



## FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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March 14, 2018

The Honorable Trey Gowdy  
Chairman, Committee on  
Oversight & Government Reform  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Elijah Cummings  
Ranking Member, Committee on  
Oversight & Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman and Representative Cummings:

I am writing on behalf of the more than 26,000 members of the Federal Law Enforcement Officers Association to advise you of our strong support for H.R. 3303, the “First Responder Fair Return for Employees on Their Initial Retirement Earned (Fair RETIRE) Act of 2017.” We greatly appreciate the Committee’s consideration of this important legislation.

As you know, current law provides that federal law enforcement officers, firefighters, and other public safety employees may retire after 20 years of service at age 50, or after 25 years of service at any age, and face mandatory separation from service at age 57. This coverage—known as “6(c)” retirement—is available to these brave men and women in recognition of the strenuous and physically demanding nature of the jobs they perform to protect and defend this Nation. As a result, federal public safety officers pay a higher percentage of their pay toward an annuity under both the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS). Under current law, however, a law enforcement officer is not eligible for 6(c) retirement unless they have met both the age and service requirements. An officer who suffers a disabling injury in the line of duty that prevents them from completing their service requirements in a covered law enforcement position does not have the option of retiring at the 6(c) level, but must elect to either take a disability retirement or return to work in a non-covered position to retire under the standard FERS/CSRS benefit. Suffice it to say, law enforcement officers and other federal public safety employees who suffer a disabling injury in the line of duty should not be penalized by the very retirement system that ought to be honoring their sacrifice and service.

Under the “Fair RETIRE Act,” a law enforcement officer who returns to federal employment after recovering from a line-of-duty injury or illness would retain their 6(c) retirement status in the same manner as if they had never been disabled. Their retirement status would be preserved, even in those cases where the nature or extent of the injury prevents an individual from returning to service in a covered law enforcement position. The bill also supports law enforcement officers who seek to return to their agency following their transition to the Federal Employees’ Compensation Program at the Department of Labor (DOL) but who are unable to continue their service as a law enforcement officer. Specifically, it includes a strong “Sense of Congress” provision that directs the Office of Personnel Management to ensure to the greatest possible extent that an individual reappointed to a non-covered position is with the same federal agency, in the same geographic location, and at a level of pay commensurate to the

position the individual held immediately prior to suffering a disabling injury or illness. In so doing, this legislation appropriately honors the sacrifices that disabled law enforcement officers have made to keep us safe while helping to protect their financial security.

On behalf of the membership of the Federal Law Enforcement Officers Association, thank you again for scheduling the "Fair RETIRE Act" for consideration by the full Committee. We look forward to working with you to ensure that this important legislation is enacted into law as quickly as possible.

Sincerely,

*Nathan R. Catura*

Nathan R. Catura  
National President

CC: Members, Committee on Oversight & Government Reform, U.S. House of Representatives