

118TH CONGRESS
1ST SESSION

H. R. 6218

To provide for an overtime pay exception for protective services.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2023

Mr. KEAN of New Jersey introduced the following bill; which was referred to
the Committee on Oversight and Accountability

A BILL

To provide for an overtime pay exception for protective
services.

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. OVERTIME PAY EXCEPTION FOR PROTECTIVE**
4 **SERVICES.**

5 (a) COVERED EMPLOYEE DEFINED.—In this section,
6 the term “covered employee” means any Diplomatic Secu-
7 rity special agent who performs protective services for an
8 individual or event protected by the Diplomatic Service.

9 (b) EXCEPTION TO THE LIMITATION ON PREMIUM
10 PAY FOR PROTECTIVE SERVICES.—Notwithstanding any
11 other provision of law, and only to the extent that an ap-

1 appropriation is provided specifically in an appropriations
2 Act for premium pay for a given calendar year in excess
3 of the annual equivalent of the limitation on the rate of
4 pay contained in section 5547(a) of title 5, United States
5 Code, any covered employee may receive premium pay for
6 overtime performed while conducting protective security
7 functions.

8 (c) TREATMENT OF ADDITIONAL PAY.—If subsection
9 (b) results in the payment of additional premium pay to
10 a covered employee of a type that is normally creditable
11 as basic pay for retirement or any other purpose, that ad-
12 ditional pay may not—

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

15 (2) be used in computing a lump-sum payment
16 to the covered employee for accumulated and ac-
17 crued annual leave.

18 (d) AGGREGATE LIMIT.—With respect to the applica-
19 tion of section 5307 of title 5, United States Code, the
20 payment of any additional premium pay to a covered em-
21 ployee as a result of subsection (b) shall not be counted
22 as part of the aggregate compensation of the covered em-
23 ployee.

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