## Presidential Documents

## Executive Order 13393 of December 22, 2005

## 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; section 3(d) of Public Law 108-445) at Schedule 3.
Sec. 2. Senior Executive Service. The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. Certain Executive, Legislative, and Judicial 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), section 140 of Public Law 97-92, and section 405 of Public Law 109-115) at Schedule 7.

Sec. 4. Uniformed Services. Pursuant to section 601(a)-(b) of Public Law 108-375, the rates of monthly basic pay ( 37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, 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 section 5304 of title 5, United States Code, and section 843 of Public Law 109-115, 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, 2006. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2006.

Sec. 8. Prior Order Superseded. Executive Order 13368 of December 30, 2004, is superseded.


THE WHITE HOUSE,
December 22, 2005.






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SChedule 2--FOREIGN SERVICE SChEDULE


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            SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES
        (Effective on the first day of the first applicable pay period
            beginning on or after January 1, 2006)
        Schedule for the Office of the Under Secretary for Health
            (38 U.S.C. 7306)*
Assistant Under Secretaries for Health . . . . . . . . . . . . . . 144,459 **
(Only applies to incumbents who are not physicians or dentists)
Service Directors . . . . . . . . . . . . . . . . . . .
Director, National Center
for Preventive Health . . . . . . . . . . . . . . . .
Physician and Dentist Base and Longevity Schedule***
\begin{tabular}{ll} 
Physician Grade . . . . . . . . . . . . . . . . . . . . 90,000 & \(\$ 132,000\) \\
Dentist Grade . . . . . . . . . . . . . . . . . . . . . & 90,000
\end{tabular} 132,000
Clinical Podiatrist, Chiropractor, and Optometrist Schedule
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* This schedule does not apply to the Deputy Under Secretary for Health, the Associate Deputy Under Secretary for Health, Assistant Under Secretaries for Health who are physicians or dentists, Medical Directors, the Assistant Under Secretary for Nursing Programs, or the Director of Nursing Services. Pay for these positions is set under section 7431 of title 38, United States Code, for physicians and dentists, and under section 7451 of title 38, United States Code, for registered nurses.
** Pursuant to section \(7404(\mathrm{~d})\) 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 \(\$ 133,900\).
*** Pursuant to section 3 of Public Law 108-445 and section 7431 of title 38, United States Code, Veterans Health Administration physicians and dentists may also be paid market pay and performance pay.
**** Pursuant to section \(301(\mathrm{a})\) of Public Law 102-40, these positions are paid according to the Nurse Schedule in section \(4107(b)\) of title 38 , United States Code, 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 periodbeginning on or after January 1, 2006)
Agencies with a Certified SES Minimum $\frac{\text { Maximum }}{\$ 165,200}$
Agencies without a Certified SES
Performance Appraisal System ..... \$109,808 ..... \$152,000
SCHEDULE 5--EXECUTIVE SCHEDULE
(Effective on the first day of the first applicable pay periodbeginning on or after January 1, 2006)
Level I ..... \$183,500
Level II ..... 165,200
Level III ..... 152,000
Level IV ..... 143,000
Level V ..... 133,900
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, 2006)
Vice President ..... \$212,100
Senators ..... 165,200
Members of the House of Representatives. ..... 165,200
Delegates to the House of Representatives. ..... 165,200
Resident Commissioner from Puerto Rico ..... 165,200
President pro tempore of the Senate ..... 183,500
Majority leader and minority leader of the Senate ..... 183,500
Majority leader and minority leader of the House
of Representatives ..... 183,500
Speaker of the House of Representatives. ..... 212,100

## SCHEDULE 7--JUDICIAL SAIARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2006
Chief Justice of the United States ..... \$212,100
Associate Justices of the Supreme Court ..... 203,000
Circuit Judges ..... 175,100
District Judges. ..... 165,200
Judges of the Court of International Trade ..... 165,200
SChedule 8-pay of the Uniformed services
(Effective on January 1,2006 )



## SCHEDULE 8-PAY OF THE UNIFORMED SERVICES (PAGE 3) <br> 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 \$845.70.

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.

## SCHEDULE 9--LOCALITY-BASED COMPARABILITY PAYMENTS

## (Effective on the first day of the first applicable pay period beginning on or after January 1, 2006)

Locality Pay Area ${ }^{1}$ Rate
Atlanta-Sandy Springs-Gainesville, GA-AL ..... $15.10 \%$
Boston-Worcester-Manchester, MA-NH-ME-RI ..... 19.99\%
Buffalo-Niagara-Cattaraugus, NY ..... 13.52\%
Chicago-Naperville-Michigan City, IL-IN-WI. ..... 21.15\%
Cincinnati-Middletown-Wilmington, OH-KY-IN ..... 17.08\%
Cleveland-Akron-Elyria, OH ..... $15.41 \%$
Columbus-Marion-Chillicothe, OH ..... $14.85 \%$
Dallas-Eort Worth, TX ..... 16.39\%
Dayton-Springfield-Greenville, OH ..... 13.83\%
Denver-Aurora-Boulder, CO ..... 19.49\%
Detroit-Warren-Flint, MI ..... 21.00\%
Hartford-West Hartford-Willimantic, CT-MA ..... $21.30 \%$
Houston-Baytown-Huntsville, TX ..... $26.37 \%$
Huntsville-Decatur, AL. ..... $13.35 \%$
Indianapolis-Anderson-Columbus, IN ..... 12.85\%
Los Angeles-Long Beach-Riverside, CA. ..... $23.18 \%$
Miami-Fort Lauderdale-Miami Beach, FL ..... $17.84 \%$
Milwaukee-Racine-Waukesha, WI ..... $14.74 \%$
Minneapolis-St. Paul-St. Cloud, MN-WI ..... 17. $31 \%$
New York-Newark-Bridgeport, NY-NJ-CT-PA ..... 22.97\%
Philadelphia-Camden-Vineland, PA-NJ-DE-MD ..... 18.04\%
Phoenix-Mesa-Scottsdale, AZ ..... $12.65 \%$
Pittsburgh-New Castle, PA ..... 13.81\%
Portland-Vancouver-Beaverton, OR-WA ..... $17.16 \%$
Raleigh-Durham-Cary, NC ..... $15.57 \%$
Richmond, VA ..... $14.15 \%$
Sacramento--Arden-Arcade--Truckee, CA-NV ..... 17.91\%
San Diego-Carlsbad-San Marcos, CA ..... 19.19\%
San Jose-San Erancisco-Oakland, CA ..... 28.68\%
Seattle-Tacoma-Olympia, WA. ..... $17.93 \%$
Washington-Baltimore-Northern Virginia, DC-MD-PA-VA-WV ..... $17.50 \%$
Rest of U.S. ..... $12.52 \%$

## SCHEDULE 10-ADMINISTRATIVE LAW JUDGES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2006)

${ }^{1}$ Locality Pay Areas are defined in 5 CFR 531.603.
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