

EO 13249

Title 3—The President

In the judgment of the National Mediation Board, this dispute threatens substantially to interrupt interstate commerce to a degree that would deprive sections of the country of essential transportation service.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including sections 10 and 201 of the Act (45 U.S.C. 160 and 181), it is hereby ordered as follows:

Section 1. *Establishment of the Board (Board).* There is established, effective December 21, 2001, a Board of three members to be appointed by the President to investigate and report on this dispute. No member may be pecuniarily or otherwise interested in any organization of airline employees or any air carrier. The Board shall perform its functions subject to the availability of funds.

Sec. 2. *Report.* The Board shall report to the President with respect to this dispute within 30 days of its creation.

Sec. 3. *Maintaining Conditions.* As provided by section 10 of the Act, from the date of the creation of the Board and for 30 days after the Board has submitted its report to the President, no change in the conditions out of which the dispute arose shall be made by the parties to the controversy, except by the agreement of the parties.

Sec. 4. *Records Maintenance.* The records and files of the Board are records of the Office of the President and upon the Board's termination shall be maintained in the physical custody of the National Mediation Board.

Sec. 5. *Expiration.* The Board shall terminate upon the submission of the report provided for in section 2 of this order.

GEORGE W. BUSH

THE WHITE HOUSE,
December 20, 2001.

Executive Order 13249 of December 28, 2001

Adjustments of Certain Rates of Pay

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the laws cited herein, it is hereby ordered as follows:

Section 1. *Statutory Pay Systems.* The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(a), are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

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Sec. 2. *Senior Executive Service.* The rates of basic pay for senior executives in the Senior Executive Service, as adjusted under 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. *Executive Salaries.* The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312–5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

Sec. 4. *Uniformed Services.* Pursuant to section 601 of S. 1438, the National Defense Authorization Act for Fiscal Year 2002 (which I signed into law on December 28, 2001), the rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. *Locality-Based Comparability Payments.* (a) Pursuant to sections 5304 and 5304a of title 5, United States Code, and in accordance with section 646(a) of the Treasury and General Government Appropriations Act, 2002, Public Law 107–67, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

Sec. 6. *Administrative Law Judges.* The rates of basic pay for administrative law judges, as adjusted under 5 U.S.C. 5372(b)(4), are set forth on Schedule 10 attached hereto and made a part hereof.

Sec. 7. *Effective Dates.* Schedule 8 is effective on January 1, 2002. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2002.

Sec. 8. *Prior Order Superseded.* Executive Order 13182 of December 23, 2000, is superseded.

GEORGE W. BUSH

THE WHITE HOUSE,
December 28, 2001.

SCHEDULE 1--GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| \$14,757 | \$15,249 | \$15,740 | \$16,228 | \$16,720 | \$17,009 | \$17,492 | \$17,981 | \$18,001 | \$18,456 |
| 16,592 | 16,985 | 17,535 | 18,001 | 18,201 | 18,736 | 19,271 | 19,806 | 20,341 | 20,876 |
| 18,103 | 18,706 | 19,309 | 19,912 | 20,515 | 21,118 | 21,721 | 22,324 | 22,927 | 23,530 |
| 20,322 | 20,999 | 21,676 | 22,353 | 23,030 | 23,707 | 24,384 | 25,061 | 25,738 | 26,415 |
| 22,737 | 23,495 | 24,253 | 25,011 | 25,769 | 26,527 | 27,285 | 28,043 | 28,801 | 29,559 |
| 25,344 | 26,189 | 27,034 | 27,879 | 28,724 | 29,569 | 30,414 | 31,259 | 32,104 | 32,949 |
| 28,164 | 29,103 | 30,042 | 30,981 | 31,920 | 32,859 | 33,798 | 34,737 | 35,676 | 36,615 |
| 31,191 | 32,231 | 33,271 | 34,311 | 35,351 | 36,391 | 37,431 | 38,471 | 39,511 | 40,551 |
| 34,451 | 35,599 | 36,747 | 37,895 | 39,043 | 40,191 | 41,339 | 42,487 | 43,635 | 44,783 |
| 37,939 | 39,204 | 40,469 | 41,734 | 42,999 | 44,264 | 45,529 | 46,794 | 48,059 | 49,324 |
| 41,684 | 43,073 | 44,462 | 45,851 | 47,240 | 48,629 | 50,018 | 51,407 | 52,796 | 54,185 |
| 49,959 | 51,624 | 53,289 | 54,954 | 56,619 | 58,284 | 59,949 | 61,614 | 63,279 | 64,944 |
| 59,409 | 61,389 | 63,369 | 65,349 | 67,329 | 69,309 | 71,289 | 73,269 | 75,249 | 77,229 |
| 70,205 | 72,545 | 74,885 | 77,225 | 79,565 | 81,905 | 84,245 | 86,585 | 88,925 | 91,265 |
| 82,580 | 85,333 | 88,086 | 90,839 | 93,592 | 96,345 | 99,098 | 101,851 | 104,604 | 107,357 |

SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2002)

| Step | Executive Orders | | | | | | | | |
|------|------------------|----------|----------|----------|----------|----------|----------|----------|----------|
| | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 | Class 6 | Class 7 | Class 8 | Class 9 |
| 1 | \$82,580 | \$66,914 | \$54,220 | \$43,934 | \$35,599 | \$31,825 | \$28,450 | \$25,434 | \$22,737 |
| 2 | 85,057 | 68,921 | 55,847 | 45,252 | 36,667 | 32,780 | 29,304 | 26,197 | 23,419 |
| 3 | 87,609 | 70,989 | 57,522 | 46,610 | 37,767 | 33,763 | 30,183 | 26,983 | 24,122 |
| 4 | 90,237 | 73,119 | 59,248 | 48,008 | 38,900 | 34,776 | 31,088 | 27,792 | 24,845 |
| 5 | 92,945 | 75,312 | 61,025 | 49,448 | 40,067 | 35,819 | 32,021 | 28,626 | 25,591 |
| 6 | 95,733 | 77,572 | 62,856 | 50,932 | 41,269 | 36,894 | 32,981 | 29,485 | 26,358 |
| 7 | 98,605 | 79,899 | 64,742 | 52,459 | 42,507 | 38,001 | 33,971 | 30,370 | 27,149 |
| 8 | 101,563 | 82,296 | 66,684 | 54,033 | 43,782 | 39,141 | 34,990 | 31,281 | 27,964 |
| 9 | 104,610 | 84,765 | 68,684 | 55,654 | 45,096 | 40,315 | 36,040 | 32,219 | 28,803 |
| 10 | 107,357 | 87,308 | 70,745 | 57,324 | 46,449 | 41,524 | 37,121 | 33,186 | 29,667 |
| 11 | 107,357 | 89,927 | 72,867 | 59,044 | 47,842 | 42,770 | 38,234 | 34,181 | 30,557 |
| 12 | 107,357 | 92,625 | 75,053 | 60,815 | 49,277 | 44,053 | 39,381 | 35,207 | 31,473 |
| 13 | 107,357 | 95,403 | 77,305 | 62,639 | 50,756 | 45,375 | 40,563 | 36,263 | 32,418 |
| 14 | 107,357 | 98,265 | 79,624 | 64,519 | 52,278 | 46,736 | 41,780 | 37,351 | 33,390 |

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**SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES
DEPARTMENT OF VETERANS AFFAIRS**

(Effective on the first day of the first applicable pay period
beginning on or after January 1, 2002)

