

§1201, Oct. 1, 2009, 123 Stat. 2032, which established an executive exchange program and was formerly set out as a note under this section, was transferred to section 612 of this title.

§ 612. Executive exchange program

(a) In general

The Director of the Congressional Budget Office may establish and conduct an executive exchange program under which employees of the Office may be assigned to private sector organizations, and employees of private sector organizations may be assigned to the Office, for 1-year periods to further the institutional interests of the Office or Congress, including for the purpose of providing training to officers and employees of the Office.

(b) Limitations and conditions

The Director of the Congressional Budget Office shall—

- (1) limit the number of officers and employees who are assigned to private sector organizations at any one time to not more than 5;
- (2) limit the number of employees from private sector organizations who are assigned to the Office at any one time to not more than 5;
- (3) require that an employee of a private sector organization assigned to the Office may not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private sector organization from which such employee is assigned; and
- (4) approve employees to be detailed from the private sector without regard to political affiliation and solely on the basis of their fitness to perform their assigned duties.

(c) Treatment of private employees

An employee of a private sector organization assigned to the Office under the executive exchange program shall be considered to be an employee of the Office for purposes of—

- (1) chapter 73 of title 5;
- (2) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18;
- (3) sections 1343, 1344, and 1349(b) of title 31;
- (4) chapter 171 of title 28 (commonly referred to as the “Federal Tort Claims Act”) and any other Federal tort liability statute;
- (5) chapter 131 of title 5; and
- (6) section 1043 of title 26.

(d) Effective date

This section shall apply to fiscal year 2008 and each fiscal year thereafter.

(Pub. L. 110–161, div. H, title I, §1201, Dec. 26, 2007, 121 Stat. 2238; Pub. L. 111–68, div. A, title I, §1201, Oct. 1, 2009, 123 Stat. 2032; Pub. L. 117–286, §4(c)(1), Dec. 27, 2022, 136 Stat. 4353.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Legislative Branch Appropriations Act, 2008, which is div. H of the Consolidated Appropriations Act, 2008, and not as part of title II of the Congressional Budget and Impoundment Control Act of 1974 which comprises this chapter.

Section was formerly set out as a note under section 611 of this title.

AMENDMENTS

2022—Subsec. (c)(5). Pub. L. 117–286 substituted “chapter 131 of title 5;” for “the Ethics in Government Act of 1978 (5 U.S.C. App.);”.

2009—Subsec. (b)(1), (2). Pub. L. 111–68, §1201(1), substituted “5” for “3”.

Subsecs. (d), (e). Pub. L. 111–68, §1201(2), (3), redesignated subsec. (e) as (d), substituted “This” for “Subject to subsection (d), this”, and struck out former subsec. (d). Prior to amendment, text of subsec. (d) read as follows: “No assignment under this section shall commence after the end of the 2-year period beginning on December 26, 2007.”

§ 613. Establishment of senior level positions

(a) In general

Notwithstanding the fourth sentence of section 601(b) of this title, the Director of the Congressional Budget Office may establish and fix the compensation of senior level positions in the Congressional Budget Office to meet critical scientific, technical, professional, or executive needs of the Office.

(b) Limitation on compensation

The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) Effective date

This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

(Pub. L. 115–31, div. I, title I, §1101, May 5, 2017, 131 Stat. 578.)

Editorial Notes

REFERENCES IN TEXT

Level II of the Executive Schedule, referred to in subsec. (b), is set out in section 5313 of Title 5, Government Organization and Employees.

CODIFICATION

Section was enacted as part of the Legislative Branch Appropriations Act, 2017, which is div. I of the Consolidated Appropriations Act, 2017, and not as part of title II of the Congressional Budget and Impoundment Control Act of 1974 which comprises this chapter.

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