

110TH CONGRESS
2D SESSION

H. R. 5600

To permit nonjudicial employees of the District of Columbia courts, employees transferred to the Pretrial Services, Parole, Adult Probation, and Offender Supervision Trustee, and employees of the District of Columbia Public Defender Service to have periods of service performed prior to the enactment of the Balanced Budget Act of 1997 included as part of the years of service used to determine the time at which such employees are eligible to retire under chapter 84 of title 5, United States Code, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2008

Ms. NORTON (for herself and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To permit nonjudicial employees of the District of Columbia courts, employees transferred to the Pretrial Services, Parole, Adult Probation, and Offender Supervision Trustee, and employees of the District of Columbia Public Defender Service to have periods of service performed prior to the enactment of the Balanced Budget Act of 1997 included as part of the years of service used to determine the time at which such employees are eligible to retire under chapter 84 of title 5, United States Code, 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 “District of Columbia
5 Court, Offender Supervision, Parole, and Public Defender
6 Employees Equity Act of 2008”.

7 **SEC. 2. RETIREMENT CREDIT FOR SERVICE OF CERTAIN**
8 **EMPLOYEES TRANSFERRED FROM DISTRICT**
9 **OF COLUMBIA SERVICE TO FEDERAL SERV-**
10 **ICE.**

11 (a) IN GENERAL.—Any individual serving as an em-
12 ployee or Member (as those terms are defined by section
13 8401 of title 5, United States Code) on or after the date
14 of enactment of this Act who performed qualifying District
15 of Columbia service shall be entitled to have such service
16 included in calculating the individual’s creditable service
17 under section 8411 of title 5, United States Code, but only
18 for purposes of the following provisions of such title:

19 (1) Section 8410 (relating to eligibility for an-
20 nuity).

21 (2) Section 8412 (relating to immediate retire-
22 ment).

23 (3) Section 8413 (relating to deferred retire-
24 ment).

25 (4) Section 8414 (relating to early retirement).

1 (5) Subchapter IV of chapter 84 (relating to
2 survivor annuities).

3 (6) Subchapter V of chapter 84 (relating to dis-
4 ability benefits).

5 (b) SERVICE NOT INCLUDED IN COMPUTING
6 AMOUNT OF ANY ANNUITY.—Qualifying District of Co-
7 lumbia service shall not be taken into account for purposes
8 of computing the amount of any benefit payable out of
9 the Civil Service Retirement and Disability Fund.

10 **SEC. 3. QUALIFYING DISTRICT OF COLUMBIA SERVICE DE-**
11 **FINED.**

12 In this Act, “qualifying District of Columbia service”
13 means any of the following:

14 (1) Service performed by an individual as a
15 nonjudicial employee of the District of Columbia
16 courts—

17 (A) which was performed prior to the ef-
18 fective date of the amendments made by section
19 11246(b) of the Balanced Budget Act of 1997;
20 and

21 (B) for which the individual did not ever
22 receive credit under the provisions of sub-
23 chapter III of chapter 83 or chapter 84 of title
24 5, United States Code (other than by virtue of
25 section 8331(1)(iv) of such title).

1 (2) Service performed by an individual as an
2 employee of an entity of the District of Columbia
3 government whose functions were transferred to the
4 Pretrial Services, Parole, Adult Supervision, and Of-
5 fender Supervision Trustee under section 11232 of
6 the Balanced Budget Act of 1997—

7 (A) which was performed prior to the ef-
8 fective date of the individual’s coverage as an
9 employee of the Federal Government under sec-
10 tion 11232(f) of such Act; and

11 (B) for which the individual did not ever
12 receive credit under the provisions of sub-
13 chapter III of chapter 83 or chapter 84 of title
14 5, United States Code (other than by virtue of
15 section 8331(1)(iv) of such title).

16 (3) Service performed by an individual as an
17 employee of the District of Columbia Public De-
18 fender Service—

19 (A) which was performed prior to the ef-
20 fective date of the amendments made by section
21 7(e) of the District of Columbia Courts and
22 Justice Technical Corrections Act of 1998; and

23 (B) for which the individual did not ever
24 receive credit under the provisions of sub-
25 chapter III of chapter 83 or chapter 84 of title

1 5, United States Code (other than by virtue of
2 section 8331(1)(iv) of such title).

3 (4) In the case of an individual who was ap-
4 pointed to a position in the Federal Government
5 under the priority consideration program established
6 by the Bureau of Prisons under section 11203 of the
7 Balanced Budget Act of 1997, service performed by
8 the individual as an employee of the District of Co-
9 lumbia Department of Corrections—

10 (A) which was performed prior to the ef-
11 fective date of the individual's coverage as an
12 employee of the Federal Government; and

13 (B) for which the individual did not ever
14 receive credit under the provisions of sub-
15 chapter III of chapter 83 or chapter 84 of title
16 5, United States Code (other than by virtue of
17 section 8331(1)(iv) of such title).

18 **SEC. 4. CERTIFICATION OF SERVICE.**

19 The Office of Personnel Management shall accept the
20 certification of the appropriate personnel official of the
21 government of the District of Columbia concerning wheth-
22 er an individual performed qualifying District of Columbia
23 service and the length of the period of such service the
24 individual performed.

○