

[§ 5308. Omitted]

Editorial Notes

CODIFICATION

Section, added Pub. L. 91-656, §3(a), Jan. 8, 1971, 84 Stat. 1951, relating to pay limitation, was omitted in the general revision of this subchapter by Pub. L. 101-509.

SUBCHAPTER II—EXECUTIVE SCHEDULE  
PAY RATES

§ 5311. The Executive Schedule

The Executive Schedule, which is divided into five pay levels, is the basic pay schedule for positions, other than Senior Executive Service positions and positions in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, to which this subchapter applies.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 459; Pub. L. 95-454, title IV, §§ 408(b)(1), 414(b)(1), Oct. 13, 1978, 92 Stat. 1173, 1178; Pub. L. 96-54, §2(a)(24), Aug. 14, 1979, 93 Stat. 382; Pub. L. 100-325, §2(h)(1), (2), May 30, 1988, 102 Stat. 582; Pub. L. 101-509, title V, §529 [title I, §104(c)], Nov. 5, 1990, 104 Stat. 1427, 1447.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2210.	Aug. 14, 1964, Pub. L. 88-426, § 302, 78 Stat. 415.

The words “There is hereby established” are omitted as executed. The word “offices” is omitted as included in “positions”. The words “Executive Schedule” are substituted for “Federal Executive Salary Schedule”.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101-509 struck out “(a)” before “The Executive Schedule, which” and struck out subsec. (b) which read as follows:

“(1) Not later than 180 days after the date of the enactment of the Civil Service Reform Act of 1978, the Director of the Office of Personnel Management shall determine the number and classification of executive level positions in existence in the executive branch on that date of enactment, and shall publish the determination in the Federal Register. Effective beginning on the date of the publication, the number of executive level positions within the executive branch may not exceed the number published under this subsection.

“(2) For the purpose of this subsection, ‘executive level position’ means—

“(A) any office or position in the civil service the rate of pay for which is equal to or greater than the rate of basic pay payable for positions under section 5316 of this title, or

“(B) any such office or position the rate of pay for which may be fixed by administrative action at a rate equal to or greater than the rate of basic pay payable for positions under section 5316 of this title;

but does not include any Senior Executive Service position (as defined in section 3132(a) of this title) or any position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.”

1988—Subsec. (a). Pub. L. 100-325, §2(h)(1), inserted reference to positions in Federal Bureau of Investiga-

tion and Drug Enforcement Administration Senior Executive Service.

Subsec. (b)(2). Pub. L. 100-325, §2(h)(2), substituted “(as defined in section 3132(a) of this title) or any position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service” for “, as defined in section 3132(a) of this title” in concluding provision.

1979—Subsec. (b)(1). Pub. L. 96-54 inserted “of the Office of Personnel Management” after “Director”.

1978—Pub. L. 95-454, §408(b)(1), inserted reference to Senior Executive Service positions.

Pub. L. 95-454, §414(b)(1), designated existing provisions as subsec. (a) and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-54 effective July 12, 1979, see section 2(b) of Pub. L. 96-54, set out as a note under section 305 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 9 months after Oct. 13, 1978, and congressional review of provisions of sections 401 through 412 of Pub. L. 95-454, see section 415 of Pub. L. 95-454, set out as an Effective Date note under section 3131 of this title.

PLAN FOR AUTHORIZING EXECUTIVE LEVEL POSITIONS IN  
EXECUTIVE BRANCH; PRESIDENTIAL SUBMISSION TO  
CONGRESS

Section 414(b)(2) of Pub. L. 95-454 required President to transmit by Jan. 1, 1980, a plan to Congress for authorizing executive level positions in executive branch.

§ 5312. Positions at level I

Level I of the Executive Schedule applies to the following positions for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

