

115TH CONGRESS
1ST SESSION

H. R. 3731

To provide overtime pay for employees of the United States Secret Service,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2017

Mr. KATKO (for himself, Mr. CUMMINGS, Mr. GOWDY, Mr. McCAUL, Mr. THOMPSON of Mississippi, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Mr. RATCLIFFE, Ms. NORTON, and Mr. DONOVAN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide overtime pay for employees of the United States
Secret Service, 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 “Secret Service Recruit-
5 ment and Retention Act of 2017”.

1 **SEC. 2. EXTENSION OF OVERTIME PAY EXCEPTION**
2 **THROUGH 2018 FOR PROTECTIVE SERVICES.**

3 (a) IN GENERAL.—The Overtime Pay for Protective
4 Services Act of 2016 (5 U.S.C. 5547 note) is amended—

5 (1) in the section heading for section 2, by
6 striking “**2016**” and inserting “**2016 THROUGH**
7 **2018**”; and

8 (2) by striking “during 2016” each place it ap-
9 pears and inserting “during 2016 through 2018”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall take effect as if enacted on December
12 31, 2016.

13 (c) REPORT ON EXTENSIONS.—Not later than Janu-
14 ary 30, 2018, and January 30, 2019, the Director of the
15 Secret Service shall submit to the Committee on Home-
16 land Security and the Committee on Oversight and Gov-
17 ernment Reform of the House of Representatives and the
18 Committee on Homeland Security and Governmental Af-
19 fairs of the Senate a report on the effects of the amend-
20 ment made by subsection (a)(2). The report shall include,
21 with respect to the previous calendar year—

22 (1) the total number of United States Secret
23 Service personnel receiving premium pay above the
24 premium pay limitation in subsection (a) of section
25 5547 of title 5, United States Code;

1 (2) the total amount of premium pay for that
2 calendar year paid to United States Secret Service
3 personnel above the premium pay limitation in such
4 subsection;

5 (3) the mean and median amount of premium
6 pay paid to United States Secret Service personnel
7 above the premium pay limitation in such sub-
8 section;

9 (4) the greatest amount paid to United States
10 Secret Service personnel above the premium pay lim-
11 itation in such subsection and the number of em-
12 ployees who received that amount;

13 (5) notwithstanding the amendments made by
14 subsection (a), the total number of United States
15 Secret Service personnel who were not fully com-
16 pensated for service because of the premium pay
17 earnings limitation in section 118 of the Treasury
18 and General Government Appropriations Act, 2001
19 (5 U.S.C. 5547 note);

20 (6) the total amount of premium pay United
21 States Secret Service personnel would have been
22 paid but for the premium pay earnings limitation in
23 such section; and

24 (7) a list of United States Secret Service per-
25 sonnel who, within the calendar year, received pre-

1 mium pay above the premium pay limitation in sub-
2 section (a) of section 5547 of title 5, United States
3 Code, and separated from the agency, including the
4 type of separation in each case.

5 **SEC. 3. RECRUITMENT AND RETENTION EFFORTS.**

6 (a) **THREAT ASSESSMENTS.**—

7 (1) **IN GENERAL.**—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of the Secret Service shall conduct updated
10 threat assessments on all individuals protected by
11 the United States Secret Service and provide such
12 assessments to the appropriate congressional com-
13 mittees. Such threat assessments shall not be con-
14 ducted for—

15 (A) the President, the Vice President, or
16 any spouses or children of the President or Vice
17 President; or

18 (B) former Presidents or Vice Presidents.

19 (2) **REQUIREMENT OF THREAT ASSESS-**
20 **MENTS.**—The threat assessments required under
21 paragraph (1) shall include a description of the
22 costs, including total annual costs, of the protection
23 of each individual.

24 (b) **RECRUITMENT AND RETENTION.**—Not later than
25 180 days after the date of the enactment of this Act, the

1 Director of the Secret Service shall submit to the appro-
2 priate congressional committees a report on the recruit-
3 ment and retention efforts of the Secret Service. Such re-
4 port shall include—

5 (1) data on the overall attrition rate for agency
6 personnel;

7 (2) information on the causes of employee attri-
8 tion and issues of low morale;

9 (3) a strategy for overhauling the agency's re-
10 cruitment and hiring process; and

11 (4) a strategy for improving retention of agency
12 personnel.

13 (c) EXTENSION OF PROTECTION.—Not later than 30
14 days after the Department of Homeland Security or the
15 United States Secret Service is directed by the President
16 or the Secretary of Homeland Security to extend the pro-
17 tection of an individual beyond the length of time that
18 would otherwise be provided to such individual, and such
19 protection is provided by the United States Secret Service,
20 the Secretary of Homeland Security, acting through the
21 Director of the Secret Service, shall submit to the appro-
22 priate congressional committees a notice of such extension,
23 including an updated threat assessment on such indi-
24 vidual.

1 (d) POLYGRAPH TEST QUESTIONS.—Not later than
2 10 days after the date of enactment of this Act, the Direc-
3 tor of the Secret Service shall submit to the appropriate
4 congressional committees a list of all questions asked in
5 calendar year 2016 on any polygraph exam the United
6 States Secret Service issued to an applicant for employ-
7 ment in the United States Secret Service.

8 (e) DEFINITIONS.—In this section, the term “appro-
9 priate congressional committees” means—

10 (1) the Committee on Homeland Security and
11 the Committee on Oversight and Government Re-
12 form of the House of Representatives; and

13 (2) the Committee on Homeland Security and
14 Governmental Affairs of the Senate.

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