

**Congress of the United States**  
**Washington, DC 20515**

November 15, 2016

The Honorable Hal Rogers  
Chairman  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Nita Lowey  
Ranking Member  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Lowey:

We write today to support the inclusion in any legislation making appropriations for fiscal year 2017 of the provision included in Section 558 of S. 3001, the Homeland Security Appropriations bill for fiscal year 2017, that would ensure that Secret Service agents are eligible to be paid for the overtime they earn in each of the 2016 and 2020 presidential election years. We also urge the inclusion of adequate funding to ensure that the Secret Service can pay for additional overtime agents have earned in 2016 up to level I of the Executive Schedule.

Please find enclosed a recent *USA Today* article reporting that at least 1,000 Secret Service agents have already “maxed out” their annual overtime and salary under the cap on premium pay codified at 5 U.S.C. §5547, which prohibits agents from being paid for the overtime they work once they reach the maximum allowable annual salary for the pay rate of GS-15. According to the article, some agents reached the annual limit as early as June and have been ineligible to be paid for the considerable overtime required for the national political conventions and around-the-clock protection of the presidential candidates and their families.<sup>1</sup>

The Secret Service has a no-fail mission, and we cannot expect to achieve adequate staffing levels when so many agents are being asked to work overtime for free. While the enactment of provisions that would permanently authorize an increase in the annual compensation limit for agents during years with presidential elections would best ensure the retention of Secret Service’s most experienced agents, enacting the waiver provision in S. 3001 is an essential first step. Therefore, we urge that the House recede and accept the provisions contained in S. 3001, Section 558, which would authorize raising the annual compensation limit in 2016 and 2020 and also raise the annual limit up to level I of the Executive Schedule to ensure that the men and women of the Secret Service receive fair compensation for their work fulfilling the agency’s critical mission.

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<sup>1</sup> *Hundreds of Secret Service Agents Maxed Out on Overtime*, USA Today (Oct. 23, 2016) (online at [www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456](http://www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456)).

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Sincerely,



Elijah E. Cummings  
Ranking Member  
Committee on Oversight and  
Government Reform



Bennie G. Thompson  
Ranking Member  
Committee on Homeland Security

Enclosure

cc: The Honorable Thad Cochran, Chairman  
Senate Committee on Appropriations

The Honorable Barbara Mikulski, Vice Chairwoman  
Senate Committee on Appropriations