- Secretary of State.
- Secretary of the Treasury.
- Secretary of Defense.
- Attorney General.
- Secretary of the Interior.
- Secretary of Agriculture.
- Secretary of Commerce.
- Secretary of Labor.
- Secretary of Health and Human Services.
- Secretary of Housing and Urban Development.
- Secretary of Transportation.
- United States Trade Representative.
- Secretary of Energy.
- Secretary of Education.
- Secretary of Veterans Affairs.
- Secretary of Homeland Security.
- Director of the Office of Management and Budget.
- Commissioner of Social Security, Social Security Administration.
- Director of National Drug Control Policy.
- Chairman, Board of Governors of the Federal Reserve System.
- Director of National Intelligence.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 460; Pub. L. 89–670, § 10(d)(1), Oct. 15, 1966, 80 Stat. 948; Pub. L. 91–375, § 6(c)(12), Aug. 12, 1970, 84 Stat. 776; Pub. L. 93–618, title I, § 141(b)(3)(A), Jan. 3, 1975, 88 Stat. 1999; Pub. L. 94–82, title II, § 202(b)(1), Aug. 9, 1975, 89 Stat. 419; Pub. L. 95–91, title VII, § 710(c), Aug. 4, 1977, 91 Stat. 609; Pub. L. 96–54, § 2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 96–88, title V, § 508(c), (g), Oct. 17, 1979, 93 Stat. 692; Pub. L. 97–456, § 3(d)(1), (5), Jan. 12, 1983, 96 Stat. 2505; Pub. L. 99–198, title XI, § 1113(d), Dec. 23, 1985, 99 Stat. 1480; Pub. L. 99–260, § 4(c), Mar. 20, 1986, 100 Stat. 49; Pub. L. 100–527, § 13(c), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 100–679, § 11(a), Nov. 17, 1988, 102 Stat. 4070; Pub. L. 100–690, title I, § 1003(a)(4)(A), Nov. 18, 1988, 102 Stat. 4182; Pub. L. 103–296, title I, § 108(e)(1), Aug. 15, 1994, 108 Stat. 1486; Pub. L. 105–277, div. C, title VII, § 713(a)(1), Oct. 21, 1998, 112 Stat. 2681–693; Pub. L. 106–569, title X, § 1002(a)(1), Dec. 27, 2000, 114 Stat. 3028; Pub. L. 107–296, title XVII, § 1702(a)(1), Nov. 25, 2002, 116 Stat. 2313; Pub. L. 108–458, title I, § 1015(a), Dec. 17, 2004, 118 Stat. 3664.)

#### HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2211(a).	Aug. 14, 1964, Pub. L. 88–426, § 303(a), 78 Stat. 416.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

#### Editorial Notes

##### CODIFICATION

Paragraph designation for the position added by Pub. L. 96–88 has been omitted in view of the deletion of all paragraph designations in this section by Pub. L. 96–54.

##### AMENDMENTS

2004—Pub. L. 108–458 inserted item relating to Director of National Intelligence.

2002—Pub. L. 107–296 inserted item relating to Secretary of Homeland Security.

2000—Pub. L. 106–569 inserted item relating to Chairman, Board of Governors of the Federal Reserve System.

1998—Pub. L. 105–277 inserted item relating to Director of National Drug Control Policy.

1994—Pub. L. 103–296 inserted item relating to Commissioner of Social Security, Social Security Administration.

1988—Pub. L. 100–690, §§ 1003(a)(4)(A), 1009, temporarily inserted item relating to Director of National Drug Control Policy. See Effective and Termination Dates of 1988 Amendments note below.

Pub. L. 100–679 inserted item relating to Director of Office of Management and Budget.

Pub. L. 100–527 inserted item relating to Secretary of Veterans Affairs.

1986—Pub. L. 99–260 struck out item relating to Special Assistant for Agricultural Trade and Food Aid.

1985—Pub. L. 99–198 inserted item relating to Special Assistant for Agricultural Trade and Food Aid.

1983—Pub. L. 97–456, § 3(d)(5), substituted “United States Trade Representative” for “Special Representative for Trade Negotiations”.

1979—Pub. L. 96–88, § 508(g), substituted “Health and Human Services” for “Health, Education, and Welfare” in item relating to the Secretary of Health and Human Services.

Pars. (1) to (14). Pub. L. 96–54 struck out paragraph designations for positions listed herein.

Par. (15). Pub. L. 96–88, § 508(c), added par. (15) relating to Secretary of Education. See Codification note set out above.

1977—Par. (14). Pub. L. 95–91 added par. (14) relating to Secretary of Energy.

1975—Pub. L. 94–82 substituted provisions applying level I of Executive Schedule to positions for which annual rate of basic pay shall be rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title for provisions applying such level I to positions for which annual rate of basic pay is \$35,000.

Par. (13). Pub. L. 93–618 added par. (13) relating to Special Representative for Trade Negotiations.

1970—Par. (5). Pub. L. 91–375 struck out par. (5) relating to Postmaster General.

1966—Pub. L. 89–670 added par. (11) relating to Secretary of Housing and Urban Development, and par. (12) relating to Secretary of Transportation.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108–458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of Title 50, War and National Defense.

Amendment by Pub. L. 108–458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108–458, set out as an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of Title 50, War and National Defense.

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

##### EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106–569, title X, § 1002(b), Dec. 27, 2000, 114 Stat. 3028, provided that: “This section [amending this section and sections 5313 and 5314 of this title] and the amendments made by this section shall take effect on the first day of the first pay period for the Chairman and Members of the Board of Governors of the Federal Reserve System beginning on or after the date of the enactment of this Act [Dec. 27, 2000].”

##### EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENTS

Amendment by Pub. L. 100–690 effective Jan. 21, 1989, and repealed on Sept. 30, 1997, see sections 1012 and 1009, respectively, of Pub. L. 100–690.

