108TH CONGRESS 1ST SESSION

H. R. 1676

To amend chapter 55 of title 5, United States Code, to exclude availability pay for Federal criminal investigators from the limitation on premium pay; to modify levels of special pay adjustments for Federal law enforcement officers in certain areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2003

Mr. Rogers of Michigan (for himself, Mrs. Jo Ann Davis of Virginia, and Mrs. Emerson) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend chapter 55 of title 5, United States Code, to exclude availability pay for Federal criminal investigators from the limitation on premium pay; to modify levels of special pay adjustments for Federal law enforcement officers in certain areas, 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 "Federal Law Enforce-
- 5 ment Officers Pay Equity and Reform Act".

1 SEC. 2. LIMITATION ON PREMIUM PAY.

2	(a) In General.—Section 5547 of title 5, United
3	States Code, is amended—
4	(1) in subsection (a), by striking "5545a,";
5	(2) in subsection (c), by striking "or 5545a";
6	and
7	(3) in subsection (d), by striking the period and
8	inserting "or a criminal investigator who is paid
9	availability pay under section 5545a.".
10	(b) EFFECTIVE DATE.—The amendments made by
11	this section shall take effect as if included in the enact-
12	ment of section 1114 of the National Defense Authoriza-
13	tion Act for Fiscal Year 2002 (Public Law 107–107; 115
14	Stat. 1239).
15	SEC. 3. SPECIAL PAY ADJUSTMENTS FOR FEDERAL LAW
16	ENFORCEMENT OFFICERS IN CERTAIN
17	AREAS.
18	(a) In General.—Section 404(b)(1) of the Federal
19	Law Enforcement Pay Reform Act of 1990 (5 U.S.C.
20	5305 note) is amended by striking the matter after the
21	semicolon and inserting the following:
	"Area Differential Boston-Lawrence-Salem, MA-NH Consolidated Metropolitan

"Area	Differential
Boston-Lawrence-Salem, MA-NH Consolidated Metropolitan	
Statistical Area	24.4%
Chicago-Gary-Lake County, IL-IN-WI Consolidated Metropoli-	
tan Statistical Area	24.5%
Detroit-Ann Arbor-Flint, MI	18.5%
Hartford, CT	20.3%
Los Angeles-Anaheim-Riverside, CA Consolidated Metropolitan	
Statistical Area	27.1%

Differential

"Area

	New York-Northern New Jersey-Long Island, NY-NJ-CT Consolidated Metropolitan Statistical Area 26.1% Philadelphia-Wilmington-Trenton PA-NJ-DE-MD Consolidated Metropolitan Statistical Area 20.3% Portland-Salem, OR-WA 18.5% Sacramento-Yolo, CA 21% San Diego, CA Metropolitan Statistical Area 27.1% San Francisco-Oakland-San Jose, CA Consolidated Metropolitan Statistical Area 32.03% Seattle-Tacoma-Bremerton, WA 27.5% Washington-Baltimore, DC-MD-VA-WV Consolidated Metropolitan Statistical Area 24.3% 24.3%
1	(b) Effective Date.—The amendment made by
2	this section shall apply with respect to pay for service per-
3	formed in pay periods beginning on or after the date of
4	the enactment of this Act.
5	SEC. 4. SEPARATE PAY, EVALUATION, AND PROMOTION
6	SYSTEM FOR FEDERAL LAW ENFORCEMENT
6 7	SYSTEM FOR FEDERAL LAW ENFORCEMENT OFFICERS.
7	OFFICERS.
7 8	OFFICERS. (a) Study.—Not later than 6 months after the date
7 8 9	OFFICERS. (a) Study.—Not later than 6 months after the date of the enactment of this Act, the Office of Personnel Man-
7 8 9 10	officers. (a) Study.—Not later than 6 months after the date of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report
7 8 9 10 11	OFFICERS. (a) Study.—Not later than 6 months after the date of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report which shall contain its findings and recommendations re-
7 8 9 10 11 12	of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report which shall contain its findings and recommendations regarding the need for, and the potential benefits to be de-
7 8 9 10 11 12 13	of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report which shall contain its findings and recommendations regarding the need for, and the potential benefits to be derived from, the establishment of a separate pay, evalua-
7 8 9 10 11 12 13 14	of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report which shall contain its findings and recommendations regarding the need for, and the potential benefits to be derived from, the establishment of a separate pay, evaluation, and promotion system for Federal law enforcement
7 8 9 10 11 12 13 14 15	OFFICERS. (a) STUDY.—Not later than 6 months after the date of the enactment of this Act, the Office of Personnel Management shall study and submit to Congress a report which shall contain its findings and recommendations regarding the need for, and the potential benefits to be derived from, the establishment of a separate pay, evaluation, and promotion system for Federal law enforcement officers. In carrying out this subsection, the Office of Per-

1	Pay and Job Evaluation System for Federal Law Enforce-
2	ment Officers".
3	(b) Demonstration Project.—
4	(1) In general.—If, after completing its re-
5	port under subsection (a), the Office of Personnel
6	Management considers it to be appropriate, the Of-
7	fice shall implement, within 12 months after the
8	date of the enactment of this Act, a demonstration
9	project to determine whether a separate system for
10	Federal law enforcement officers (as described in
11	subsection (a)) would result in improved Federal
12	personnel management.
13	(2) APPLICABLE PROVISIONS.—Any demonstra-
14	tion project under this subsection shall be conducted
15	in accordance with the provisions of chapter 47 of
16	title 5, United States Code, except that a project
17	under this subsection shall not be taken into account
18	for purposes of the numerical limitation under sec-
19	tion $4703(d)(2)$ of such title.
20	(3) Permanent Changes.—Not later than 6
21	months before the demonstration project's scheduled
22	termination date, the Office of Personnel Manage-
23	ment shall submit to Congress—
24	(A) its evaluation of the system tested

under the demonstration project; and

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1	(B) recommendations as to whether or not
2	that system (or any aspects of that system)
3	should be continued or extended to other Fed-
4	eral law enforcement officers.
5	(e) Federal Law Enforcement Officer De-
6	FINED.—For purposes of this section, the term "Federal
7	law enforcement officer" means a law enforcement officer
8	as defined by section 8331 or 8401 of title 5, United
9	States Code, and, subsection (b)(2) notwithstanding, in-
10	cludes any such officer serving in or under the Federal
11	Bureau of Investigation.

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