Schedule for the Office of the Under Secretary for Health
(38 U.S.C. 7306)*

| | | | |
|---|----------------|----------------|-----|
| Deputy Under Secretary for Health | | \$140,243 | ** |
| Associate Deputy Under Secretary for Health | | 134,327 | *** |
| Assistant Under Secretaries for Health | | 130,367 | *** |
| | <u>Minimum</u> | <u>Maximum</u> | |
| Medical Directors | \$111,230 | \$126,064 | *** |
| Service Directors | 96,851 | 120,282 | |
| Director, National Center for Preventive Health | 82,580 | 120,282 | |
| Physician and Dentist Schedule | | | |
| Director Grade | \$96,851 | \$120,282 | |
| Executive Grade | 89,432 | 113,978 | |
| Chief Grade | 82,580 | 107,357 | |
| Senior Grade | 70,205 | 91,265 | |
| Intermediate Grade | 59,409 | 77,229 | |
| Full Grade | 49,959 | 64,944 | |
| Associate Grade | 41,684 | 54,185 | |
| Clinical Podiatrist and Optometrist Schedule | | | |
| Chief Grade | \$82,580 | \$107,357 | |
| Senior Grade | 70,205 | 91,265 | |
| Intermediate Grade | 59,409 | 77,229 | |
| Full Grade | 49,959 | 64,944 | |
| Associate Grade | 41,684 | 54,185 | |
| Physician Assistant and Expanded-Function Dental Auxiliary Schedule **** | | | |
| Director Grade | \$82,580 | \$107,357 | |
| Assistant Director Grade | 70,205 | 91,265 | |
| Chief Grade | 59,409 | 77,229 | |
| Senior Grade | 49,959 | 64,944 | |
| Intermediate Grade | 41,684 | 54,185 | |
| Full Grade | 34,451 | 44,783 | |
| Associate Grade | 29,646 | 38,538 | |
| Junior Grade | 25,344 | 32,949 | |

- * This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Services. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.
- ** Pursuant to section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$130,000.
- *** Pursuant to section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$121,600.
- **** Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

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SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

| | |
|----------------|-----------|
| ES-1 | \$113,000 |
| ES-2 | 118,300 |
| ES-3 | 123,700 |
| ES-4 | 129,800 |
| ES-5 | 130,000 |
| ES-6 | 130,000 |

SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

| | |
|--------------------|-----------|
| level I | \$166,700 |
| level II | 150,000 |
| level III. | 138,200 |
| level IV | 130,000 |
| level V | 121,600 |

SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

| | |
|---|-----------|
| Vice President | \$192,600 |
| Senators | 150,000 |
| Members of the House of Representatives. | 150,000 |
| Delegates to the House of Representatives. | 150,000 |
| Resident Commissioner from Puerto Rico | 150,000 |
| President pro tempore of the Senate. | 166,700 |
| Majority leader and minority leader of the Senate. | 166,700 |
| Majority leader and minority leader of the House of Representatives | 166,700 |
| Speaker of the House of Representatives. | 192,600 |

SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

| | |
|--|-----------|
| Chief Justice of the United States | \$192,600 |
| Associate Justices of the Supreme Court. | 184,400 |
| Circuit Judges | 159,100 |
| District Judges. | 150,000 |
| Judges of the Court of International Trade | 150,000 |

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SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 2)
YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