Pub. L. 100–679, § 11(e), Nov. 17, 1988, 102 Stat. 4070, provided that: “The amendments made by this section [amending sections 5312 to 5315 of this title] shall be effective on January 20, 1989.”

Amendment by Pub. L. 100–527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100–527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans’ Benefits.

##### EFFECTIVE DATE OF 1979 AMENDMENTS

Amendment by Pub. L. 96–88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96–88, set out as an Effective Date note under section 3401 of Title 20, Education.

Pub. L. 96–54, § 2(a)(25)(B), Aug. 14, 1979, 93 Stat. 382, provided that: The amendments made by subparagraph (A) [amending sections 5312 to 5316 of this title] shall take effect January 1, 1980”.

##### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–375 effective within 1 year after Aug. 12, 1970, on date established therefor by

Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective 90 days after Secretary of Transportation first takes office, or on any earlier date after Oct. 15, 1966, as President prescribes and publishes in Federal Register, see section 16(a), formerly §15(a), of Pub. L. 89-670.

#### SHORT TITLE OF 1975 AMENDMENT

Pub. L. 94-82, title II, §201, Aug. 9, 1975, 89 Stat. 419, provided that: "This title [see Tables for classification] may be cited as the 'Executive Salary Cost-of-Living Adjustment Act'."

#### COMPENSATION AND EMOLUMENTS OF SECRETARY OF THE INTERIOR; FIXING AT LEVEL IN EFFECT ON JANUARY 1, 2005

Pub. L. 111-1, §1, Jan. 16, 2009, 123 Stat. 3, provided that:

"(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of the Interior shall be those in effect January 1, 2005, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2005, and ending at noon of January 3, 2011.

##### "(b) CIVIL ACTION AND APPEAL.—

"(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of the Interior may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

"(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

##### "(3) APPEAL.—

"(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of the Interior under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

"(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

"(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009."

#### COMPENSATION AND EMOLUMENTS OF SECRETARY OF STATE; FIXING AT LEVEL IN EFFECT ON JANUARY 1, 2007

Pub. L. 110-455, Dec. 19, 2008, 122 Stat. 5036, provided that:

"(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of State shall be those in effect January 1, 2007, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2007, and ending at noon of January 3, 2013.

##### "(b) CIVIL ACTION AND APPEAL.—

"(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of State may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

"(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of State on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

##### "(3) APPEAL.—

"(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

"(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

"(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009."

#### COMPENSATION AND EMOLUMENTS OF SECRETARY OF THE TREASURY AT LEVEL IN EFFECT ON JANUARY 1, 1989

For provisions limiting compensation and emoluments of Secretary of the Treasury at levels in effect on Jan. 1, 1989, see section 1(a) of Pub. L. 103-2, set out as a note under section 301 of Title 31, Money and Finance.

#### COMPENSATION AND EMOLUMENTS OF SECRETARY OF STATE; FIXING AT LEVEL IN EFFECT ON JANUARY 1, 1977

Pub. L. 96-241, §1, May 3, 1980, 94 Stat. 343, limited the compensation and other emoluments attached to the office of Secretary of State to those in effect Jan. 1, 1977, during the period beginning May 3, 1980, and ending on the date on which the first individual appointed

to that office after May 3, 1980, ceases to hold that office.

**COMPENSATION AND EMOLUMENTS OF ATTORNEY GENERAL; FIXING AT LEVEL IN EFFECT ON JANUARY 1, 1969**

Provisions of Pub. L. 93-178, §1, Dec. 10, 1973, 87 Stat. 697, which fixed the compensation and other emoluments attached to the Office of Attorney General at level in effect on Jan. 1, 1969, notwithstanding any other provision of law enacted or becoming effective during period from noon, Jan. 3, 1969, through noon, Jan. 2, 1975, were repealed by Pub. L. 94-2, Feb. 18, 1975, 89 Stat. 4, effective as of Feb. 4, 1975.

**SALARY INCREASES**

For adjustment of salaries under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of this title.

For prior year salary increases per the recommendations of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of this title.

**§ 5313. Positions at level II**

Level II of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Deputy Secretary of Defense.

Deputy Secretary of State.

Deputy Secretary of State for Management and Resources.

Administrator, Agency for International Development.

Administrator of the National Aeronautics and Space Administration.

Deputy Secretary of Veterans Affairs.

Deputy Secretary of Homeland Security.

Under Secretary of Homeland Security for Management.

Administrator of the Transportation Security Administration.

Director, Cybersecurity and Infrastructure Security Agency.

Deputy Secretary of the Treasury.

Deputy Secretary of Transportation.

Chairman, Nuclear Regulatory Commission.

Chairman, Council of Economic Advisers.

