

annual leave under section 5551 or section 5552 of title 5, United States Code.

“(d) AGGREGATE LIMIT.—With respect to the application of section 5307 of title 5, United States Code, the payment of any additional premium pay to a covered employee as a result of subsection (b) shall not be counted as part of the aggregate compensation of the covered employee.

“(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect as if enacted on December 31, 2015.”

[Pub. L. 115–160, §2(b), Apr. 3, 2018, 132 Stat. 1246, provided that: “The amendments made by subsection (a) [amending Pub. L. 114–311, set out above, and section 1(a)(3) [title I, §118] of Pub. L. 106–554, set out below] shall take effect as if enacted on December 31, 2016.”]

PREMIUM PAY FOR PROTECTIVE SERVICES OF UNITED STATES SECRET SERVICE

Pub. L. 106–554, §1(a)(3) [title I, §118], Dec. 21, 2000, 114 Stat. 2763, 2763A–134, as amended by Pub. L. 107–107, div. A, title XI, §1114(b), Dec. 28, 2001, 115 Stat. 1240; Pub. L. 114–311, §2(b)(2), Dec. 16, 2016, 130 Stat. 1531; Pub. L. 115–160, §2(a)(2), Apr. 3, 2018, 132 Stat. 1246, provided that: “Hereafter, funds made available by this or any other Act may be used to pay premium pay for protective services authorized by section 3056(a) or 3056A of title 18, United States Code, without regard to the restrictions contained in section 5547 of title 5, United States Code, except that such premium pay shall not be payable to an employee to the extent that the aggregate of the employee’s basic and premium pay for the year would otherwise exceed the annual equivalent of that limitation or, if the employee qualifies for an exception to such limitation under section 2(b)(1) of the Overtime Pay for Protective Services Act of 2016 [Pub. L. 114–311, set out above], to the extent that such aggregate amount would exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code. The term premium pay refers to the provisions of law cited in the first sentence of section 5547(a) of title 5, United States Code. Payment of additional premium pay payable under this section may be made in a lump sum on the last payday of the calendar year.”

Similar provisions were contained in Pub. L. 106–58, title I, §118, Sept. 29, 1999, 113 Stat. 441.

[Pub. L. 115–160, §2(b), Apr. 3, 2018, 132 Stat. 1246, provided that: “The amendments made by subsection (a) [amending Pub. L. 114–311 and section 1(a)(3) [title I, §118] of Pub. L. 106–554, set out above] shall take effect as if enacted on December 31, 2016.”]

[For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

§ 5548. Regulations

(a) The Office of Personnel Management may prescribe regulations, subject to the approval of the President, necessary for the administration of this subchapter, except section 5545(d), insofar as this subchapter affects employees in or under an Executive agency.

(b) The Office shall prescribe regulations necessary for the administration of section 5545(d).

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 488; Pub. L. 90–83, §1(32), Sept. 11, 1967, 81 Stat. 201; Pub. L. 92–392, §12, Aug. 19, 1972, 86 Stat. 575; Pub. L. 95–454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224; Pub. L. 102–378, §2(44)(C), Oct. 2, 1992, 106 Stat. 1352.)

HISTORICAL AND REVISION NOTES
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 945.	June 30, 1945, ch. 212, §605, 59 Stat. 304.

The words “an Executive agency” are substituted for “the executive branch of the Government” to conform to the definition in section 105. Applicability of this section to employees of the General Accounting Office is based on former section 933a.

The remainder of the authority is covered by sections 5504 and 6101.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5548(b)	5 App.: 1072 (as applicable to 5 App.: 1134.) 5 App.: 1134(4) (6th through 9th words).	Oct. 28, 1949, ch. 782, §1101 (as applicable to §804, added July 19, 1966, Pub. L. 89–512, §1, 80 Stat. 318), 63 Stat. 971. July 19, 1966, Pub. L. 89–512, §1 “Sec. 804(4) (6th through 9th words)”, 80 Stat. 318.

This section consolidates into 5 U.S.C. 5548(b) general regulatory authority granted to the Civil Service Commission by section 1101 of the Classification Act of 1949 (as applicable to sec. 804 of that act, added by Public Law 89–512) and the specific requirement in section 804(4) of that act that the Commission prescribe regulations.

AMENDMENTS

1992—Subsec. (b). Pub. L. 102–378 substituted “section 5545(d)” for “sections 5545(d) and 5550 of this title”.

1978—Subsecs. (a), (b). Pub. L. 95–454 substituted “Office of Personnel Management” for “Civil Service Commission” and “Office” for “Commission”.

1972—Subsec. (a). Pub. L. 92–392, §12(a), struck out reference to section 5544 of this title.

Subsec. (b). Pub. L. 92–392, §12(b), inserted reference to section 5550 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95–454, set out as a note under section 1101 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92–392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92–392, set out as an Effective Date note under section 5341 of this title.

DELEGATION OF FUNCTIONS

Function vested in Office of Personnel Management under this section to be performed without approval of President, see section 1(1) of Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739, set out as a note under section 301 of Title 3, The President.

§ 5549. Effect on other statutes

This subchapter does not prevent payment for overtime services or for Sunday or holiday work under any of the following statutes—

- (1) section 10703 of the Farm Security and Rural Investment Act of 2002;
- (2) sections 1353a and 1353b of title 8;