

112TH CONGRESS
1ST SESSION

H. R. 2532

To permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2011

Mr. RUPPERSBERGER (for himself and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Budget and Ways and Means, 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 permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Secret
3 Service Retirement Act of 2011”.

4 **SEC. 2. AUTHORITY OF CERTAIN MEMBERS OF UNITED**
5 **STATES SECRET SERVICE TO ELECT COV-**
6 **ERAGE UNDER DISTRICT OF COLUMBIA PO-**
7 **LICE AND FIREFIGHTER RETIREMENT SYS-**
8 **TEM.**

9 (a) IN GENERAL.—Subsection (b) of the Policemen
10 and Firemen’s Retirement and Disability Act (sec. 5–703,
11 D.C. Official Code) is amended—

12 (1) by striking “Whenever any member” and
13 inserting “(1) IN GENERAL.—Whenever any mem-
14 ber”; and

15 (2) by adding at the end the following new
16 paragraph:

17 “(2) COVERAGE OF CERTAIN OTHER EMPLOYEES OF
18 SECRET SERVICE.—

19 “(A) IN GENERAL.—Paragraph (1) shall apply
20 with respect to a covered employee in the same man-
21 ner as such paragraph applies to an individual who
22 is authorized to make a transfer of funds under such
23 paragraph, but only if—

24 “(i) not later than 60 days after receiving
25 notification of the transition cost associated
26 with the application of paragraph (1) to the

1 covered employee (as provided under section
2 2(b)(2) of the United States Secret Service Re-
3 tirement Act of 2011), the covered employee
4 provides a notification to the Director of the
5 United States Secret Service containing such
6 information and assurances as the Director may
7 require;

8 “(ii) on or before the date the covered em-
9 ployee provides a notification under clause (i),
10 the employee makes a lump sum payment in an
11 amount equal to the transition cost associated
12 with the application of paragraph (1) to the
13 covered employee, in accordance with section
14 2(e) of the United States Secret Service Retire-
15 ment Act of 2011; and

16 “(iii) the covered employee uses the ac-
17 count of the covered employee in the Thrift
18 Savings Fund as the exclusive source of funds
19 for making the lump sum payment under clause
20 (ii).

21 “(B) ADJUSTMENT TO REFLECT SOCIAL SECUR-
22 RITY CONTRIBUTIONS AND BENEFITS.—In the case
23 of a covered employee who authorizes a transfer of
24 funds under paragraph (1), such covered employee
25 shall be subject to the same deductions and shall be

1 entitled to the same benefits as provided for under
2 paragraph (1), subject to offset in accordance with
3 section 103(e) of Public Law 100–238 (5 U.S.C.
4 8334 note).

5 “(C) COVERED EMPLOYEE DEFINED.—In this
6 paragraph, the term ‘covered employee’ means an in-
7 dividual who—

8 “(i) was appointed as an officer or member
9 of the United States Secret Service Division or
10 the United States Secret Service Uniformed Di-
11 vision during 1984, 1985, or 1986;

12 “(ii) has actively performed duties other
13 than clerical for 10 or more years directly re-
14 lated to the protection mission of the United
15 States Secret Service described under section
16 3056 of title 18, United States Code;

17 “(iii) is serving as an officer or member of
18 the United States Secret Service Division or the
19 United States Secret Service Uniformed Divi-
20 sion (or any successor entity) on the date of en-
21 actment of this paragraph; and

22 “(iv) is participating in the Federal Em-
23 ployees’ Retirement System under chapter 84 of
24 title 5, United States Code, on the date of en-
25 actment of this paragraph.”.

1 (b) NOTIFICATIONS.—

2 (1) INITIAL NOTIFICATION BY SECRET SERV-
3 ICE.—Not later than 30 days after the date of the
4 enactment of this Act, the Director of the United
5 States Secret Service shall notify each covered em-
6 ployee that the covered employee may execute an
7 election under this subsection to have paragraph (1)
8 of subsection (b) of the Policemen and Firemen’s
9 Retirement and Disability Act (sec. 5–703, D.C. Of-
10 ficial Code) apply with respect to the covered em-
11 ployee.

12 (2) NOTIFICATION OF TRANSITION COST.—Not
13 later than 15 days after determining the amount of
14 the transition cost associated with the application of
15 paragraph (1) of subsection (b) of the Policemen
16 and Firemen’s Retirement and Disability Act (sec.
17 5–703, D.C. Official Code) to a covered employee (in
18 accordance with subsection (c)), the Director of the
19 United States Secret Service shall notify the covered
20 employee of such transition cost.