Director of the Office of Science and Technology.

Director of the Central Intelligence Agency.

Secretary of the Air Force.

Secretary of the Army.

Secretary of the Navy.

Administrator, Federal Aviation Administration.

Director of the National Science Foundation.

Deputy Attorney General.

Deputy Secretary of Energy.

Deputy Secretary of Agriculture.

Director of the Office of Personnel Management.

Administrator, Federal Highway Administration.

Administrator of the Environmental Protection Agency.

Deputy Secretary of Labor.

Deputy Director of the Office of Management and Budget.

Independent Members, Thrift Depositor Protection Oversight Board.

Deputy Secretary of Health and Human Services.

Deputy Secretary of the Interior.

Deputy Secretary of Education.

Deputy Secretary of Housing and Urban Development.

Deputy Director for Management, Office of Management and Budget.

Director of the Federal Housing Finance Agency.

Deputy Commissioner of Social Security, Social Security Administration.

Administrator of the Community Development Financial Institutions Fund.

Deputy Director of National Drug Control Policy.

Members, Board of Governors of the Federal Reserve System.

Under Secretary of Transportation for Policy.

Chief Executive Officer, Millennium Challenge Corporation.

Principal Deputy Director of National Intelligence.

Director of the National Counterterrorism Center.

Administrator of the Federal Emergency Management Agency.

Federal Transit Administrator.

Chief Executive Officer, United States International Development Finance Corporation.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 460; Pub. L. 89-670, §10(d)(2), Oct. 15, 1966, 80 Stat. 948; Pub. L. 90-83, §1(13), Sept. 11, 1967, 81 Stat. 198; Pub. L. 90-407, §15(a)(1), July 18, 1968, 82 Stat. 366; Pub. L. 91-644, title I, §8(b), Jan. 2, 1971, 84 Stat. 1888; Pub. L. 92-255, title II, §212(a), Mar. 21, 1972, 86 Stat. 69; Pub. L. 92-302, §2(a), May 18, 1972, 86 Stat. 149; Pub. L. 92-352, title I, §104(1), July 13, 1972, 86 Stat. 490; Pub. L. 92-596, §6, Oct. 27, 1972, 86 Stat. 1318; Pub. L. 93-438, title III, §310(1), Oct. 11, 1974, 88 Stat. 1252; Pub. L. 93-496, §16(c), Oct. 28, 1974, 88 Stat. 1533; Pub. L. 94-82, title II, §202(b)(2), Aug. 9, 1975, 89 Stat. 419; Pub. L. 94-237, §4(c)(6), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94-561, §1(a), Oct. 19, 1976, 90 Stat. 2643; Pub. L. 95-91, title VII, §710(d), Aug. 4, 1977, 91 Stat. 609; Pub. L. 95-140, §3(d)(1), Oct. 21, 1977, 91 Stat. 1173; Pub. L. 95-454, title II, §201(b)(1), Oct. 13, 1978, 92 Stat. 1121; Pub. L. 96-54, §2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 96-465, title II, §2302, Oct. 17, 1980, 94 Stat. 2164; Pub. L. 97-449, §§3(1), 7(b), Jan. 12, 1983, 96 Stat. 2441, 2444; Pub. L. 98-80, §2(a)(1), Aug. 23, 1983, 97 Stat. 485; Pub. L. 98-216, §3(a)(1), Feb. 14, 1984, 98 Stat. 6; Pub. L. 99-348, title V, §501(d)(1), July 1, 1986, 100 Stat. 708; Pub. L. 99-619, §2(a)(2), Nov. 6, 1986, 100 Stat. 3491; Pub. L. 100-204, title I, §178(a)(1), Dec. 22, 1987, 101 Stat. 1362; Pub. L. 100-527, §13(d), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 100-679, §11(b), Nov. 17, 1988, 102 Stat. 4070; Pub. L. 101-73, title V, §501(c), Aug. 9, 1989, 103 Stat. 394; Pub. L. 101-509, title V, §529 [title I, §112(b)], Nov. 5, 1990, 104 Stat. 1427, 1454; Pub. L. 101-576, title II, §207(a), Nov. 15, 1990, 104 Stat. 2846; Pub. L. 102-233, title III, §315(b), Dec. 12, 1991, 105 Stat.

