

**AMENDMENT TO H.R. 1256**

**OFFERED BY MS. NORTON**

Add at the end the following new title:

1 **TITLE V—RETIREMENT CREDIT**  
2 **FOR SERVICE OF CERTAIN**  
3 **EMPLOYEES TRANSFERRED**  
4 **FROM DISTRICT OF COLUM-**  
5 **BIA SERVICE TO FEDERAL**  
6 **SERVICE**

7 **SEC. 501. SHORT TITLE.**

8 This title may be cited as the “District of Columbia  
9 Court, Offender Supervision, Parole, and Public Defender  
10 Employees Equity Act of 2009”.

11 **SEC. 502. RETIREMENT CREDIT FOR SERVICE OF CERTAIN**  
12 **EMPLOYEES TRANSFERRED FROM DISTRICT**  
13 **OF COLUMBIA SERVICE TO FEDERAL SERV-**  
14 **ICE.**

15 (a) **IN GENERAL.**—Any individual who is treated as  
16 an employee of the Federal government for purposes of  
17 chapter 83 or chapter 84 of title 5, United States Code,  
18 on or after the date of enactment of this Act who per-  
19 formed qualifying District of Columbia service shall be en-  
20 titled to have such service included in calculating the indi-

1 vidual's creditable service under sections 8332 or 8411 of  
2 title 5, United States Code, but only for purposes of the  
3 following provisions of such title:

4 (1) Sections 8333 and 8410 (relating to eligi-  
5 bility for annuity).

6 (2) Sections 8336 (other than subsections (d),  
7 (h), and (p) thereof) and 8412 (relating to imme-  
8 diate retirement).

9 (3) Sections 8338 and 8413 (relating to de-  
10 ferred retirement).

11 (4) Sections 8336(d), 8336(h), 8336(p), and  
12 8414 (relating to early retirement).

13 (5) Section 8341 and subchapter IV of chapter  
14 84 (relating to survivor annuities).

15 (6) Section 8337 and subchapter V of chapter  
16 84 (relating to disability benefits).

17 (b) TREATMENT OF DETENTION OFFICER SERVICE  
18 AS LAW ENFORCEMENT OFFICER SERVICE.—Any portion  
19 of an individual's qualifying District of Columbia service  
20 which consisted of service as a detention officer under sec-  
21 tion 2604(2) of the District of Columbia Government  
22 Comprehensive Merit Personnel Act of 1978 (sec. 1—  
23 626.04(2), D.C. Official Code) shall be treated as service  
24 as a law enforcement officer under sections 8331(20) or

1 8401(17) of title 5, United States Code, for purposes of  
2 applying subsection (a) with respect to the individual.

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

8 **SEC. 503. QUALIFYING DISTRICT OF COLUMBIA SERVICE**  
9 **DEFINED.**

10 In this title, “qualifying District of Columbia service”  
11 means any of the following:

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

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

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

24 (2) Service performed by an individual as an  
25 employee of an entity of the District of Columbia

1 government whose functions were transferred to the  
2 Pretrial Services, Parole, Adult Supervision, and Of-  
3 fender Supervision Trustee under section 11232 of  
4 the Balanced Budget Act of 1997—

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

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

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

17 (A) which was performed prior to the ef-  
18 fective date of the amendments made by section  
19 7(e) of the District of Columbia Courts and  
20 Justice Technical Corrections Act of 1998; 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           (4) In the case of an individual who was an em-  
2           ployee of the District of Columbia Department of  
3           Corrections who was separated from service as a re-  
4           sult of the closing of the Lorton Correctional Com-  
5           plex and who was appointed to a position with the  
6           Bureau of Prisons, the District of Columbia courts,  
7           the Pretrial Services, Parole, Adult Supervision, and  
8           Offender Supervision Trustee, the United States Pa-  
9           role Commission, or the District of Columbia Public  
10          Defender Service, service performed by the indi-  
11          vidual as an employee of the District of Columbia  
12          Department of Corrections—

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

16                 (B) for which the individual did not ever  
17                 receive credit under the provisions of sub-  
18                 chapter III of chapter 83 or chapter 84 of title  
19                 5, United States Code (other than by virtue of  
20                 section 8331(1)(iv) of such title).

21 **SEC. 504. CERTIFICATION OF SERVICE.**

22           The Office of Personnel Management shall accept the  
23           certification of the appropriate personnel official of the  
24           government of the District of Columbia or other inde-  
25           pendent employing entity concerning whether an indi-

- 1 vidual performed qualifying District of Columbia service
- 2 and the length of the period of such service the individual
- 3 performed.

