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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R.

To amend title 5, United States Code, to provide an increase in premium pay for certain Federal employees performing protective services during any year in which a presidential election is held, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CUMMINGS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 5, United States Code, to provide an increase in premium pay for certain Federal employees performing protective services during any year in which a presidential election is held, and for 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. SHORT TITLE.**

4 This Act may be cited as the “Fair Pay for Presi-
5 dential Protection Act”.

1 **SEC. 2. PREMIUM PAY EXCEPTION FOR WORK AUTHORIZED**
2 **UNDER SECTION 3056(A) OF TITLE 18.**

3 (a) IN GENERAL.—Section 5547 of title 5, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 “(f)(1) Notwithstanding any other provision of this
7 section, in any calendar year in which a presidential elec-
8 tion is held—

9 “(A) subsections (a) and (b) shall not apply to
10 an employee who performs work authorized by sec-
11 tion 3056(a) of title 18; and

12 “(B) such an employee may be paid premium
13 pay under the provisions of law referred to in sub-
14 section (a) to the extent that the payment of such
15 pay does not cause—

16 “(i) the aggregate total of basic pay and
17 such premium pay for any pay period for such
18 employee to exceed the biweekly equivalent of
19 the annual salary rate established for level I of
20 the Executive Schedule under section 5312 in
21 effect at the end of the calendar year; or

22 “(ii) the total basic pay and such premium
23 pay in any calendar year for such employee to
24 exceed the annual salary rate established for
25 such level in effect at the end of the calendar
26 year.

1 “(2) The payment of additional premium pay pursu-
2 ant to paragraph (1) shall not be considered or creditable
3 as basic pay for purposes of retirement or any other pur-
4 pose and shall not be used in computing payment for accu-
5 mulated and accrued annual leave under section 5551 or
6 5552.

7 “(3) In applying section 5307, any premium pay
8 earned in a pay period subject to the limit in paragraph
9 (1)(B)(i) shall not be counted as part of an employee’s
10 aggregate compensation for the given calendar year.

11 “(4) The Director of the Secret Service may act as
12 the head of an agency in applying the annual limitation
13 on premium pay established under subsection (b)(3) in
14 calendar years in which a presidential election is not
15 held.”.

16 (b) APPLICATION.—The amendment made by sub-
17 section (a) shall begin to apply in 2016.

18 (c) CONFORMING AMENDMENT.—Section 118 of the
19 Treasury and General Government Appropriations Act,
20 2001 (Public Law 106–554) is repealed.