1772; Pub. L. 102-550, title XIII, § 1351(a), Oct. 28, 1992, 106 Stat. 3969; Pub. L. 103-160, div. A, title IX, § 904(e)(1), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 103-296, title I, § 108(e)(2), Aug. 15, 1994, 108 Stat. 1486; Pub. L. 103-325, title I, § 104(i), Sept. 23, 1994, 108 Stat. 2169; Pub. L. 105-277, div. C, title VII, § 713(a)(2), div. G, subdiv. A, title XII, § 1224(1), title XIII, § 1332(1), Oct. 21, 1998, 112 Stat. 2681-693, 2681-772, 2681-785; Pub. L. 106-65, div. A, title IX, § 911(e), Oct. 5, 1999, 113 Stat. 719; Pub. L. 106-553, § 1(a)(2) [title IV, § 404(b)], Dec. 21, 2000, 114 Stat. 2762, 2762A-96; Pub. L. 106-569, title X, § 1002(a)(2), Dec. 27, 2000, 114 Stat. 3028; Pub. L. 107-71, title I, § 101(c)(1), Nov. 19, 2001, 115 Stat. 602; Pub. L. 107-295, title II, § 215(b), Nov. 25, 2002, 116 Stat. 2102; Pub. L. 107-296, title XVII, § 1702(a)(2), Nov. 25, 2002, 116 Stat. 2313; Pub. L. 108-199, div. D, title VI, § 604(b)(4)(B), Jan. 23, 2004, 118 Stat. 212; Pub. L. 108-458, title I, § 1015(b), Dec. 17, 2004, 118 Stat. 3664; Pub. L. 109-295, title VI, § 612(a)(1), Oct. 4, 2006, 120 Stat. 1410; Pub. L. 110-53, title XXIV, § 2405(e), Aug. 3, 2007, 121 Stat. 550; Pub. L. 110-289, div. A, title I, § 1161(g)(1), July 30, 2008, 122 Stat. 2780; Pub. L. 111-259, title VIII, § 807(a), Oct. 7, 2010, 124 Stat. 2749; Pub. L. 113-291, div. A, title IX, § 901(m)(1), Dec. 19, 2014, 128 Stat. 3468; Pub. L. 114-94, div. A, title III, § 3029(a), title VI, § 6011(d)(1)(A), Dec. 4, 2015, 129 Stat. 1496, 1569; Pub. L. 114-328, div. A, title IX, § 901(h), Dec. 23, 2016, 130 Stat. 2342; Pub. L. 115-31, div. N, title III, § 312, May 5, 2017, 131 Stat. 816; Pub. L. 115-91, div. A, title IX, §§ 903(a), 910(d), title X, § 1081(b)(1)(C), Dec. 12, 2017, 131 Stat. 1512, 1518, 1597; Pub. L. 115-254, div. F, title I, § 1413(d)(4), div. K, title I, § 1904(c)(1)(A), Oct. 5, 2018, 132 Stat. 3489, 3546; Pub. L. 116-92, div. A, title IX, § 902(93)(B), Dec. 20, 2019, 133 Stat. 1554; Pub. L. 116-283, div. A, title IX, § 901(a)(2)(B), div. H, title XC, § 9001(b)(1), Jan. 1, 2021, 134 Stat. 3794, 4766.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2211(b) (less (15)).	Aug. 14, 1964, Pub. L. 88-426, § 303(b) (less (15)), 78 Stat. 416.

The proviso in paragraph (15) of former section 2211(b) is carried into section 5314. The remainder of paragraph (15) is omitted but not repealed, see table III. The part of paragraph (15) that is omitted but not repealed provides that the position of Director of the Federal Bureau of Investigation shall be in Level II of the Federal Executive Salary Schedule so long as the position is held by the incumbent of the position on August 14, 1964. The omission of this provision from title 5, without repealing the corresponding provision of the source statute, in effect leaves existing statute unchanged insofar as it relates to the present incumbent of the position of Director of the Federal Bureau of Investigation.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

The deletion of paragraph (6) of 5 U.S.C. 5313 reflects the abolition of the position of "Administrator of the Housing and Home Finance Agency" by the act of September 9, 1965, Public Law 89-174, sections 5(a), 9(c), 79 Stat. 669, 671.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, § 9001(b)(1), inserted item relating to Director, Cybersecurity and Infrastructure Security Agency.

Pub. L. 116-283, § 901(a)(2)(B), repealed by Pub. L. 115-91, § 910(d). See 2017 Amendment note below.

2019—Pub. L. 116-92 struck out item relating to Under Secretary of Defense for Research and Engineering.

2018—Pub. L. 115-254, § 1904(c)(1)(A), inserted item relating to Administrator of the Transportation Security Administration.

Pub. L. 115-254, § 1413(d)(4), inserted item relating to Chief Executive Officer, United States International Development Finance Corporation.

2017—Pub. L. 115-91, § 1081(b)(1)(C), repealed Pub. L. 113-291, § 901(m)(1). See 2014 Amendment note below.

Pub. L. 115-91, § 910(d), which inserted item relating to Chief Management Officer of the Department of Defense, was repealed by Pub. L. 116-283, § 901(a)(2)(B).

Pub. L. 115-91, § 903(a), amended Pub. L. 114-328, § 901(h). See 2016 Amendment note below.

