

CPM 2001-2

United States Office of Personnel Management

January 25, 2001

**MEMORANDUM FOR HUMAN RESOURCES DIRECTORS (CPM 2001-2)**

**FROM: HENRY ROMERO  
ASSOCIATE DIRECTOR  
FOR WORKFORCE COMPENSATION  
AND PERFORMANCE**

**SUBJECT: Recent Legislative Changes**

This is to inform you of several changes in pay and leave administration resulting from recent legislation.

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**III. Public Law 106-558, An Act to Amend The National Forest and Public Lands of Nevada Enhancement Act of 1988 . . . , December 21, 2000**

**Overtime Pay for Wildland Firefighters**

Section 2 of Public Law 106-558 amends section 5542(a) of title 5, United States Code, by adding a new paragraph (5), which authorizes an overtime hourly rate of pay equal to one and one-half times the hourly rate of basic pay for certain wildland firefighters. New section 5542(a)(5) is applicable only to wildland firefighters who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938, as amended, and who are employees of the Department of the Interior or the United States Forest Service of the Department of Agriculture. The authority also is applicable to wildland firefighters only while they are engaged in wildland fire suppression activities.

Section 2 becomes effective on the first day of the first applicable pay period beginning on or after 30 days after December 21, 2000 (January 20, 2001), and applies only with respect to funds appropriated after December 21, 2000.

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S. 439

One Hundred Sixth Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday,  
the twenty-fourth day of January, two thousand and one*

An Act

To amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

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

**SECTION 1. ADJUSTMENT OF BOUNDARY OF THE TOIYABE NATIONAL FOREST, NEVADA.**

Section 4(a) of the National Forest and Public Lands of Nevada Enhancement Act of 1988 (102 Stat. 2750) is amended—

(1) by striking “Effective” and inserting “(1) Effective”;

and

(2) by adding at the end the following:

“(2) Effective on the date of enactment of this paragraph, the portion of the land transferred to the Secretary of Agriculture under paragraph (1) situated between the lines marked ‘Old Forest Boundary’ and ‘Revised National Forest Boundary’ on the map entitled ‘Nevada Interchange “A”, Change 1’, and dated September 16, 1998, is transferred to the Secretary of the Interior.”.

**SEC. 2. OVERTIME PAY FOR CERTAIN FIREFIGHTERS.**

(a) IN GENERAL.—Section 5542(a) of title 5, United States Code, is amended by adding at the end the following:

“(5) Notwithstanding paragraphs (1) and (2), for an employee of the Department of the Interior or the United States Forest Service in the Department of Agriculture engaged in emergency wildland fire suppression activities, the overtime hourly rate of pay is an amount equal to one and one-half times the hourly rate of basic pay of the employee, and all that amount is premium pay.”.

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(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first applicable pay period beginning on or after the end of the 30-day period beginning on the date of the enactment of this Act, and shall apply only to funds appropriated after the date of the enactment of this Act.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*