

## Overtime Pay for Protective Services Act of 2016

[Public Law 114–311]

[As Amended Through P.L. 118–38, Enacted February 6, 2024]

【Currency: This publication is a compilation of the text of Public Law 114–311. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To provide an increase in premium pay for protective services during 2016, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. [5 U.S.C. 5547 note] SHORT TITLE.

This Act may be cited as the “Overtime Pay for Protective Services Act of 2016”.

### SEC. 2. [5 U.S.C. 5547 note] PREMIUM PAY EXCEPTION DURING 2016 THROUGH 2028 FOR PROTECTIVE SERVICES.

(a) DEFINITIONS.—In this section—

(1) the term “covered employee” means any officer, employee, or agent employed by the United States Secret Service who performs protective services for an individual or event protected by the United States Secret Service during any of calendar years 2016 through 2028; and

(2) the term “protective services” does not include routine administrative or technical work that supports the daily operations of the United States Secret Service.

(b) EXCEPTION TO THE LIMITATION ON PREMIUM PAY FOR PROTECTIVE SERVICES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, including section 5547(a) of title 5, United States Code, and only to the extent that an appropriation is provided specifically in an appropriations Act for premium pay for a given calendar year in excess of the annual equivalent of the limitation on the rate of pay contained in section 5547(a), any covered employee may receive premium pay for protective services during each of calendar years 2016 through 2028, to the extent provided under section 118 of the Treasury and General Government Appropriations Act, 2001 (5 U.S.C. 5547 note).

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(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 118 of the Treasury and General Government Appropriations Act, 2001 (as enacted into law by section 1(3) of Public Law 106-554; 114 Stat. 2763A-134) is amended, in the first sentence, by inserting “or, if the employee qualifies for an exception to such limitation under section 2(b)(1) of the Overtime Pay for Protective Services Act of 2016, to the extent that such aggregate amount would exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code” after “of that limitation”.

(c) TREATMENT OF ADDITIONAL PAY.—If subsection (b) results in the payment of additional premium pay to a covered employee of a type that is normally creditable as basic pay for retirement or any other purpose, that additional pay shall not—

(1) be considered to be basic pay of the covered employee for any purpose; or

(2) be used in computing a lump-sum payment to the covered employee for accumulated and accrued annual leave under section 5551 or section 5552 of title 5, United States Code.

(d) AGGREGATE LIMIT.—With respect to the application of section 5307 of title 5, United States Code, the payment of any additional premium pay to a covered employee as a result of subsection (b) shall not be counted as part of the aggregate compensation of the covered employee.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect as if enacted on December 31, 2015.