

**Congress of the United States**  
**Washington, DC 20515**

November 15, 2016

The Honorable Hal Rogers  
Chairman  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Nita Lowey  
Ranking Member  
Committee on Appropriations  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Lowey:

We write today to support the inclusion in any legislation making appropriations for fiscal year 2017 of the provision included in Section 558 of S. 3001, the Homeland Security Appropriations bill for fiscal year 2017, that would ensure that Secret Service agents are eligible to be paid for the overtime they earn in each of the 2016 and 2020 presidential election years. We also urge the inclusion of adequate funding to ensure that the Secret Service can pay for additional overtime agents have earned in 2016 up to level I of the Executive Schedule.

Please find enclosed a recent *USA Today* article reporting that at least 1,000 Secret Service agents have already “maxed out” their annual overtime and salary under the cap on premium pay codified at 5 U.S.C. §5547, which prohibits agents from being paid for the overtime they work once they reach the maximum allowable annual salary for the pay rate of GS-15. According to the article, some agents reached the annual limit as early as June and have been ineligible to be paid for the considerable overtime required for the national political conventions and around-the-clock protection of the presidential candidates and their families.<sup>1</sup>

The Secret Service has a no-fail mission, and we cannot expect to achieve adequate staffing levels when so many agents are being asked to work overtime for free. While the enactment of provisions that would permanently authorize an increase in the annual compensation limit for agents during years with presidential elections would best ensure the retention of Secret Service’s most experienced agents, enacting the waiver provision in S. 3001 is an essential first step. Therefore, we urge that the House recede and accept the provisions contained in S. 3001, Section 558, which would authorize raising the annual compensation limit in 2016 and 2020 and also raise the annual limit up to level I of the Executive Schedule to ensure that the men and women of the Secret Service receive fair compensation for their work fulfilling the agency’s critical mission.

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<sup>1</sup> *Hundreds of Secret Service Agents Maxed Out on Overtime*, USA Today (Oct. 23, 2016) (online at [www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456](http://www.usatoday.com/story/news/politics/2016/10/23/hundreds-secret-service-agents-maxed-out-overtime/92526456)).

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The Honorable Nita Lowey, Ranking Member  
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Sincerely,



Elijah E. Cummings  
Ranking Member  
Committee on Oversight and  
Government Reform



Bennie G. Thompson  
Ranking Member  
Committee on Homeland Security

Enclosure

cc: The Honorable Thad Cochran, Chairman  
Senate Committee on Appropriations

The Honorable Barbara Mikulski, Vice Chairwoman  
Senate Committee on Appropriations

# Hundreds of Secret Service agents maxed out on overtime



[Kevin Johnson](#), USA TODAY 3:25 p.m. EDT October 23, 2016

U.S. Secret Service Director Joseph Clancy talks about the last year at the agency, increased hiring and the passionate political campaigns. Nikita Mandhani, USA TODAY

WASHINGTON — At least 1,000 U.S. Secret Service agents, about a third of the agent workforce, already have maxed out annual overtime and salary allowances, a consequence of the contentious political season's unprecedented demands and the agency's primary mission to secure the White House and its current occupants, according to agency records.

Some of the service's most veteran agents, officials said, reached their combined compensation limits — a maximum of \$160,300 — as early as June and were not eligible for overtime during the national political conventions, which the Secret Service secures, nor for the frenetic general election during which agents have provided round-the-clock protection for the candidates and their families.

The crushing workload and caps on compensation are raising fresh concerns among federal lawmakers as the agency seeks to move beyond the shadow of a series of past security breaches and agent misconduct.

"Agents are tapped out," said Maryland Rep. Elijah Cummings, the ranking Democrat on the House Oversight and Government Reform Committee, which has closely examined the service's operations during the past two years.

"There has been so much activity related to the presidential campaign, they (agents) are now working and not getting paid for it. Congress cannot just stand on the sidelines and complain; we have to step in and do something."

Working conditions and morale have been persistent issues raised by federal lawmakers and independent reviewers since the first disclosures of problems at the agency four years ago. Those included the breach of the White House by a troubled Army veteran who barreled through the mansion's front door before he was stopped by authorities. The incident and other lapses prompted the resignation of Julia Pierson, the first woman to lead the agency, and the appointment of retired agent Joseph Clancy, who has directed the service since 2014.

A special investigative panel, formed after the White House breach, found that special agents and uniform officers worked "an unsustainable number of hours."

While the service is now in the midst of the most ambitious hiring campaign in more than a decade, with the goal to add more than 1,000 agents and uniform officers, the responsibilities of the agency have not relented, as the past 12 months have been the busiest in its history.

"It's been an incredible sacrifice," Clancy said in an interview with USA TODAY, adding that the hiring program is running parallel with the enormous security effort required during the current tense political season, a stretch that has included the largely incident-free conventions in Philadelphia and Cleveland despite the high-anxiety that preceded them.

"We're really pushing because we've had to," Clancy said. "We couldn't sit back and say, 'Let's get through the campaign then we'll address other issues.' I know they (agents and officers) are sacrificing."

The security effort, meanwhile, has had to account for "bolder" crowds at campaign rallies and events, said the director, whose career with the agency dates to the Reagan administration.

"We've had six times where people have jumped over a bike rack, the buffer we set in front of the stage," Clancy said. "In years past, we wouldn't have that."

He said the aggressive behavior has required some alterations to the agency's protection plan.

"I won't go into all those changes," he said, "but we absolutely do change the way we post people or the number of people we have at a particular site. We always adjust."

Even some of the agency's most vocal critics have taken notice of the service's recent security successes, but there is continuing concern about the cumulative effect of the ongoing staffing stresses with the security of the inauguration looming amid recent declarations by Republican presidential nominee Donald Trump that he may not accept the nation's verdict on Election Day."

Rep. Jason Chaffetz, R-Utah (Photo: Chip Somodevilla, Getty Images)

"They are under tremendous stress," said Utah Rep. Jason Chaffetz, the Republican chairman of the House Oversight and Government Reform Committee, "They (agents) are constantly on the road."

Seeking to reduce the pressure, Chaffetz has sought support for eliminating the agency's cyber and investigative mission aimed at guarding the nation's financial institutions. That proposal, however, is strongly opposed by Clancy, who argues that the investigative skills developed as part of that mission only augment the agency's protective responsibility.

Although Chaffetz said the recent, major security operations "went very well," there is lingering anxiety.

"It's stuff that's happening or not happening behind the scenes, that's what scares me," he said."

Cummings said the agency's recent performance, however, signals a positive move away from a "culture of complacency and mediocrity."

"The question is, will we give (Clancy) the resources he needs to perform at the next level?" the Maryland congressman said. "It's one thing to say it, it's another thing to do it. That's on us (Congress)."