

# Congress of the United States

Washington, DC 20515

September 4, 2026

The Honorable Scott Kupor  
Director  
U.S. Office of Personnel Management  
1900 E. St. NW  
Washington, DC 20415

Dear Director Kupor:

Next week marks the 25th anniversary of the September 11 attacks, and yet thousands of federal police officers who protect our citizens and federal property and enforce the law are not appropriately compensated for their duty. These police officers are not considered “law enforcement officers” for federal retirement purposes and do not receive the enhanced federal law enforcement retirement benefits they deserve. While these brave men and women carry firearms, wear protective equipment, are authorized to arrest criminal suspects, and place their lives on the line every day, an inadequate application of the definition of “law enforcement officer” has led to significant recruitment, retention, and morale challenges.

Federal law enforcement officers receive enhanced retirement benefits compared to other federal employees. However, not all federal employees who perform law enforcement duties are considered federal law enforcement officers for retirement benefits. The Government Accountability Office published a report on this topic last year which highlighted broad disparities in how federal agencies classify and pay law enforcement officers.<sup>1</sup> This is a significant issue that must be addressed.

An example of this disparity is seen in a recent job announcement for a Department of the Navy Police Officer.<sup>2</sup> The job announcement highlighted the physical nature of the work, carrying a firearm, wearing a uniform, and enforcing the law. These all clearly indicate law enforcement duties. However, the job announcement later says “this position does not meet the definition of law enforcement officer (LEO) and is excluded from coverage as LEO...” for federal retirement purposes.

We are also aware of operations where Department of Homeland Security employees from multiple components were performing the same duty, but all were not considered law enforcement officers for the purposes of retirement.

We believe your office already has administrative authority to fix this problem.

Specifically, we urge you to reconsider the application of 5 CFR Part 842 subpart H as it pertains to all personnel who perform police duties. We request a specific review of the Department of War Police Officers, Pentagon Force Protection Agency, Department of Veterans Affairs Police, Department of Homeland Security Federal Protective Service, and all GS-0083 employees. These federal law enforcement officers put their lives on the line every single day. As a matter of fairness and logic, they have rightfully earned the same retirement benefits currently afforded to other law enforcement personnel.

We request the results of your review by October 2, 2026.

Sincerely,

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<sup>1</sup> U.S. Government Accountability Office. (2025). Federal Police Officers: Considerations on Retirement and Pay (No. GAO-25-107099). <https://www.gao.gov/products/gao-25-107099>.

<sup>2</sup> USAJobs. (2026). POLICE OFFICER Department of the Navy Commander, Navy Installations Command. <https://www.usajobs.gov/job/878593100>.

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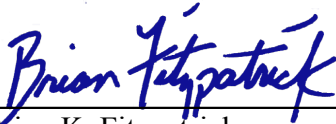
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Robert J. Wittman  
Member of Congress



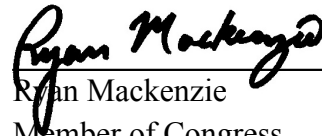
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Pete Stauber  
Member of Congress



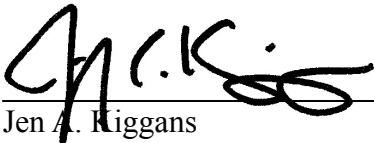
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Brian K. Fitzpatrick  
Member of Congress



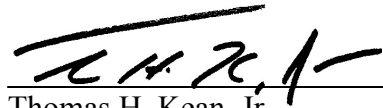
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Ryan Mackenzie  
Member of Congress



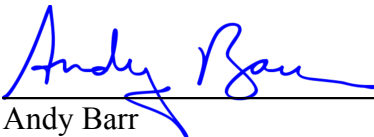
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Jen A. Riggans  
Member of Congress



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Thomas H. Kean, Jr.  
Member of Congress



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Andy Barr  
Member of Congress



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John H. Rutherford  
Member of Congress



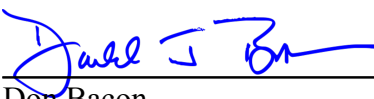
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Rob Bresnahan, Jr.  
Member of Congress



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Derrick Van Orden  
Member of Congress



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Don Bacon  
Member of Congress

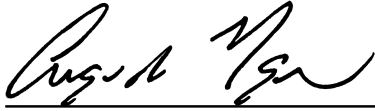


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Chuck Edwards  
Member of Congress

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August Pfluger  
Member of Congress



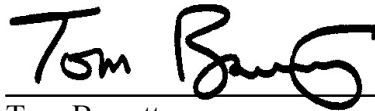
Mike Haridopolos  
Member of Congress



Stephanie Bice  
Member of Congress



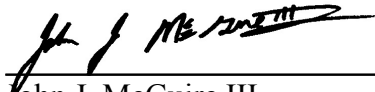
Randy K. Weber, Sr.  
Member of Congress



Tom Barrett  
Member of Congress



Lance Gooden  
Member of Congress



John J. McGuire III  
Member of Congress

cc: The Honorable Pete Hegseth  
Secretary  
Department of War  
1000 Defense Pentagon  
Washington, DC 20301

The Honorable Markwayne Mullin  
Secretary  
Department of Homeland Security  
2707 Martin Luther King Jr. Avenue SE  
Washington, D.C. 20528

The Honorable Doug Collins  
Secretary  
Department of Veterans Affairs  
810 Vermont Avenue NW  
Washington, DC 20420