

Public Law 108-196
108th Congress

An Act

Dec. 19, 2003
[S. 1683]

To provide for a report on the parity of pay and benefits among Federal law enforcement officers and to establish an exchange program between Federal law enforcement employees and State and local law enforcement employees.

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

Federal Law Enforcement Pay and Benefits Parity Act of 2003. Inter-governmental relations. 5 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Law Enforcement Pay and Benefits Parity Act of 2003”.

SEC. 2. LAW ENFORCEMENT PAY AND BENEFITS PARITY REPORT.

(a) **DEFINITION.**—In this section, the term “law enforcement officer” means an individual—

(1)(A) who is a law enforcement officer defined under section 8331 or 8401 of title 5, United States Code; or

(B) the duties of whose position include the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States; and

(2) who is employed by the Federal Government.

Deadline.

(b) **REPORT.**—Not later than April 30, 2004, the Office of Personnel Management shall submit a report to the President of the Senate and the Speaker of the House of Representatives and the appropriate committees and subcommittees of Congress that includes—

(1) a comparison of classifications, pay, and benefits among law enforcement officers across the Federal Government; and

(2) recommendations for ensuring, to the maximum extent practicable, the elimination of disparities in classifications, pay and benefits for law enforcement officers throughout the Federal Government.

5 USC 3371 note.

SEC. 3. EMPLOYEE EXCHANGE PROGRAM BETWEEN FEDERAL EMPLOYEES AND EMPLOYEES OF STATE AND LOCAL GOVERNMENTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “employing agency” means the Federal, State, or local government agency with which the participating employee was employed before an assignment under the Program;

(2) the term “participating employee” means an employee who is participating in the Program; and

(3) the term “Program” means the employee exchange program established under subsection (b).

(b) **ESTABLISHMENT.**—The President shall establish an employee exchange program between Federal agencies that perform law enforcement functions and agencies of State and local governments that perform law enforcement functions. President.

(c) **CONDUCT OF PROGRAM.**—The Program shall be conducted in accordance with subchapter VI of chapter 33 of title 5, United States Code.

(d) **QUALIFICATIONS.**—An employee of an employing agency who performs law enforcement functions may be selected to participate in the Program if the employee—

(1) has been employed by that employing agency for a period of more than 3 years;

(2) has had appropriate training or experience to perform the work required by the assignment;

(3) has had an overall rating of satisfactory or higher on performance appraisals from the employing agency during the 3-year period before being assigned to another agency under this section; and

(4) agrees to return to the employing agency after completing the assignment for a period not less than the length of the assignment.

(e) **WRITTEN AGREEMENT.**—An employee shall enter into a written agreement regarding the terms and conditions of the assignment before beginning the assignment with another agency.

Approved December 19, 2003.

LEGISLATIVE HISTORY—S. 1683:

SENATE REPORTS: No. 108–207 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 149 (2003):

Nov. 25, considered and passed Senate.

Dec. 8, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Dec. 19, Presidential statement.