

105TH CONGRESS
1ST SESSION

S. 998

To simplify and consolidate the pay system for the United States Secret Service Uniformed Division, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 1997

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. ROBB, and Mr. SARBANES) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To simplify and consolidate the pay system for the United States Secret Service Uniformed Division, 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. RATES OF BASIC PAY FOR THE UNITED STATES**

4 **SECRET SERVICE UNIFORMED DIVISION.**

5 (a) NEW RATES OF BASIC PAY.—Section 501 of the
6 District of Columbia Police and Firemen's Salary Act of
7 1958, (District of Columbia Code, section 4-416), is
8 amended—

1 (1) in subsection (b)(1), by striking “Interior”
 2 and all that follows through “Treasury,” and insert-
 3 ing “Interior”;

4 (2) by redesignating subsection (c) as sub-
 5 section (b)(3);

6 (3) in subsection (b)(3) (as redesignated)—

7 (A) by striking “or to officers and mem-
 8 bers of the United States Secret Service Uni-
 9 formed Division”; and

10 (B) by striking “subsection (b) of this sec-
 11 tion” and inserting “this subsection”; and

12 (4) by adding after subsection (b) the following
 13 new subsection:

14 “(c)(1) The annual rates of basic compensation of of-
 15 ficers and members of the United States Secret Service
 16 Uniformed Division, serving in classes corresponding or
 17 similar to those in the salary schedule in section 101 (Dis-
 18 trict of Columbia Code, section 4–406), shall be fixed in
 19 accordance with the following schedule of rates:

“SALARY SCHEDULE

Salary class and title	Service steps								
	1	2	3	4	5	6	7	8	9
Class 1: Private	29,215	30,088	31,559	33,009	35,331	37,681	39,128	40,593	42,052
Class 4: Sergeant	39,769	41,747	43,728	45,718	47,715	49,713			
Class 5: Lieutenant	45,148	47,411	49,663	51,924	54,180				
Class 7: Captain	52,523	55,155	57,788	60,388					
Class 8: Inspector	60,886	63,918	66,977	70,029					
Class 9: Deputy Chief	71,433	76,260	81,113	85,950					
Class 10: Assistant Chief	84,694	90,324	95,967						
Class 11: Chief of the United States Secret Service Uniformed Division	98,383	104,923							

1 “(2) Effective at the beginning of the first applicable
2 pay period commencing on or after the first day of the
3 month in which an adjustment takes effect under section
4 5303 of title 5, United States Code (or any subsequent
5 similar provision of law), in the rates of pay under the
6 General Schedule (or any pay system that may supersede
7 such schedule), the annual rates of basic compensation of
8 officers and members of the United States Secret Service
9 Uniformed Division shall be adjusted by the Secretary of
10 the Treasury by an amount equal to the percentage of
11 such annual rate of pay which corresponds to the overall
12 percentage of the adjustment made in the rates of pay
13 under the General Schedule.

14 “(3) Locality-based comparability payments author-
15 ized under section 5304 of title 5, United States Code,
16 shall be applicable to the basic pay under this section, ex-
17 cept locality-based comparability payments may not be
18 paid at a rate which, when added to the rate of basic pay
19 otherwise payable to the officer or member, would cause
20 the total to exceed the rate of basic pay payable for level
21 IV of the Executive Schedule.

22 “(4) Pay may not be paid, by reason of any provision
23 of this subsection (disregarding any comparability pay-
24 ment payable under Federal law), at a rate in excess of
25 the rate of basic pay payable for level V of the Executive

1 Schedule contained in subchapter II of chapter 53 of title
2 5, United States Code.

3 “(5) Any reference in any law to the salary schedule
4 in section 101 (District of Columbia Code, section 4–406)
5 with respect to officers and members of the United States
6 Secret Service Uniformed Division shall be considered to
7 be a reference to the salary schedule in paragraph (1) of
8 this subsection as adjusted in accordance with this sub-
9 section.

