

112TH CONGRESS
1ST SESSION

H. R. 1248

To amend title 5, United States Code, to provide that civilian employees of the Department of Defense performing unsatisfactory work shall not be eligible for annual nationwide adjustments to pay schedules.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2011

Mr. WEST introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to provide that civilian employees of the Department of Defense performing unsatisfactory work shall not be eligible for annual nationwide adjustments to pay schedules.

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. DENIAL OF PAY ADJUSTMENTS FOR UNSATIS-**

4 **FACTORY PERFORMANCE.**

5 (a) IN GENERAL.—Section 5303 of title 5, United

6 States Code, is amended by adding at the end the fol-

7 lowing:

1 “(h)(1) Notwithstanding any other provision of this
2 section, an adjustment under this section shall not be
3 made in the case of any employee of the Department of
4 Defense having an unacceptable performance rating.

5 “(2) For purposes of administering any provision of
6 law, rule, or regulation which—

7 “(A) provides premium pay, retirement, life in-
8 surance, or any other employee benefit which re-
9 quires any deduction or contribution,

10 “(B) imposes any requirement or limitation, or
11 “(C) requires any other computation (such as
12 under section 5304(c)(1)(B)),

13 on the basis of a rate of basic pay, the rate of basic pay
14 payable after the application of paragraph (1) shall be
15 treated as the rate of basic pay for the employee in-
16 volved.”.

17 (b) REGULATIONS.—The Secretary of Defense, in
18 consultation with the Director of the Office of Personnel
19 Management, may prescribe any regulations necessary to
20 carry out the purposes of this section.

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