

116TH CONGRESS  
1ST SESSION

# S. 262

To provide for a pay increase in 2019 for certain civilian employees of the Federal Government, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2019

Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. WARNER, Mr. KAINE, Mr. SCHATZ, Ms. HIRONO, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide for a pay increase in 2019 for certain civilian employees of the Federal Government, 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 Civilian Work-  
5 force Pay Raise Fairness Act of 2019”.

6 **SEC. 2. PAY INCREASE FOR CERTAIN FEDERAL GOVERN-**  
7 **MENT EMPLOYEES IN 2019.**

8 (a) DEFINITIONS.—In this section—

1           (1) the term “career appointee” has the mean-  
2           ing given the term in section 3132(a) of title 5,  
3           United States Code;

4           (2) the term “excepted service” has the mean-  
5           ing given the term in section 2103 of title 5, United  
6           States Code;

7           (3) the term “FBI–DEA Senior Executive  
8           Service” means the personnel system described in  
9           section 3151(a) of title 5, United States Code; and

10          (4) the term “statutory pay system” has the  
11          meaning given the term in section 5302 of title 5,  
12          United States Code.

13          (b) STATUTORY PAY SYSTEMS.—For calendar year  
14          2019, the percentage adjustment under section 5303 of  
15          title 5, United States Code, in the rates of basic pay under  
16          the statutory pay systems shall be 2.6 percent.

17          (c) PREVAILING RATE EMPLOYEES.—Notwith-  
18          standing the wage survey requirements under section  
19          5343(b) of title 5, United States Code, for fiscal year  
20          2019, the rates of basic pay (as in effect on September  
21          30, 2018, under section 5343(a) of that title) for pre-  
22          vailing rate employees in each wage area and the rates  
23          of basic pay under sections 5348 and 5349 of that title  
24          shall be increased by 2.6 percent.

1 (d) SENIOR EXECUTIVE SERVICE CAREER AP-  
2 PPOINTEES.—For calendar year 2019, the rate of basic pay  
3 for any career appointee and for any career position in  
4 the FBI–DEA Senior Executive Service shall be the rate  
5 of pay in effect for the position on December 31, 2018,  
6 increased by 2.6 percent.

7 (e) SENIOR-LEVEL AND SCIENTIFIC AND PROFES-  
8 SSIONAL POSITIONS.—For calendar year 2019, the rate of  
9 basic pay for any position to which section 5376 of title  
10 5, United States Code, applies shall be the rate of pay  
11 in effect for the position on December 31, 2018, increased  
12 by 2.6 percent.

13 (f) EXCEPTED SERVICE.—For calendar year 2019,  
14 the rate of basic pay for any position in the excepted serv-  
15 ice shall be the rate of pay in effect for the position on  
16 December 31, 2018, increased by 2.6 percent.

17 (g) APPLICATION.—

18 (1) IN GENERAL.—The adjustments in pay  
19 made under this Act shall apply beginning on the  
20 date of enactment of this Act.

21 (2) OTHER ADJUSTMENTS PERMITTED; LIM-  
22 ITS.—Nothing in this Act may be construed to—

23 (A) limit any other increase, including an  
24 allowance, a performance award, or a bonus,

1 otherwise permitted under law to any rate of  
2 pay adjusted under this Act; or

3 (B) waive any provision of law, rule, or  
4 regulation, including section 5307 of title 5,  
5 United States Code, limiting total aggregate  
6 pay.

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