Pub. L. 115-31 struck out item relating to Director of the National Counter Proliferation Center.

2016—Pub. L. 114-328, § 901(h), as amended by Pub. L. 115-91, § 903(a), struck out item relating to Under Secretary of Defense for Acquisition, Technology, and Logistics and inserted item relating to Under Secretary of Defense for Research and Engineering.

2015—Pub. L. 114-94, § 6011(d)(1)(A), struck out item relating to Under Secretary of Transportation for Security.

Pub. L. 114-94, § 3029(a), inserted item relating to Federal Transit Administrator.

2014—Pub. L. 113-291, § 901(m)(1), which directed insertion of item relating to Under Secretary of Defense for Business Management and Information, was repealed by Pub. L. 115-91, § 1081(b)(1)(C).

2010—Pub. L. 111-259 substituted "Director of the Central Intelligence Agency" for "Director of Central Intelligence".

2008—Pub. L. 110-289 substituted "Director of the Federal Housing Finance Agency" for "Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development".

2007—Pub. L. 110-53 inserted item relating to Under Secretary of Homeland Security for Management.

2006—Pub. L. 109-295 inserted item relating to Administrator of the Federal Emergency Management Agency.

2004—Pub. L. 108-458 inserted items relating to Principal Deputy Director of National Intelligence, Director of the National Counterterrorism Center, and Director of the National Counter Proliferation Center.

Pub. L. 108-199 inserted item relating to Chief Executive Officer, Millennium Challenge Corporation.

2002—Pub. L. 107-296 inserted item relating to Deputy Secretary of Homeland Security.

Pub. L. 107-295 inserted item relating to Under Secretary of Transportation for Policy.

2001—Pub. L. 107-71 inserted item relating to Under Secretary of Transportation for Security.

2000—Pub. L. 106-569 struck out item relating to Chairman, Board of Governors of the Federal Reserve System and inserted item relating to Members, Board of Governors of the Federal Reserve System.

Pub. L. 106-553 inserted item relating to Deputy Secretary of State for Management and Resources.

1999—Pub. L. 106-65 substituted "Under Secretary of Defense for Acquisition, Technology, and Logistics" for "Under Secretary of Defense for Acquisition and Technology".

1998—Pub. L. 105-277, § 1332(1), struck out item relating to Director of the United States Information Agency.

Pub. L. 105-277, § 1224(1), struck out item relating to Director of the United States Arms Control and Disarmament Agency.

Pub. L. 105-277, § 713(a)(2), inserted item relating to Deputy Director of National Drug Control Policy.

1994—Pub. L. 103-325 inserted item relating to Administrator of the Community Development Financial Institutions Fund.

Pub. L. 103-296 inserted item relating to Deputy Commissioner of Social Security, Social Security Administration.

1993—Pub. L. 103-160 substituted “Under Secretary of Defense for Acquisition and Technology” for “Under Secretary of Defense for Acquisition”.

1992—Pub. L. 102-550 inserted item relating to Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development.

1991—Pub. L. 102-233 substituted “Independent Members, Thrift Depositor Protection Oversight Board” for “Independent Members, Oversight Board, Resolution Trust Corporation”.

1990—Pub. L. 101-576 inserted item relating to Deputy Director for Management, Office of Management and Budget.

Pub. L. 101-509 inserted items relating to Deputy Secretary of Health and Human Services, Deputy Secretary of the Interior, Deputy Secretary of Education, and Deputy Secretary of Housing and Urban Development.

1989—Pub. L. 101-73 inserted item relating to Independent Members, Oversight Board, Resolution Trust Corporation.

1988—Pub. L. 100-679 inserted item relating to Deputy Director of Office of Management and Budget and struck out item relating to Director of Office of Management and Budget.

Pub. L. 100-527 substituted “Deputy Secretary of Veterans Affairs” for “Administrator of Veterans’ Affairs”.

1987—Pub. L. 100-204 struck out item relating to Ambassadors at Large.

1986—Pub. L. 99-619 inserted item relating to Deputy Secretary of Labor.

Pub. L. 99-348 inserted item relating to Under Secretary of Defense for Acquisition.

1984—Pub. L. 98-216 substituted “Director of the Office of Management and Budget” for “Director of the Bureau of the Budget”.

1983—Pub. L. 98-80 inserted item relating to Administrator of Environmental Protection Agency.

Pub. L. 97-449, §3(1), inserted item relating to Administrator, Federal Highway Administration.

1980—Pub. L. 96-465 inserted item relating to Ambassadors at Large.

1979—Pars. (1)–(24). Pub. L. 96-54 struck out paragraph designations for positions listed herein.

1978—Par. (24). Pub. L. 95-454 added par. (24) relating to Director of Office of Personnel Management.