21 (c) TRANSITION COST.—

22 (1) DETERMINATION OF AMOUNT.—The transi-
23 tion cost associated with the application of para-
24 graph (1) of subsection (b) of the Policemen and

1 Firemen's Retirement and Disability Act to a cov-
2 ered employee is the amount by which—

3 (A) the estimated present value of the pay-
4 ments which would be payable by the Federal
5 Government to the District of Columbia with
6 respect to such employee during the 11-fiscal
7 year period beginning with the fiscal year in
8 which this Act is enacted if such paragraph ap-
9 plies with respect to the covered employee, ex-
10 ceeds

11 (B) the estimated present value of the ben-
12 efits which would be payable from the Civil
13 Service Retirement and Disability Fund with
14 respect to such employee during the 11-year pe-
15 riod described in subparagraph (A) if such
16 paragraph does not apply with respect to the
17 covered employee.

18 (2) DETERMINATION.—Not later than 60 days
19 after the date of the enactment of this Act, the Di-
20 rector of the United States Secret Service, in con-
21 sultation with the Director of the Office of Per-
22 sonnel Management and the Mayor of the District of
23 Columbia, shall determine the transition cost with
24 respect to each covered employee, by applying such
25 assumptions and other methodologies as the Direc-

1 tor of the United States Secret Service considers ap-
2 propriate, consistent with generally accepted actu-
3 arial practices and standards.

4 (3) USE OF DISTRIBUTION FROM THRIFT SAV-
5 INGS PLAN FOR LUMP SUM PAYMENT.—

6 (A) IN GENERAL.—For purposes of mak-
7 ing the lump sum payment required under
8 paragraph (2) of subsection (b) of the Police-
9 men and Firemen’s Retirement and Disability
10 Act, a covered employee shall, subject to section
11 8435 of title 5, United States Code (to the
12 same extent and in the same manner as a with-
13 drawal under section 8433(h) of such title), di-
14 rect the Executive Director appointed under
15 section 8474 of such title to make a single with-
16 drawal from the account of the covered em-
17 ployee in the Thrift Savings Fund in an
18 amount equal to the transition cost associated
19 with the covered employee.

20 (B) TRANSFER TO SECRET SERVICE.—
21 Upon being directed by a covered employee to
22 make a withdrawal under subparagraph (A),
23 the Executive Director shall transfer the
24 amount of the withdrawal to the Director of the
25 United States Secret Service for deposit into

1 the Contributions for Annuity Benefits, United
2 States Secret Service appropriations account of
3 the Department of Homeland Security.

4 (C) TAX ROLLOVER TREATMENT.—Not-
5 withstanding section 8433(c) (2), (3), and (4)
6 of title 5, United States Code, any transfer
7 made under subparagraph (B) shall be treated
8 as a direct transfer described under section
9 402(e)(6) of the Internal Revenue Code of
10 1986.

11 (d) DEFINITION.—In subsections (b) and (c), a “cov-
12 ered employee” means an individual described in para-
13 graph (2) of subsection (b) of the Policemen and Fire-
14 men’s Retirement and Disability Act (sec. 5–703, D.C. Of-
15 ficial Code), as added by subsection (a).

16 **SEC. 3. TREATMENT OF REEMPLOYED ANNUITANTS.**

17 Section 8468 of title 5, United States Code, is
18 amended by adding at the end the following:

19 “(k)(1) For purposes of this section, the term ‘cov-
20 ered District of Columbia retiree’ means an individual who
21 is receiving benefits under the Policemen and Firemen’s
22 Retirement and Disability Act—

23 “(A) based in whole or in part on such individ-
24 ual’s service as an officer or member of the United

1 States Secret Service Division or the United States
2 Secret Service Uniformed Division; and

3 “(B) pursuant to an election, made under sub-
4 section (b)(2) of such Act (sec. 5–703, D.C. Official
5 Code), to transfer to that retirement system from
6 the retirement system under this chapter.

7 “(2) If a covered District of Columbia retiree be-
8 comes employed in an appointive or elective position (as
9 referred to in subsection (a)), an amount equal to the re-
10 tirement benefits which are payable under the Policemen
11 and Firemen’s Retirement and Disability Act and allo-
12 cable to the period of actual employment shall be deducted
13 from the pay of the reemployed retiree, to the same extent
14 and in the same manner as if those retirement benefits
15 were an annuity under this chapter.

16 “(3) The Director of the Office of Personnel Manage-
17 ment shall prescribe any regulations necessary to carry out
18 this subsection, including regulations under which an em-
19 ploying agency shall accept the certification of the appro-
20 priate official of the government of the District of Colum-
21 bia regarding the amount of retirement benefits being paid
22 to a covered District of Columbia retiree for a period dur-
23 ing which such retiree is employed in the position de-
24 scribed in paragraph (2).”.

1 **SEC. 4. PAYGO COMPLIANCE.**

2 The budgetary effects of this Act, for the purpose of
3 complying with the Statutory Pay-As-You-Go Act of 2010,
4 shall be determined by reference to the latest statement
5 titled “Budgetary Effects of PAYGO Legislation” for this
6 Act, submitted for printing in the Congressional Record
7 by the Chairman of the House Budget Committee, pro-
8 vided that such statement has been submitted prior to the
9 vote on passage.

○