

112TH CONGRESS
1ST SESSION

H. R. 3387

To amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2011

Mr. KING of New York (for himself, Ms. HAHN, Mr. ACKERMAN, Mr. BISHOP of New York, Mr. FILNER, Mr. GRIMM, Mr. HOLT, Mr. LATOURETTE, and Mr. RUPPERSBERGER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost 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 Pay Equality Act”.

1 **SEC. 2. ADJUSTED DIFFERENTIALS.**

2 (a) IN GENERAL.—Paragraph (1) of section 404(b)
 3 of the Federal Law Enforcement Pay Reform Act of 1990
 4 (5 U.S.C. 5305 note) is amended by striking the matter
 5 after “follows:” and inserting the following:

| “Area | Differential |
|---|---------------------|
| Atlanta-Sandy Springs-Gainesville, GA-AL, CSA | 35.99% |
| Boston-Worcester-Manchester, MA-RI-NH, CSA, plus Barnstable County, MA, and Berwick, Eliot, Kittery, South Berwick, and York towns in York County, ME | 44.42% |
| Buffalo-Niagara-Cattaraugus, NY, CSA | 30.66% |
| Chicago-Naperville-Michigan City, IL-IN-WI, CSA | 42.73% |
| Cincinnati-Middletown-Wilmington, OH-KY-IN, CSA | 25.44% |
| Cleveland-Akron-Elyria, OH, CSA | 32.71% |
| Columbus-Marion-Chillicothe, OH, CSA | 28.02% |
| Dallas-Fort Worth, TX, CSA | 36.81% |
| Dayton-Springfield-Greenville, OH, CSA | 24.84% |
| Denver-Aurora-Boulder, CO, CSA, plus the Ft. Collins- Loveland, CO, MSA | 35.98% |
| Detroit-Warren-Flint, MI, CSA, plus Lenawee County, MI | 37.92% |
| Hartford-West Hartford-Willimantic, CT, CSA, plus the Springfield, MA, MSA and New London County, CT | 40.50% |
| Houston-Baytown-Huntsville, TX, CSA | 40.66% |
| Huntsville-Decatur, AL, CSA | 32.54% |
| Indianapolis-Anderson-Columbus, IN, CSA, plus Grant County, IN | 24.27% |
| Los Angeles-Long Beach-Riverside, CA, CSA, plus the Santa Barbara-Santa Maria-Goleta, CA, MSA and Edwards Air Force Base, CA | 43.90% |
| Miami-Fort Lauderdale-Pompano Beach, FL, MSA, plus Mon- roe County, FL | 35.55% |
| Milwaukee-Racine-Waukesha, WI, CSA | 30.53% |
| Minneapolis-St. Paul-St. Cloud, MN-WI, CSA | 33.29% |
| New York-Newark-Bridgeport, NY-NJ-CT-PA, CSA, plus Monroe County, PA, and Warren County, NJ | 50.28% |
| Philadelphia-Camden-Vineland, PA-NJ-DE-MD, CSA, plus Kent County, DE, Atlantic County, NJ, and Cape May County, NJ | 36.76% |
| Phoenix-Mesa-Scottsdale, AZ, MSA | 34.81% |
| Pittsburgh-New Castle, PA, CSA | 28.84% |
| Portland-Vancouver-Beaverton, OR-WA, MSA, plus Marion County, OR, and Polk County, OR | 33.56% |
| Raleigh-Durham-Cary, NC, CSA, plus the Fayetteville, NC, MSA, the Goldsboro, NC, MSA, and the Federal Correctional Complex, Butner, NC | 25.23% |
| Richmond, VA, MSA | 25.92% |
| Sacramento-Arden-Arcade-Yuba City, CA-NV, CSA, plus Car- son City, NV | 39.35% |
| San Diego-Carlsbad-San Marcos, CA, MSA | 43.49% |

| “Area | Differential |
|---|---------------------|
| San Jose-San Francisco-Oakland, CA, CSA, plus the Salinas, CA, MSA and San Joaquin County, CA | 59.65% |
| Seattle-Tacoma-Olympia, WA, CSA, plus Whatcom County, WA | 39.35% |
| Washington-Baltimore-Northern Virginia, DC–MD–VA–WV, CSA, plus the Hagerstown-Martinsburg, MD–WV, MSA, the York-Hanover-Gettysburg, PA, CSA, and King George County, VA | 53.94% |
| Rest of the United States (RUS) | 23.40%”. |

1 (b) SPECIAL RULES.—For purposes of the provision
2 of law amended by subsection (a)—

3 (1) the counties of Providence, Kent, Wash-
4 ington, Bristol, and Newport, RI, the counties of
5 York and Cumberland, ME, and the city of Concord,
6 NH, shall be treated as if located in the Boston-
7 Worcester-Lawrence, MA–NH–ME–CT–RI Consoli-
8 dated Metropolitan Statistical Area; and

9 (2) members of the Capitol Police shall be con-
10 sidered to be law enforcement officers within the
11 meaning of section 402 of the Federal Law Enforce-
12 ment Pay Reform Act of 1990.

13 (c) EFFECTIVE DATE.—The amendment made by
14 subsection (a)—

15 (1) shall take effect as if included in the enact-
16 ment of the Federal Law Enforcement Pay Reform
17 Act of 1990; and

18 (2) shall be effective only with respect to pay
19 for service performed in pay periods beginning on or
20 after the date of the enactment of this Act.

1 Subsection (b) shall be applied in a manner consistent
2 with the preceding sentence.

3 **SEC. 3. LIMITATION ON PREMIUM PAY.**

4 (a) IN GENERAL.—Section 5547 of title 5, United
5 States Code, is amended—

6 (1) in subsection (a), by striking “5545a,”;

7 (2) in subsection (c), by striking “or 5545a”;

8 and

9 (3) in subsection (d), by striking the period and
10 inserting “or a criminal investigator who is paid
11 availability pay under section 5545a.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect as if included in the enact-
14 ment of section 1114 of the National Defense Authoriza-
15 tion Act for Fiscal Year 2002 (Public Law 107–107; 115
16 Stat. 1239).

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