

112TH CONGRESS
1ST SESSION

H. R. 630

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

FEBRUARY 10, 2011

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. SHORT TITLE.**

4 This Act may be cited as the “Law Enforcement Offi-
5 cers’ Military Service Act”.

1 **SEC. 2. WAIVER OF FEDERAL EMPLOYEES RETIREMENT**
2 **SERVICE ANNUITY BUYBACK REQUIREMENT.**

3 Section 8411(c) of title 5, United States Code, is
4 amended—

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

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

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

15 “(i) such officer shall be allowed credit for
16 such period of active duty (as military service);
17 and

18 “(ii) no deposit under section 8422(e) shall
19 be required for any period for which credit is so
20 allowed.

21 “(B) The Director of the Office of Personnel
22 Management shall prescribe regulations to carry out
23 this paragraph.”.

24 **SEC. 3. EFFECTIVE DATES.**

25 (a) IN GENERAL.—The amendments made by section
26 2—

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

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

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

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

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