10 “(6)(A) Except as otherwise permitted by or under
11 law, no allowance, differential, bonus, award, or other
12 similar cash payment under this title or under title 5,
13 United States Code, may be paid to an officer or member
14 of the United States Secret Service Uniformed Division
15 in a calendar year if, or to the extent that, when added
16 to the total basic pay paid or payable to such officer or
17 member for service performed in such calendar year as
18 an officer or member, such payment would cause the total
19 to exceed the annual rate of basic pay payable for level
20 I of the Executive Schedule, as of the end of such calendar
21 year.

22 “(B) This paragraph shall not apply to any payment
23 under the following provisions of title 5, United States
24 Code:

1 “(i) Subchapter III or VII of chapter 55, or
2 section 5596.

3 “(ii) Chapter 57 (other than section 5753,
4 5754, or 5755).

5 “(iii) Chapter 59 (other than section 5928).

6 “(7)(A) Any amount which is not paid to an officer
7 or member of the United States Secret Service Uniformed
8 Division in a calendar year because of the limitation under
9 paragraph (6) shall be paid to such officer or member in
10 a lump sum at the beginning of the following calendar
11 year.

12 “(B) Any amount paid under this paragraph in a cal-
13 endar year shall be taken into account for purposes of ap-
14 plying the limitations under paragraph (6) with respect
15 to such calendar year.

16 “(8) The Office of Personnel Management shall pre-
17 scribe regulations as may be necessary (consistent with
18 section 5582 of title 5, United States Code) concerning
19 how a lump-sum payment under paragraph (7) shall be
20 made with respect to any employee who dies before an
21 amount payable to such employee under paragraph (7) is
22 made.”.

23 (b) CONVERSION TO NEW SALARY SCHEDULE.—

24 (1)(A) Effective on the first day of the first pay
25 period beginning after the date of enactment of this

1 section, the Secretary of the Treasury shall fix the
2 rates of basic pay for members of the United States
3 Secret Service Uniformed Division in accordance
4 with this paragraph.

5 (B) Subject to subparagraph (C), each officer
6 and member receiving basic compensation, imme-
7 diately prior to the effective date of this section, at
8 one of the scheduled rates in the salary schedule in
9 section 101 of the District of Columbia Police and
10 Firemen's Salary Act of 1958, as adjusted by law
11 and as in effect prior to the effective date of this
12 section, shall be placed in and receive basic com-
13 pensation at the corresponding scheduled service
14 step of the salary schedule under subsection (a)(4).

15 (C)(i) The Assistant Chief and the Chief of the
16 United States Secret Service Uniformed Division
17 shall be placed in and receive basic compensation in
18 salary class 10 and salary class 11, respectively, in
19 the appropriate service step in the new salary class
20 in accordance with section 304 of the District of Co-
21 lumbia Police and Firemen's Salary Act 1958 (Dis-
22 trict of Columbia Code, section 4-413).

23 (ii) Each member whose position is to be con-
24 verted to the salary schedule under section 501(c) of
25 the District of Columbia Police and Firemen's Sal-

1 ary Act of 1958 (District of Columbia Code, section
2 4–416(c)) as amended by this section, in accordance
3 with subsection (a) of this section, and who, prior to
4 the effective date of this section has earned, but has
5 not been credited with, an increase in his or her rate
6 of pay shall be afforded that increase before such
7 member is placed in the corresponding service step
8 in the salary schedule under section 501(c).

9 (2) Except in the cases of the Assistant Chief
10 and the Chief of the United States Secret Service
11 Uniformed Division, the conversion of positions and
12 individuals to appropriate classes of the salary
13 schedule under section 501(c) of the District of Co-
14 lumbia Police and Firemen’s Salary Act of 1958
15 (District of Columbia Code, section 4–416(c)) as
16 amended by this section, and the initial adjustments
17 of rates of basic pay of those positions and individ-
18 uals, in accordance with paragraph (1) of this sub-
19 section, shall not be considered to be transfers or
20 promotions within the meaning of section 304 of the
21 District of Columbia Police and Firemen’s Salary
22 Act of 1958 (District of Columbia Code, section 4–
23 413).

