

S 3427

Overtime Pay for Protective Services Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Dec 6, 2023

Current Status: Became Public Law No: 118-38.

Latest Action: Became Public Law No: 118-38. (Feb 6, 2024)

Law: 118-38 (Enacted Feb 6, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/3427>

Sponsor

Name: Sen. Graham, Lindsey [R-SC]

Party: Republican • State: SC • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coons, Christopher A. [D-DE]	D · DE		Dec 6, 2023
Sen. Grassley, Chuck [R-IA]	R · IA		Dec 6, 2023
Sen. Klobuchar, Amy [D-MN]	D · MN		Dec 6, 2023

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Discharged From	Dec 19, 2023

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
118 HR 5675	Related bill	Sep 22, 2023: Referred to the House Committee on Oversight and Accountability.

## **Overtime Pay for Protective Services Act of 2023**

This act generally extends through 2028 the authority to provide premium pay to protective services employees of the U.S. Secret Service even if it causes the employee's annual pay to exceed the statutory cap. The act also requires the Secret Service to provide related information to Congress.

Under the act, a protective services employee may receive premium pay even if the premium pay causes the employee's total annual pay to exceed the statutory cap that applies to these employees. (Generally, protective services employees' pay may not exceed the rate of basic pay payable for General Schedule 15 or the maximum rate payable for level V of the Executive Schedule.) Secret Service employees who perform routine administrative or technical work are not eligible for this premium pay.

The act provides that, if the act is enacted after December 31, 2023, the extension applies as if it were enacted on December 31, 2023.

Next, within 180 days of the act's enactment, the Secret Service must report to Congress on how it is addressing the demand for Secret Service protection personnel and recommend strategies for reducing the use of overtime. The act provides that such strategies must include the appointment of additional personnel, redistributing the workload amongst Secret Service personnel, solutions such that premium pay exceptions or waivers are not needed, and other improvements in operational efficiency.

The act also requires the Secret Service to report to Congress its projections for the following: (1) the number of employees receiving premium pay above the statutory cap; (2) the number of employees who were not fully compensated due to the statutory cap and the total amount that employees would have been paid without the cap; (3) the total, median, mean, and greatest amounts of premium pay above the cap; and (4) a list of personnel who received premium pay above the cap and separated from the agency.

This information must be provided no later than 30 days after the act's enactment for calendar year 2024. Thereafter, the report must be provided by December 31 for each calendar year through 2027 and updated quarterly. Further, the Secret Service must report to Congress on the effect that the act has had on this data.

## Actions Timeline

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- **Feb 6, 2024:** Signed by President.
- **Feb 6, 2024:** Became Public Law No: 118-38.
- **Jan 31, 2024:** Presented to President.
- **Jan 29, 2024:** Mr. Donalds moved to suspend the rules and pass the bill.
- **Jan 29, 2024:** Considered under suspension of the rules. (consideration: CR H258-260)
- **Jan 29, 2024:** DEBATE - The House proceeded with forty minutes of debate on S. 3427.
- **Jan 29, 2024:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jan 29, 2024:** Considered as unfinished business. (consideration: CR H266-267)
- **Jan 29, 2024:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 379 - 20 (Roll no. 21). (text: CR H258-259)
- **Jan 29, 2024:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 379 - 20 (Roll no. 21). (text: CR H258-259)
- **Jan 29, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 22, 2023:** Received in the House.
- **Dec 22, 2023:** Held at the desk.
- **Dec 20, 2023:** Message on Senate action sent to the House.
- **Dec 18, 2023:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Dec 18, 2023:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent. (consideration: CR S6025; text: CR S6025)
- **Dec 18, 2023:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S6025; text: CR S6025)
- **Dec 6, 2023:** Introduced in Senate
- **Dec 6, 2023:** Read twice and referred to the Committee on the Judiciary.