

AMENDMENT TO RULES COMMITTEE PRINT

119–33

OFFERED BY MR. BRESNAHAN OF PENNSYLVANIA

Insert in the appropriate place in title XVII of division A the following:

1 **Subtitle _____—Federal Correctional**
2 **Officer Paycheck Protection Act**
3 **of 2026**

4 **SEC. 17____. SHORT TITLE.**

5 This title may be cited as the “Federal Correctional
6 Officer Paycheck Protection Act of 2026”.

7 **SEC. 17____. SPECIAL BASE RATES OF PAY FOR FEDERAL**
8 **CORRECTIONAL OFFICERS.**

9 (a) IN GENERAL.—Subchapter III of chapter 53 of
10 title 5, United States Code, is amended by inserting after
11 section 5332a the following:

12 **“§ 5332b. Special base rates of pay for Federal correc-**
13 **tional officers**

14 “(a) DEFINITIONS.—In this section—

15 “(1) the term ‘Federal correctional officer’
16 means a correctional officer (without regard to
17 whether the position of the individual is classified in

1 the 0007 series established by the Office of Per-
2 sonnel Management)—

3 “(A) who is employed by the Bureau of
4 Prisons; and

5 “(B)(i) the duties of the position of
6 whom—

7 “(I) primarily relate to the custody,
8 control, or supervision of inmates within
9 the Bureau of Prisons; or

10 “(II) routinely include direct inmate
11 contact in a custodial setting;

12 “(ii) who, in the case of an employee who
13 holds a supervisory or administrative position
14 and is subject to subchapter III of chapter 83
15 or chapter 84, but who does not qualify to be
16 considered a law enforcement officer within the
17 meaning of section 8331(20) or 8401(17), as
18 applicable, holds a position, the duties of which,
19 if they included routine custodial inmate con-
20 tact, would be as described in clause (i); or

21 “(iii) who, in the case of an employee who
22 is not subject to subchapter III of chapter 83
23 or chapter 84, holds a position that the Office
24 of Personnel Management, pursuant to written
25 position classification applicable to the Bureau

1 of Prisons, determines would satisfy clause (i)
2 or (ii) if the employee were subject to sub-
3 chapter III of chapter 83 or chapter 84;

4 “(2) the term ‘General Schedule base rate’
5 means an annual rate of basic pay established under
6 section 5332 before any additions, such as a locality-
7 based comparability payment under section 5304 or
8 5304a or a special rate supplement under section
9 5305; and

10 “(3) the term ‘LEO special base rate’ has the
11 meaning given the term in section 531.602 of title
12 5, Code of Federal Regulations, or any successor
13 regulation.

14 “(b) SPECIAL BASE RATES OF PAY.—

15 “(1) ENTITLEMENT TO SPECIAL RATE.—Not-
16 withstanding section 5332, a Federal correctional of-
17 ficer is entitled to a special base rate of pay, which
18 shall—

19 “(A) replace the otherwise applicable Gen-
20 eral Schedule base rate or LEO special base
21 rate for the Federal correctional officer;

22 “(B) be basic pay for all purposes, includ-
23 ing the purposes of applying—

24 “(i) sections 5304, 5304a, and 5595;

25 “(ii) subchapter V of chapter 55; and

1 “(iii) chapters 83 and chapter 84; and

2 “(C) be computed as provided in para-
3 graph (2) and adjusted at the time of adjust-
4 ments in the General Schedule base rate or
5 LEO special base rate.

6 “(2) COMPUTATION.—The special base rate for
7 a Federal correctional officer shall be calculated by
8 increasing the applicable General Schedule base rate
9 or LEO special base rate for the Federal correc-
10 tional officer by 35 percent and rounding the result
11 to the nearest whole dollar, provided that such spe-
12 cial base rate does not exceed the rate of basic pay
13 payable for level V of the Executive Schedule.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for subchapter III of chapter 53 of title 5, United States
16 Code, is amended by inserting after the item relating to
17 section 5332a the following:

“5332b. Special base rates of pay for Federal correctional officers.”.

18 (c) CERTAIN PREVAILING RATE EMPLOYEES.—Sec-
19 tion 5343 of title 5, United States Code, is amended by
20 adding at the end the following:

21 “(h)(1) In this subsection, the term ‘covered em-
22 ployee’ means an employee—

23 “(A) who is described in section 5342(a)(2)(A)
24 and is employed by the Bureau of Prisons;

25 “(B) the duties of the position of whom—

1 “(i) primarily relate to the custody, con-
2 trol, or supervision of inmates; or

3 “(ii) routinely include direct inmate con-
4 tact in a custodial setting; and

5 “(C) the position of whom is classified as not
6 higher than grade 9 of the Federal Wage System.

7 “(2) The Attorney General shall increase the wage
8 rates of each covered employee by 35 percent.

9 “(3) An increased wage rate under paragraph (2)
10 shall be basic pay for the same purposes as the wage rate
11 otherwise established under this section.

12 “(4) An increase under this subsection may not cause
13 the wage rate of an employee to increase to a rate that
14 would produce an annualized rate in excess of the annual
15 rate for level IV of the Executive Schedule.”.

16 **SEC. 17____. APPLICATION.**

17 (a) DEFINITION.—In this section, the term “Federal
18 correctional officer” has the meaning given the term in
19 section 5332b(a) of title 5, United States Code, as added
20 by section 17____ of this title.

21 (b) SUNSET.—Subject to subsection (c), on the date
22 that is 5 years after the date of enactment of this Act,
23 the authority provided under sections 5332b and 5343(h)
24 of title 5, United States Code, as added by section 17____

1 of this title, shall terminate and those sections are re-
2 pealed.

3 (c) REVIEW AND DETERMINATION.—

4 (1) REVIEW.—Not later than 180 days before
5 the expiration of the 5-year period described in sub-
6 section (b), the Inspector General of the Department
7 of Justice (referred to in this section as the “Inspec-
8 tor General”) shall conduct a review, and submit a
9 report on that review to Congress, of—

10 (A) the extent to which the Bureau of
11 Prisons has, pursuant to the authority provided
12 under sections 5332b and 5343(h) of title 5,
13 United States Code, as added by section
14 17____ of this title—

15 (i) reduced or eliminated the use of
16 non-custodial employees to perform the du-
17 ties of Federal correctional officers (com-
18 monly known as, and referred to in this
19 section as, “augmentation”); and

20 (ii) reduced excessive mandatory over-
21 time for Federal correctional officers; and

22 (B) the impact of the special base rates of
23 pay under sections 5332b and 5343(h) of title
24 5, United States Code, as added by section
25 17____ of this title, on recruitment, retention,

1 and institutional safety with respect to Federal
2 correctional officers.

3 (2) CONTINUING AUTHORITY.—

4 (A) DETERMINATION.—If, under the re-
5 view conducted under paragraph (1), the In-
6 spector General determines that the Bureau of
7 Prisons has demonstrated measurable progress
8 in eliminating augmentation and reducing ex-
9 cessive mandatory overtime for Federal correc-
10 tional officers, subsection (b) of this section
11 shall have no force or effect and the authority
12 provided under sections 5332b and 5343(h) of
13 title 5, United States Code, as added by section
14 17_____ of this title, shall continue to apply.

15 (B) NOTICE.—The Inspector General shall
16 include a determination made under subpara-
17 graph (A) in the report submitted to Congress
18 under paragraph (1).

