

112TH CONGRESS  
1ST SESSION

# H. R. 1874

To amend title 5, United States Code, to increase the maximum age limit for an original appointment to a position as a Federal law enforcement officer in the case of any individual who has been discharged or released from active duty in the Armed Forces under honorable conditions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2011

Mr. BISHOP of Utah (for himself, Mr. CHAFFETZ, and Mr. MATHESON) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To amend title 5, United States Code, to increase the maximum age limit for an original appointment to a position as a Federal law enforcement officer in the case of any individual who has been discharged or released from active duty in the Armed Forces under honorable conditions, 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. INCREASE IN MAXIMUM AGE LIMIT.**

4 (a) POSITIONS SUBJECT TO CSRS.—Section 3307(d)  
5 of title 5, United States Code, is amended—

1           (1) by striking “(d) The” and inserting “(d)(1)  
2           Except as provided in paragraph (2), the”; and

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

4           “(2) The maximum limit of age within which an origi-  
5           nal appointment may be made to a position as a law en-  
6           forcement officer (as defined by section 8331(20)) shall,  
7           in the case of an individual who, before the effective date  
8           of such appointment, was discharged or released from ac-  
9           tive duty in the armed forces under honorable conditions,  
10          be 40 years of age.”.

11          (b) POSITIONS SUBJECT TO FERS.—Section 3307(e)  
12          of title 5, United States Code, is amended—

13           (1) by striking “(e) The” and inserting “(e)(1)  
14           Except as provided in paragraph (2), the”; and

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

16           “(2) The maximum age limit for an original appoint-  
17           ment to a position as a law enforcement officer (as defined  
18           by section 8401(17)) shall, in the case of an individual  
19           who, before the effective date of such appointment, was  
20           discharged or released from active duty in the armed  
21           forces under honorable conditions, be 40 years of age.”.

1 **SEC. 2. AMENDMENTS TO PREVENT MANDATORY SEPARA-**  
2 **TION BEFORE BECOMING ELIGIBLE TO RE-**  
3 **TIRE.**

4 (a) AMENDMENT RELATING TO CSRS.—Section  
5 8335(b) of title 5, United States Code, is amended by add-  
6 ing at the end the following:

7 “(3) In the case of an employee who, before the date  
8 of such employee’s original appointment to a position as  
9 a law enforcement officer, was discharged or released from  
10 active duty in the armed forces under honorable condi-  
11 tions, paragraph (1) shall be applied—

12 “(A) by substituting ‘60’ for ‘57’; and

13 “(B) by substituting ‘63 years’ for ‘60 years’.”.

14 (b) AMENDMENT RELATING TO FERS.—Section  
15 8425(b) of title 5, United States Code, is amended by add-  
16 ing at the end the following:

17 “(3) In the case of an employee who, before the date  
18 of such employee’s original appointment to a position as  
19 a law enforcement officer (as defined by section 8331(20)  
20 or 8401(17)), was discharged or released from active duty  
21 in the armed forces under honorable conditions, paragraph  
22 (1) shall be applied—

23 “(A) by substituting ‘60’ for ‘57’; and

24 “(B) by substituting ‘63 years’ for ‘60 years’.”.

1 **SEC. 3. EFFECTIVE DATE.**

2 (a) AMENDMENTS RELATING TO MAXIMUM AGE  
3 LIMIT.—The amendments made by section 1 shall apply  
4 with respect to appointments made after the end of the  
5 6-month period beginning on the date of the enactment  
6 of this Act.

7 (b) AMENDMENTS RELATING TO MANDATORY SEPA-  
8 RATION.—The amendments made by section 2 shall apply  
9 with respect to individuals originally appointed as law en-  
10 forcement officers (within the meaning of the amendment  
11 made by subsection (a) or (b) of section 2, as appropriate)  
12 after the end of the 6-month period beginning on the date  
13 of the enactment of this Act.

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