

105TH CONGRESS  
2D SESSION

# H. R. 3251

To modify the conditions that must be met before certain alternative pay authorities may be exercised by the President with respect to Federal employees.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1998

Mr. HOYER (for himself, Mr. WOLF, Mr. CUMMINGS, Mr. DAVIS of Virginia, Mr. FORD, Mr. WYNN, Ms. NORTON, Mr. MORAN of Virginia, Ms. PELOSI, Mrs. MORELLA, Mrs. MEEK of Florida, Mr. SISISKY, Mr. JEFFERSON, Mr. FILNER, Mr. CARDIN, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

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## A BILL

To modify the conditions that must be met before certain alternative pay authorities may be exercised by the President with respect to Federal employees.

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 Pay Fairness  
5 Act of 1998”.

1 **SEC. 2. LIMITATION ON AUTHORITY TO PROVIDE FOR AN**  
2 **ALTERNATIVE PAY PLAN.**

3 (a) **IN GENERAL.**—Paragraph (1) of section 5303(b)  
4 of title 5, United States Code, is amended by striking “If,  
5 because of national emergency or serious economic condi-  
6 tions affecting the general welfare,” and inserting “If, be-  
7 cause of a declared state of war or severe economic condi-  
8 tions,”.

9 (b) **SEVERE ECONOMIC CONDITIONS DEFINED.**—  
10 Section 5303(b) of title 5, United States Code, is amended  
11 by adding at the end the following:

12 “(4) For purposes of applying this subsection with  
13 respect to any pay adjustment that is to take effect in  
14 any calendar year, ‘severe economic conditions’ shall be  
15 considered to exist if, during the 12-month period ending  
16 2 calendar quarters before the date as of which such ad-  
17 justment is scheduled to take effect (as determined under  
18 subsection (a)), there occur 2 consecutive quarters of neg-  
19 ative growth in the real Gross Domestic Product.”.

20 (c) **CONFORMING AMENDMENT.**—Paragraph (2) of  
21 section 5303(b) of title 5, United States Code, is amended  
22 by striking “an economic condition affecting the general  
23 welfare under this subsection,” and inserting “economic  
24 conditions for purposes of this subsection,”.

1 **SEC. 3. LIMITATION ON AUTHORITY TO PROVIDE FOR AN**  
2 **ALTERNATIVE LEVEL OF COMPARABILITY**  
3 **PAYMENTS.**

4 (a) **IN GENERAL.**—Subsection (a) of section 5304a  
5 of title 5, United States Code, is amended by striking “If,  
6 because of national emergency or serious economic condi-  
7 tions affecting the general welfare,” and inserting “If, be-  
8 cause of a declared state of war or severe economic condi-  
9 tions,”.

10 (b) **SEVERE ECONOMIC CONDITIONS DEFINED.**—  
11 Section 5304a of title 5, United States Code, is amended  
12 by redesignating subsection (b) as subsection (c) and by  
13 inserting after subsection (a) the following:

14 “(b) For purposes of applying this section with re-  
15 spect to any comparability payments that are to become  
16 payable in any calendar year, ‘severe economic conditions’  
17 shall be considered to exist if, during the 12-month period  
18 ending 2 calendar quarters before the date as of which  
19 such payments are scheduled to take effect (as determined  
20 under section 5304(d)(2)), there occur 2 consecutive quar-  
21 ters of negative growth in the real Gross Domestic Prod-  
22 uct.”.

23 **SEC. 4. EFFECTIVE DATE.**

24 (a) **NEW STANDARDS APPLY STARTING WITH ANY**  
25 **ALTERNATIVE PAY PROPOSAL SCHEDULED TO TAKE EF-**  
26 **FECT AFTER 1998.**—The amendments made by this Act

1 shall apply with respect to any alternative pay adjust-  
2 ments under section 5303(b) of title 5, United States  
3 Code, and any alternative level of comparability payments  
4 under section 5304a of such title 5, scheduled to take ef-  
5 fect after 1998.

6 (b) TRANSITION PROVISIONS.—

7 (1) REVISED DEADLINE FOR ALTERNATIVE PAY  
8 PLAN REQUIRED TO BE SUBMITTED IN 1998.—For  
9 purposes of applying section 5303 of title 5, United  
10 States Code, with respect to any adjustment sched-  
11 uled to take effect in calendar year 1999, subsection  
12 (b) of such section (as amended by section 2) shall  
13 be applied by substituting “December 1” for “Sep-  
14 tember 1” in paragraph (1)(A) thereof.

15 (2) EFFECT OF AN ALTERNATIVE PAY PRO-  
16 POSAL SUBMITTED BASED ON EARLIER STAND-  
17 ARDS.—Any plan or report submitted under the pro-  
18 visions of section 5303(b) or 5304a of title 5, United  
19 States Code, as applicable, relating to any alter-  
20 native pay adjustments or alternative level of com-  
21 parability payments proposed to take effect after  
22 1998, if based on the standards specified in such  
23 provisions as in effect before the date of enactment  
24 of this Act—

25 (A) shall not be implemented; and

1                   (B) shall not preclude the submission of  
2                   any other plan or report under such provisions  
3                   as amended by this Act.

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