



***Retirement and Insurance Service
Benefits Administration Letter***

Number: 02-104

Date: 05/10/02

Subject: Enhanced Disability Annuity Computation for CSRS Disability Annuitants with Law Enforcement Officer or Firefighter Service

OPM is now allowing enhanced disability annuities for CSRS disability annuitants and their survivors, in cases that meet certain criteria. Specifically, a disability annuity, or a survivor annuity based on a disability annuity, may be enhanced if a disability annuitant performed at least 20 years of law enforcement officer or firefighter service. OPM's Retirement and Insurance Service asks for your help in identifying employees who are applying for disability retirement with law enforcement officer or firefighter service.

In the case of *Pitsker and Rogers v. Office of Personnel Management*, 234 F.3d 1378 (Fed. Cir. 2000), the United States Court of Appeals for the Federal Circuit awarded an enhanced law enforcement officer (LEO) retirement computation to two CSRS disability annuitants (the petitioners). OPM had denied the requests of the petitioners for enhanced disability annuities (i.e., annuities with LEO service computed at the LEO accrual rate) because, even though each of the annuitants had completed over 20 years of law enforcement officer service, each annuitant had retired before age 50, the minimum age for enhanced law enforcement officer benefits.

OPM is allowing the higher disability annuity computation for similarly situated disability applicants under CSRS only. Consequently, we are asking for your assistance. We ask that you review the disability retirement packages that you submit to OPM, and that you clearly identify any certified CSRS law enforcement officer or firefighter service performed by the disability applicant.

If there are questions regarding this letter, your Benefits Officer should contact his or her liaison at our Benefits Officer Resource Center.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Mary Ellen Wilson".

Mary Ellen Wilson
Director
Retirement Policy Division

*Civil Service
Retirement
System*

*Federal Employees'
Group Life
Insurance Program*

*Federal Employees
Health Benefits
Program*

*Federal Employees
Retirement
System*

*Long Term
Care Insurance
Program*