1977—Par. (1). Pub. L. 95-140 substituted “Deputy Secretary of Defense” for “Deputy Secretaries of Defense (2)”.

Par. (22). Pub. L. 95-91 substituted “Deputy Secretary of Energy” for “Administrator of Energy Research and Development Administration”.

1976—Par. (21). Pub. L. 94-237 struck out par. (21) relating to Director of Special Action Office for Drug Abuse Prevention.

Par. (23). Pub. L. 94-561 added par. (23) relating to Deputy Secretary of Agriculture.

1975—Pub. L. 94-82 substituted provisions applying level II of Executive Schedule to positions for which annual rate of basic pay shall be rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title, for provisions applying such level II to positions for which annual rate of basic pay is \$30,000.

1974—Par. (7). Pub. L. 93-496 substituted “Deputy Secretary of Transportation” for “Under Secretary for Transportation”.

Par. (8). Pub. L. 93-438 substituted “Chairman, Nuclear Regulatory Commission” for “Chairman, Atomic Energy Commission”.

Par. (22). Pub. L. 93-438 added par. (22) relating to Deputy Secretary of Energy.

1972—Par. (1). Pub. L. 92-596 substituted “Deputy Secretaries of Defense (2)” for “Deputy Secretary of Defense”.

Par. (2). Pub. L. 92-352 substituted “Deputy Secretary of State” for “Under Secretary of State”.

Par. (6). Pub. L. 92-302 added par. (6) relating to Deputy Secretary of the Treasury. A prior par. (6), “Administrator of the Housing and Home Finance Agency,” was repealed by Pub. L. 90-83, §1(13), Sept. 11, 1967, 81 Stat. 198.

Par. (21). Pub. L. 92-255 added par. (21) relating to Director of Special Action Office for Drug Abuse Prevention.

1971—Par. (20). Pub. L. 91-644 added par. (20) relating to position of Deputy Attorney General being formerly level III under former section 5314(1) of this title.

1968—Par. (19). Pub. L. 90-407 added par. (19) relating to Director of National Science Foundation.

1966—Pub. L. 89-670 substituted “Under Secretary of Transportation” for “Administrator of the Federal Aviation Agency” in item (7), and inserted item (19) relating to Administrator, Federal Aviation Administration.

## Statutory Notes and Related Subsidiaries

### CHANGE OF NAME

Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of Title 6, Domestic Security.

### EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-92, div. A, title IX, §902(93)(C), Dec. 20, 2019, 133 Stat. 1554, provided that: “This paragraph [amending this section and section 5314 of this title] shall have no force or effect until the next date on which the Congress confirms an individual to serve as the Under Secretary of Defense for Research and Engineering after the date of enactment of this Act [Dec. 20, 2019] [Under Secretary confirmed on July 22, 2021].”

### EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title IX, §910(d), Dec. 12, 2017, 131 Stat. 1518, which provided that the amendment made by section 910(d) (amending this section) was effective on Feb. 1, 2018, was repealed by Pub. L. 116-283, div. A, title IX, §901(a)(2)(B), Jan. 1, 2021, 134 Stat. 3794.

Pub. L. 115-91, div. A, title X, §1081(b)(1), Dec. 12, 2017, 131 Stat. 1597, provided that the amendment made by section 1081(b)(1)(C) is effective as of Dec. 23, 2016.

### EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114-328, div. A, title IX, §901(h), Dec. 23, 2016, 130 Stat. 2341, provided that the amendment made by section 901(h) is effective on Feb. 1, 2018.

### EFFECTIVE DATE OF 2015 AMENDMENT

Pub. L. 114-94, div. A, §1003, Dec. 4, 2015, 129 Stat. 1322, provided that: “Except as otherwise provided, this division [see Tables for classification], including the amendments made by this division, takes effect on October 1, 2015.”

Pub. L. 114-94, div. A, title III, §3029(c), Dec. 4, 2015, 129 Stat. 1496, provided that: “The amendments made by this section [amending this section and section 5314 of this title] shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act [Dec. 4, 2015].”

### EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title IX, §901(m)(1), Dec. 19, 2014, 128 Stat. 3468, which provided that the amendment made by section 901(m)(1) is effective on Feb. 1, 2017, was repealed by Pub. L. 115-91, div. A, title X, §1081(b)(1)(C), Dec. 12, 2017, 131 Stat. 1597, effective Dec. 23, 2016.

## EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of Title 50, War and National Defense.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out as an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of Title 50, War and National Defense.

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

## EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-569 effective on the first day of the first pay period for the Chairman and Members of the Board of Governors of the Federal Reserve System beginning on or after Dec. 27, 2000, see section 1002(b) of Pub. L. 106-569, set out as a note under section 5312 of this title.

## EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1224(1) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of Title 22, Foreign Relations and Intercourse.