24 (3) Each member whose position is converted to
25 the salary schedule under section 501(c) of the Dis-

1 trict of Columbia Police and Firemen’s Salary Act of
2 1958 (District of Columbia Code, section 4–416(e))
3 as amended by this section, in accordance with sub-
4 section (a) of this section, shall be granted credit for
5 purposes of such member’s first service step adjust-
6 ment under the salary schedule in such section
7 510(c) for all satisfactory service performed by the
8 member since the member’s last increase in basic
9 pay prior to the adjustment under that section.

10 (c) LIMITATION ON PAY PERIOD EARNINGS.—The
11 Act of August 15, 1950 (64 Stat. 477), (District of Co-
12 lumbia Code, section 4–1104), is amended—

13 (1) in subsection (h), by striking “any officer or
14 member” each place it appears and inserting “an of-
15 ficer or member of the Metropolitan Police force, of
16 the Fire Department of the District of Columbia, or
17 of the United States Park Police”;

18 (2) by redesignating subsection (h)(3) as sub-
19 section (i); and

20 (3) by inserting after paragraph (2) the follow-
21 ing new paragraph:

22 “(3)(A) no premium pay provided by this sec-
23 tion shall be paid to, and no compensatory time is
24 authorized for, any officer or member of the United
25 States Secret Service Uniformed Division whose rate

1 of basic pay, combined with any applicable locality-
2 based comparability payment, equals or exceeds the
3 lesser of—

4 “(i) 150 percent of the minimum rate pay-
5 able for grade GS–15 of the General Schedule
6 (including any applicable locality-based com-
7 parability payment under section 5304 of title
8 5, United States Code or any similar provision
9 of law, and any applicable special rate of pay
10 under section 5305 of title 5, United States
11 Code or any similar provision of law); or

12 “(ii) the rate payable for level V of the Ex-
13 ecutive Schedule contained in subchapter II of
14 chapter 53 of title 5, United States Code.

15 “(B) In the case of any officer or member of
16 the United States Secret Service Uniformed Division
17 whose rate of basic pay, combined with any applica-
18 ble locality-based comparability payment, is less than
19 the lesser of—

20 “(i) 150 percent of the minimum rate pay-
21 able for grade GS–15 of the General Schedule
22 (including any applicable locality-based com-
23 parability payment under section 5304 of title
24 5, United States Code or any similar provision
25 of law, and any applicable special rate of pay

1 under section 5305 of title 5, United States
2 Code or any similar provision of law); or

3 “(ii) the rate payable for level V of the Ex-
4 ecutive Schedule contained in subchapter II of
5 chapter 53 of title 5, United States Code,

6 such premium pay may be paid only to the extent
7 that such payment would not cause such officer or
8 member’s aggregate rate of compensation to exceed
9 such lesser amount with respect to any pay period.”.

10 (d) SAVINGS PROVISION.—On the effective date of
11 this section, any existing special salary rates authorized
12 for members of the United States Secret Service Uni-
13 formed Division under section 5305 of title 5, United
14 States Code (or any previous similar provision of law) and
15 any special rates of pay or special pay adjustments under
16 section 403, 404, or 405 of the Federal Law Enforcement
17 Pay Reform Act of 1990 applicable to members of the
18 United States Secret Service Uniformed Division shall be
19 rendered inapplicable.

20 (e) CONFORMING AMENDMENT.—The Federal Law
21 Enforcement Pay Reform Act of 1990 (104 Stat. 1466)
22 is amended by striking subsections (b)(1) and (c)(1) of
23 section 405.

1 (f) EFFECTIVE DATE.—The provisions of this section
2 shall become effective on the first day of the first pay pe-
3 riod beginning after the date of enactment.

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