| Pay Grade | 2 or Less | Over 2 | Over 3 | Over 4 | Over 6 | Over 8 | Over 10 | Over 12 | Over 14 | Over 16 | Over 18 | Over 20 | Over 22 | Over 24 | Over 26 | |
|------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|--|
| W-5 | | | | | | | | | | | | | | | | |
| W-4 | \$2,869.60 | \$3,108.60 | \$3,198.00 | \$3,285.90 | \$3,437.10 | \$3,586.50 | \$3,737.70 | \$3,865.10 | \$4,038.00 | \$4,184.40 | \$4,334.40 | \$4,480.80 | \$5,136.00 | \$5,307.00 | \$5,478.60 | |
| W-3 | 2,638.80 | 2,862.00 | 2,862.00 | 2,898.90 | 3,017.40 | 3,152.40 | 3,330.90 | 3,439.50 | 3,558.30 | 3,693.90 | 3,828.60 | 3,963.30 | 4,098.30 | 4,233.30 | 4,368.90 | |
| W-2 | 2,321.40 | 2,454.00 | 2,569.80 | 2,654.10 | 2,726.40 | 2,875.20 | 2,984.40 | 3,093.90 | 3,200.40 | 3,318.00 | 3,438.90 | 3,559.80 | 3,680.10 | 3,801.30 | 3,801.30 | |
| W-1 | 2,049.90 | 2,217.60 | 2,330.10 | 2,402.70 | 2,511.90 | 2,624.70 | 2,737.80 | 2,850.00 | 2,963.70 | 3,077.10 | 3,189.90 | 3,275.10 | 3,275.10 | 3,275.10 | 3,275.10 | |
| WARRANT OFFICERS | | | | | | | | | | | | | | | | |
| ENLISTED MEMBERS | | | | | | | | | | | | | | | | |
| E-9 * | | | | | | | \$3,423.90 | \$3,501.30 | \$3,599.40 | \$3,714.60 | \$3,830.40 | \$3,944.10 | \$4,098.30 | \$4,251.30 | \$4,467.00 | |
| E-8 | | | | | | | 2,940.60 | 3,017.70 | 3,110.10 | 3,210.30 | 3,314.70 | 3,420.30 | 3,573.00 | 3,724.80 | 3,937.80 | |
| E-7 | \$1,966.90 | \$2,169.00 | \$2,251.50 | \$2,332.50 | \$2,417.40 | \$2,562.90 | 2,645.10 | 2,726.40 | 2,808.00 | 2,892.60 | 2,975.10 | 3,057.30 | 3,200.40 | 3,292.80 | 3,526.80 | |
| E-6 | 1,701.00 | 1,870.80 | 1,993.60 | 2,033.70 | 2,117.40 | 2,254.50 | 2,337.30 | 2,417.40 | 2,499.30 | 2,586.10 | 2,602.80 | 2,602.80 | 2,602.80 | 2,602.80 | 2,602.80 | |
| E-5 | 1,483.60 | 1,617.70 | 1,737.70 | 1,828.50 | 1,912.80 | 2,030.10 | 2,110.20 | 2,193.30 | 2,283.30 | 2,373.30 | 2,463.30 | 2,553.30 | 2,643.30 | 2,733.30 | 2,823.30 | |
| E-4 | 1,303.60 | 1,437.70 | 1,557.70 | 1,628.50 | 1,722.80 | 1,822.80 | 1,922.80 | 2,022.80 | 2,122.80 | 2,222.80 | 2,322.80 | 2,422.80 | 2,522.80 | 2,622.80 | 2,722.80 | |
| E-3 | 1,239.30 | 1,385.40 | 1,468.50 | 1,551.60 | 1,652.30 | 1,752.30 | 1,852.30 | 1,952.30 | 2,052.30 | 2,152.30 | 2,252.30 | 2,352.30 | 2,452.30 | 2,552.30 | 2,652.30 | |
| E-2 | 1,105.50 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | 1,239.30 | |
| E-1 ** | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | 1,105.50 | |
| E-1 *** | 1,022.70 | | | | | | | | | | | | | | | |

* For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$5,382.90 per month, regardless of cumulative years of service under section 205 of title 37, United States Code.

** Applies to personnel who have served 4 months or more on active duty.

*** Applies to personnel who have served less than 4 months on active duty.

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Title 3—The President

SCHEDULE 8—PAY OF THE UNIFORMED SERVICES (PAGE 3)

Part II—RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is \$734.10.

Note: As a result of the enactment of sections 602-694 of Public Law 105-85, the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

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SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

Table with 2 columns: Locality Pay Area and Rate. Lists various cities and their corresponding rates, such as Atlanta, GA at 9.74% and Rest of U.S. at 8.64%.

SCHEDULE 10--ADMINISTRATIVE LAW JUDGES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2002)

Table with 2 columns: Pay Grade and Rate. Lists grades AL-3/A through AL-1 and their corresponding rates, such as AL-3/A at \$ 86,500 and AL-1 at 130,000.

1Locality Pay Areas are defined in 5 CFR 531.603.