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House of Representatives

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SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE AND THE DISTRICT OF COLUMBIA

FOR IMMEDIATE RELEASE

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SUBCOMMITTEE WILL MARK-UP H.R. 5600

Rep. Danny K. Davis will offer an amendment in the nature of a substitute to strengthen bill aimed at restoring service years to former D.C. employees.

On Tuesday, September 16, 2008, at 2:00 p.m., in room 2154 of the Rayburn House Office Building, the Subcommittee will hold a Business Meeting to mark up H.R. 5600, the "District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008."

Subcommittee Chairman, Rep. Davis, will present an amendment to ensure that the language of the base bill applies to all employees of affected agencies. The amendment also adds language, to Rep. Norton's bill, that will permit prior service as a D.C. detention officer to be creditable toward early retirement as a Law Enforcement Officer and also grants select independent governing agencies the authority to provide certification of an employee's qualifying D.C. service to OPM.

A live 2:00 p.m. broadcast of the business meeting on H.R. 5600 can be found on the Subcommittee's website, <http://federalworkforce.oversight.house.gov>

BACKGROUND INFORMATION:

On March 12, 2008, Representatives Eleanor Holmes Norton and Tom Davis introduced H.R. 5600 with the intent to permit non-judicial employees of the D.C. Courts, the Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee and other related agencies to have the periods of service performed prior to 1997 included in the determination of their eligibility for retirement under FERS or CSRS.

A summary of the amended version of H.R. 5600 is provided below:

H.R. 5600 is comprised of three substantive legislative sections. Section 1 identifies the short title of the bill as the "District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008".

Section 2, authorizes the service of specified employees transferred from D.C. to federal service after the enactment of the Revitalization Act to be included in the calculation of said employees creditable service under FERS or CSRS. This section of the bill adds specific language to allow for affected employee's years of service to be counted only for purposes of determining an individual's eligibility for (1) annuity, (2) immediate retirement, (3) deferred retirement, (4) early retirement, and for the purposes of determining (5) survivor annuities and (6) disability benefits under either FERS or CSRS.

Further, Section 2, adds language to permit prior service as a D.C. detention officer to be creditable toward early retirement as a Law Enforcement Officer as defined in Sections 8331 (20), *Civil Service Retirement Definitions – Law Enforcement Officer* and Section 8401(17), *Federal Employees' Retirement System Definitions – Law Enforcement Officer* of Title 5. The modified text is intended to allow such credit for employees with previous District law enforcement officer service to be used in determining an employee's eligibility for the various enhanced retirement benefits currently available to federal law enforcement officers.

Lastly, Section 2 prohibits the inclusion of service rendered by employees under D.C. prior to 1997 and the enactment of the Revitalization Act from being used in computing the amount of any employee's annuity benefit under FERS or CSRS.

Section 3, defines the term "Qualifying District of Columbia Service," for the purposes of determining what type of services or agency related work should be accepted and applied to an employees' credible service. According to Section 3, the provisions of H.R. 5600 shall apply only to those individuals that served as (1) non-judicial employees of the District of Columbia Courts prior to 1997, (2) employees of an entity of the District of Columbia government whose functions were shifted to the Pretrial Services, Parole, Adult Supervision, and Offender Supervision Trustee/CSOSA, (3) employees of the District of Columbia Public Defender Service who performed work prior to enactment of the District of Columbia Courts and Justice Technical Corrections Act of 1998, or (4) former District of Columbia Department of Corrections employees who were appointed to positions with the Federal Bureau of Prisons or other related federal agency.

Finally, Section 4 outlines the process by which an employee's years of service under the D.C. government should be certified for inclusion in an employee's' creditable service. If enacted, the bill would require the appropriate D.C. personnel officials to provide certification and/or documentation to the Office of Personnel Management (OPM) confirming that an individual performed qualifying work as a D.C. employee and the exact time period for which such service was performed. In addition to the D.C. government, the amended version of H.R. 5600 also grants select independent governing agencies the authority to provide certification of an employee's qualifying D.C. service to OPM.