. L. 111-282, § 2(c)(3), added subsec. (c).

1975—Subsecs. (a), (b)(3). Pub. L. 94-183 substituted ‘‘Executive Protective Service’’ for ‘‘White House Police’’.

1968—Subsec. (b)(1). Pub. L. 90-623 substituted ‘‘District of Columbia Council’’ for ‘‘Commissioners of the District of Columbia’’.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-282 effective on first day of first pay period which begins after Oct. 15, 2010, see section 5 of Pub. L. 111-282, set out as a note under section 5102 of this title.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.

TRANSFER OF FUNCTIONS

District of Columbia Council, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by Council of District of Columbia, as provided by section 401 of Pub. L. 93-198.

§ 6325. Absence resulting from hostile action abroad

Leave may not be charged to the account of an employee for absence, not to exceed one year, due to an injury—

(1) incurred while serving abroad and resulting from war, insurgency, mob violence, or similar hostile action; and

(2) not due to vicious habits, intemperance, or willful misconduct on the part of the employee.

The preceding provisions of this section shall apply in the case of an alien employee referred to in section 6301(2)(viii) of this title with respect to any leave granted to such alien employee under section 6310 of this title or section 408 of the Foreign Service Act of 1980.

(Added Pub. L. 90-221, § 3(a), Dec. 23, 1967, 81 Stat. 671; amended Pub. L. 96-54, § 2(a)(41), Aug.