

119TH CONGRESS
1ST SESSION

H. R. 4672

To extend the break-in-service consideration for firefighter retirements, and other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2025

Mr. HARDER of California (for himself and Mr. SCOTT FRANKLIN of Florida) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To extend the break-in-service consideration for firefighter retirements, and 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. CONTINUING ACCRUAL OF SERVICE FOR FIRE-**
4 **FIGHTERS.**

5 (a) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

6 Section 8401(14) of title 5, United States Code, is amend-
7 ed to read as follows:

8 “(14) the term ‘firefighter’ means—

9 “(A) an employee, the duties of whose po-
10 sition—

1 “(i) are primarily to perform work di-
2 rectly connected with the control and extin-
3 guishment of nonwildland fires; and

4 “(ii) are sufficiently rigorous that em-
5 ployment opportunities should be limited to
6 young and physically vigorous individuals,
7 as determined by the Director considering
8 the recommendations of the employing
9 agency;

10 “(B) an employee, the duties of whose po-
11 sition—

12 “(i) are primarily to perform work di-
13 rectly connected with the control and extin-
14 guishment of wildland fires; and

15 “(ii) are sufficiently rigorous that em-
16 ployment opportunities should be limited to
17 young and physically vigorous individuals,
18 as determined by the Director considering
19 the recommendations of the employing
20 agency;

21 “(C) an employee who—

22 “(i) is transferred directly to a super-
23 visory or administrative position after per-
24 forming duties described in subparagraph
25 (A) for at least 3 years; and

1 “(ii) while serving in such supervisory
2 or administrative position, has no break in
3 service; or

4 “(D) an employee who—

5 “(i) occupies a supervisory or admin-
6 istrative position after performing duties
7 described in subparagraph (B) for not less
8 than 3 years; and

9 “(ii) has not more than 24 months in
10 total time of breaks in service;”.

11 (b) SERVICE BEFORE DATE OF ENACTMENT.—

12 (1) IN GENERAL.—Subject to the requirements
13 under paragraph (2), service performed before the
14 date of enactment of this Act by an individual who,
15 on the date of enactment of this Act, is an employee
16 (as defined in section 8401(11) of title 5, United
17 States Code) shall, for the purposes of chapter 84 of
18 title 5, United States Code, be treated as service
19 performed by a firefighter if—

20 (A) such service was performed during the
21 period beginning on October 1, 2003, and end-
22 ing on the day before the date of enactment of
23 this Act;

24 (B) at the time of performing such serv-
25 ice—

1 (i) the individual did not meet the re-
2 quirements to be a firefighter under sec-
3 tion 8401(14) of title 5, United States
4 Code, because of a break in service; and

5 (ii) would have met the requirements
6 to be a firefighter under section
7 8401(14)(D) of title 5, United States
8 Code, as amended by this Act; and

9 (C) appropriate deductions and
10 withholdings under sections 8422 and 8423 of
11 title 5, United States Code, were made during
12 such service.

13 (2) CREDIT FOR SERVICE.—To receive credit
14 for eligible service under paragraph (1), the applica-
15 ble individual shall—

16 (A) before the date on which the individual
17 separates from service in the agency in which
18 the individual holds a position on the date of
19 enactment of this Act, submit a written election
20 to the agency employing the individual;

21 (B) if the individual is not employed by the
22 agency that employed the individual when the
23 service described in paragraph (1) was per-
24 formed, submit a written election to such agen-
25 cy; and

1 (C) remit to the agency that employed the
2 individual when such service was performed the
3 additional amount that would have been de-
4 ducted during the period of prior service under
5 section 8422 of title 5, United States Code,
6 from the pay of the individual if the amend-
7 ments made by subsection (a) had been in ef-
8 fect during the prior service, plus any applicable
9 interest computed under section 8334(e) of title
10 5, United States Code.

11 (3) GOVERNMENT CONTRIBUTIONS.—If an indi-
12 vidual remits payment under paragraph (2)(C) with
13 respect to service described in paragraph (1), the
14 agency that employed the individual when such serv-
15 ice was performed shall remit to the Office of Per-
16 sonnel Management (for deposit in the Treasury of
17 the United States to the credit of the Civil Service
18 Retirement and Disability Fund) the total additional
19 amount of Federal contributions that would have
20 been paid under section 8423 of title 5, United
21 States Code, if the amendments made by subsection
22 (a) had been in effect during the prior service, plus
23 any applicable interest computed in accordance with
24 section 8334(e) of title 5, United States Code.

1 (4) NOTIFICATION AND ASSISTANCE REQUIRE-
2 MENTS.—The Director of the Office of Personnel
3 Management shall—

4 (A) take such action as may be necessary
5 and appropriate to inform individuals entitled
6 to have any service credited under this sub-
7 section, or to have any annuity computed under
8 this subsection, of the entitlement to the credit
9 or computation; and

10 (B) upon request, assist any individual de-
11 scribed in subparagraph (A) in obtaining such
12 information in the possession of the Secretary
13 of Agriculture or the Secretary of the Interior,
14 as applicable, as may be necessary to verify the
15 entitlement of the individual to have any service
16 credited, or to have any annuity computed, pur-
17 suant to this subsection.

18 (5) RULE OF CONSTRUCTION.—Nothing in this
19 section shall be construed to permit or require the
20 making of any contribution to the Thrift Savings
21 Fund that would not otherwise have been permitted
22 or required but for the enactment of this section.

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