



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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JUN 22 1979

The Honorable Abraham Ribicoff
Chairman, Committee on
Governmental Affairs
United States Senate

Dear Mr. Chairman:

This is in response to your request for our comments on S. 358, a bill "To remove certain inequities in the Secret Service Retirement System]"

We should first point out that the title of the bill is technically incorrect. There is no retirement plan known as the "Secret Service Retirement System" as the title would indicate. Except as explained further below, Secret Service personnel participate in the civil service retirement system. By legislation enacted in 1940, non-clerical Secret Service employees with 10 years' service directly related to protecting the President may elect coverage under the District of Columbia's police and firemen's retirement system--a much more generous plan than civil service retirement. Employees of the Secret Service Uniformed Division (known prior to November 15, 1977, as the Executive Protective Service) are also covered by the District system.

The 1940 legislation was amended in 1964 to allow members of the Secret Service appointed from the Executive Protective Service to credit periods of prior service with the District Police, Park Police, or Executive Protective Service toward the required 10 years. (Park Police also participate in the District retirement system). The legislative history of the 1964 amendment indicated that Secret Service agents assigned to protect the President were generally recruited from the Executive Protective Service and District police force. The Secret Service was having difficulty recruiting such personnel because they were reluctant to transfer to the Secret Service and be placed under the less generous provisions of the civil service system until they satisfied the 10-year requirement.

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As enacted, the 1964 amendment applied only to personnel who were recruited from the Executive Protective Service. Personnel recruited directly from the District police were not included. S.358 is intended to correct this apparent inequity. It would grant credit for any prior service with the District police, Park Police, or Executive Protective Service toward the 10 year requirement to Secret Service personnel appointed from the District police force prior to January 1, 1972.

In a report issued on January 12, 1978, entitled "Federal and District of Columbia Employees Need to be in Separate Pay and Benefit Systems" (FPCD-77-71), we recommended, among other things, that Federal personnel be removed from the District retirement system and included under the civil service system so that their benefits are consistent with those provided to other Federal law enforcement personnel. Personnel covered by the District system may retire earlier with higher retirement annuities and contribute less toward their benefits than other similarly employed Federal personnel under the civil service system.

We could not ascertain from the history of the 1940 legislation why 10 years' service directly related to protecting the President was determined to justify covering Secret Service personnel in a retirement system administered and controlled by the District of Columbia with benefits superior to those received by other Federal personnel. We believe this situation is very inequitable, and S.358 would, in effect, continue this inequity. Nevertheless, we can appreciate the fact that the 1964 amendment is also perceived to be inequitable by not affording the same benefits to Secret Service employees appointed from the District police force as those received by appointees from the Executive Protective Service.

Therefore, while we believe the proper course of action would be to remove Federal personnel from the District system, we do not oppose the enactment of S.358 as long as this participation continues.

We could find no rationale for limiting the benefits of S.358 to persons appointed from the District police force prior to January 1, 1972. It seems to us that,

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if the bill is favorably considered, the benefits should be extended to all persons hired from the District police regardless of when they were recruited.

Sincerely yours,

Comptroller General
of the United States