

be appointed for no less than 6 months and no longer than 2 years in the Program. The Director shall facilitate the process of placing Fellows at requesting agencies and executive branch departments.

SEC. 6. *Responsibilities of Agencies.* Each executive branch department or agency, as defined in section 105 of title 5, United States Code, is encouraged to work with the Director and Advisory Board to attempt to maximize the Program's benefits to the department or agency and the Federal Government, including by identifying initiatives that will have a meaningful effect on the people served and that will benefit from involvement by one or more Fellows. Departments and agencies also are encouraged to ensure that each Fellow will work closely with responsible senior officials for the duration of the assignment.

SEC. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to a department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

#### § 3172. Presidential Innovation Fellows Program advisory board

(a) IN GENERAL.—The Administrator of General Services shall continue an advisory board to advise the Director of the Presidential Innovation Fellows Program by recommending such priorities and standards as may be beneficial to fulfill the mission of the Presidential Innovation Fellows Program and assist in identifying potential projects and placements for fellows. The advisory board may not participate in the selection process under section 3171(f).

(b) CHAIR; MEMBERSHIP.—The Administrator shall designate a representative to serve as the Chair of the advisory board. In addition to the Chair, the membership of the advisory board shall include—

(1) the Deputy Director for Management of the Office of Management and Budget;

(2) the Director of the Office of Personnel Management;

(3) the Administrator of the Office of Electronic Government of the Office of Management and Budget;

(4) the Assistant to the President and Chief Technology Officer; and

(5) other individuals as may be designated by the Administrator.

(c) CONSULTATION.—The advisory board may consult with industry, academia, or nonprofits to ensure the Presidential Innovation Fellows Program is continually identifying opportunities to apply advanced skillsets and innovative practices in effective ways to address the Nation's most significant challenges.

(Added Pub. L. 115–1, §2(a), Jan. 20, 2017, 131 Stat. 4.)

## CHAPTER 33—EXAMINATION, SELECTION, AND PLACEMENT

### SUBCHAPTER I—EXAMINATION, CERTIFICATION, AND APPOINTMENT

- Sec.
- 3301. Civil service; generally.
- 3302. Competitive service; rules.
- 3303. Competitive service; recommendations of Senators or Representatives.
- 3304. Competitive service; examinations.
- 3304a. Competitive service; career appointment after 3 years' temporary service.
- 3305. Competitive service; examinations; when held.
- [3306. Repealed.]
- 3307. Competitive service; maximum-age entrance requirements; exceptions.
- 3308. Competitive service; examinations; educational requirements prohibited; exceptions.
- 3309. Preference eligibles; examinations; additional points for.
- 3310. Preference eligibles; examinations; guards, elevator operators, messengers, and custodians.
- 3311. Preference eligibles; examinations; crediting experience.
- 3312. Preference eligibles; physical qualifications; waiver.
- 3313. Competitive service; registers of eligibles.
- 3314. Registers; preference eligibles who resigned.
- 3315. Registers; preference eligibles furloughed or separated.
- [3315a. Repealed.]
- 3316. Preference eligibles; reinstatement.
- 3317. Competitive service; certification from registers.
- 3318. Competitive service; selection from certificates.
- 3319. Alternative ranking and selection procedures.
- 3320. Excepted service; government of the District of Columbia; selection.
- 3321. Competitive service; probationary period.
- 3322. Voluntary separation before resolution of personnel investigation.
- 3323. Automatic separations; reappointment; reemployment of annuitants.
- 3324. Appointments to positions classified above GS–15.
- 3325. Appointments to scientific and professional positions.
- 3326. Appointments of retired members of the armed forces to positions in the Department of Defense.
- 3327. Civil service employment information.
- 3328. Selective Service registration.
- 3329. Appointments of military reserve technicians to positions in the competitive service.
- 3330. Government-wide list of vacant positions.
- 3330a. Preference eligibles; administrative redress.
- 3330b. Preference eligibles; judicial redress.
- 3330c. Preference eligibles; remedy.
- 3330d. Appointment of military and Department of Defense civilian spouses.
- 3330e. Review of official personnel file of former Federal employees before rehiring.
- 3330f. Government policy and supporting position data.

### SUBCHAPTER II—OATH OF OFFICE

- 3331. Oath of office.
- 3332. Officer affidavit; no consideration paid for appointment.
- 3333. Employee affidavit; loyalty and striking against the Government.

### SUBCHAPTER III—DETAILS, VACANCIES, AND APPOINTMENTS

- 3341. Details; within Executive or military departments.

- Sec.  
 [3342. Repealed.]  
 3343. Details; to international organizations.  
 3344. Details; administrative law judges.  
 3345. Acting officer.  
 3346. Time limitation.  
 3347. Exclusivity.  
 3348. Vacant office.  
 3349. Reporting of vacancies.  
 3349a. Presidential inaugural transitions.  
 3349b. Holdover provisions relating to certain independent establishments.<sup>1</sup>  
 3349c. Exclusion of certain officers.  
 3349d. Notification of intent to nominate during certain recesses or adjournments.  
 3349e. Presidential explanation of failure to nominate an Inspector General.<sup>1</sup>

#### SUBCHAPTER IV—TRANSFERS

3351. Preference eligibles; transfer; physical qualifications; waiver.  
 3352. Preference in transfers for employees making certain disclosures.

#### SUBCHAPTER V—PROMOTION

3361. Promotion; competitive service; examination.  
 3362. Promotion; effect of incentive award.  
 3363. Preference eligibles; promotion; physical qualifications; waiver.  
 [3364. Repealed.]

#### SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

3371. Definitions.  
 3372. General provisions.  
 3373. Assignments of employees to State or local governments.<sup>1</sup>  
 3374. Assignments of employees from State or local governments.  
 3375. Travel expenses.  
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#### SUBCHAPTER VII—AIR TRAFFIC CONTROLLERS

3381. Training.  
 3382. Involuntary separation for retirement.  
 3383. Determinations; review procedures.  
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 3385. Effect on other authority.

#### SUBCHAPTER VIII—APPOINTMENT, REASSIGNMENT, TRANSFER, AND DEVELOPMENT IN THE SENIOR EXECUTIVE SERVICE

3391. Definitions.  
 3392. General appointment provisions.  
 3393. Career appointments.  
 [3393a. Repealed.]  
 3394. Noncareer and limited appointments.  
 3395. Reassignment and transfer within the Senior Executive Service.  
 3396. Development for and within the Senior Executive Service.  
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#### AMENDMENT OF ANALYSIS

*Pub. L. 118–31, div. A, title XI, § 1119(d), Dec. 22, 2023, 137 Stat. 435, provided that, effective Dec. 31, 2028, the amendment made by section 1119(b) of Pub. L. 118–31 would expire. See 2023 Amendment note below.*

*Pub. L. 115–232, div. A, title XI, § 1107(c), (d), Aug. 13, 2018, 132 Stat. 2005, provided that, effective on the date on which the Director of the Office of Personnel Management issues final regulations for implementation, with such regulations due not later than one year after Aug. 13, 2018, this analysis is amended by striking*

*items 3317, 3318, and 3319 and inserting new items 3317 “Competitive service; certification using numerical ratings”, 3318 “Competitive service; selection using numerical ratings”, and 3319 “Competitive service; selection using category rating”. See 2018 Amendment note below.*

*Pub. L. 115–232, div. A, title V, § 573(e), Aug. 13, 2018, 132 Stat. 1779, as amended by Pub. L. 117–263, div. A, title XI, § 1111(a), Dec. 23, 2022, 136 Stat. 2820, provided that, effective Dec. 31, 2028, the amendment made by section 573(b) of Pub. L. 115–232 would expire. See 2018 Amendment note below.*

#### Editorial Notes

##### AMENDMENTS

2023—Pub. L. 118–31, div. A, title XI, § 1119(b), (d), Dec. 22, 2023, 137 Stat. 434, 435, which directed the amendment of the table of sections for subchapter I of this chapter by adding item 3330d “Appointment of military and Department of Defense civilian spouses” and striking out former item 3330d “Appointment of military spouses”, was executed to the table of sections for this chapter and was treated as temporary to reflect the probable intent of Congress, notwithstanding termination provision in sections 573(e) of Pub. L. 115–232 and 1119(d) of Pub. L. 118–31, which effectively undid the amendments made to section 3330d of this title but only provided that the amendment made to this analysis would expire. See Termination Date of 2018 Amendment and Termination Date of 2023 Amendment notes set out under section 3330d of this title.

2022—Pub. L. 117–263, div. E, title LII, § 5221(b), title LIII, § 5322(a)(2), Dec. 23, 2022, 136 Stat. 3234, 3259, which directed amendment of the analyses for subchapter I of this chapter by adding item 3330f and for subchapter III of this chapter by adding item 3349e, was executed by adding items 3330f and 3349e to the analysis for this chapter to reflect the probable intent of Congress.

2018—Pub. L. 115–232, div. A, title XI, § 1107(c), Aug. 13, 2018, 132 Stat. 2005, substituted “certification using numerical ratings” for “certification from registers.” in item 3317, “selection using numerical ratings” for “selection from certificates.” in item 3318, and “Competitive service; selection using category rating” for “Alternative ranking and selection procedures.” in item 3319.

Pub. L. 115–232, div. A, title V, § 573(b), (e), Aug. 13, 2018, 132 Stat. 1779, which amended analysis by adding item 3330d “Appointment of military spouses” and striking out former item 3330d, “Appointment of certain military spouses”, was treated as temporary to reflect the probable intent of Congress, notwithstanding termination provision in section 573(e) of Pub. L. 115–232, which effectively undid the amendments made to section 3330d of this title but only provided that the amendment made to this analysis would expire. See Termination Date of 2018 Amendment note set out under section 3330d of this title.

2016—Pub. L. 114–328, div. A, title XI, §§ 1136(c), 1140(c), Dec. 23, 2016, 130 Stat. 2460, 2471, which directed the amendment of the table of sections of subchapter I of chapter 33 by adding item 3330e at end and inserting item 3322 after item 3321, respectively, was executed to the table of sections for this chapter, to reflect the probable intent of Congress.

2013—Pub. L. 112–239, div. A, title V, § 566(c), Jan. 2, 2013, 126 Stat. 1751, added item 3330d.

2002—Pub. L. 107–296, title XIII, §§ 1312(b), 1321(a)(1)(C), Nov. 25, 2002, 116 Stat. 2291, 2296, added item 3319 and struck out item 3393a “Recertification”.

1998—Pub. L. 105–339, § 3(b), Oct. 31, 1998, 112 Stat. 3184, added items 3330a to 3330c.

Pub. L. 105–277, div. C, title I, § 151(c)(1), Oct. 21, 1998, 112 Stat. 2681–616, substituted “DETAILS, VACANCIES, AND APPOINTMENTS” for “DETAILS” in heading for subchapter III, “Acting officer” for “Details; to office

<sup>1</sup> So in original. Does not conform to section catchline.