Amendment by section 1332(1) of Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

## EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-233 effective Feb. 1, 1992, see section 318 of Pub. L. 102-233, set out as a note under section 1441 of Title 12, Banks and Banking.

## EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on first day of first pay period beginning on or after Nov. 5, 1990, with continued service by incumbent Under Secretary of Health and Human Services, Under Secretary of the Interior, Under Secretary of Education, and Under Secretary of Housing and Urban Development, see section 529 [title I, §112(e)] of Pub. L. 101-509, set out as a note under section 3404 of Title 20, Education.

## EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-679 effective Jan. 20, 1989, see section 11(e) of Pub. L. 100-679, set out as a note under section 5312 of this title.

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

## EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-204, title I, §178(b), Dec. 22, 1987, 101 Stat. 1362, provided that: "The amendments made by subsection (a) [amending sections 5313 and 5315 of this title] shall take effect 30 days after the date of enactment of this Act [Dec. 22, 1987] and shall not affect the salary of any individual holding the rank of Ambassador at Large immediately before the date of enactment of this Act during the period such individual continues to serve in such position."

## EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-619 applicable to incumbent Under Secretary of Labor on Nov. 6, 1986, serving after such date, see section 2(f)(1) of Pub. L. 99-619, set out as a Present Incumbent note under section 552 of Title 29, Labor.

## EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

## EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-54 effective Jan. 1, 1980, see section 2(a)(25)(B) of Pub. L. 96-54, set out as a note under section 5312 of this title.

## EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

## EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-561, §5, Oct. 19, 1976, 90 Stat. 2643, provided that:

"(a) Except as otherwise provided in this section, this Act [enacting section 2212b of Title 7, Agriculture, amending sections 5313 to 5316 of this title, sections 2210 and 2211 of Title 7, and section 714g of Title 15, Commerce and Trade, and enacting provisions set out as a note under section 2210 of Title 7] shall take effect on its date of enactment [Oct. 19, 1976].

"(b) Subsection (b)(1) of section 3 of this Act [amending section 5316 of this title] shall take effect upon appointment of a Presidential appointee to fill the successor position created by section 2 of this Act [section 2212b of Title 7]."

## EFFECTIVE DATE OF 1974 AMENDMENT

Amendment of Pub. L. 93-438 effective 120 days after Oct. 11, 1974, or on such earlier date as President may prescribe and publish in Federal Register, except that officers provided for in sections 5811 to 5820 of Title 42, The Public Health and Welfare, may be nominated and appointed at any time after Oct. 11, 1974, see section 312(a) of Pub. L. 93-438, set out as an Effective Date; Interim Appointments note under section 5801 of Title 42.

## EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-302 effective May 18, 1972, see section 3 of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

## EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-407, §15(a)(4), July 18, 1968, 82 Stat. 367, provided that: "The amendments made by this subsection [amending sections 5313, 5314, and 5316 of this title] (and the amendments made by sections 3 and 4 of this Act [amending section 1864 and enacting section 1864a of Title 42, The Public Health and Welfare] insofar as they relate to rates of basic pay) shall take effect on the first day of the first calendar month which begins on or after the date of the enactment of this Act [July 18, 1968]."

## EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective April 1, 1967, see section 16(a), formerly §15(a), of Pub. L. 89-670, and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

## TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Transportation Security Administration of the Department of Transportation, including the functions of the Secretary of Transportation, and of the Under Secretary of Transportation for Security, relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(2), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

BONUS ELIGIBILITY OF ADMINISTRATOR OF THE  
TRANSPORTATION SECURITY ADMINISTRATION

Pub. L. 107-71, title I, §101(c)(2), Nov. 19, 2001, 115 Stat. 602, as amended by Pub. L. 115-254, div. K, title I,

§1904(c)(1)(B), Oct. 5, 2018, 132 Stat. 3546, provided that: “In addition to the annual rate of pay authorized by section 5313 of title 5, United States Code, the Administrator of the Transportation Security Administration may receive a bonus for any calendar year not to exceed 30 percent of the annual rate of pay, based on the Secretary of Homeland Security’s evaluation of the Administrator’s performance.”

#### PAY INCREASE; EFFECTIVE DATE

Persons occupying a position under the Executive Schedule on May 18, 1972, and later appointed to a position created or authorized by Pub. L. 92-302, not eligible to an increase on basic pay until Jan. 21, 1973, see section 3(c) of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE

Director of Federal Bureau of Investigation, Department of Justice to receive compensation at rate prescribed for level II of Federal Executive Salary Schedule [this section], effective as of day following date on which person holding such office on June 19, 1968, ceases to serve as Director, see section 1101(a) of Pub. L. 90-351, June 19, 1968, 82 Stat. 236, set out as a note under section 532 of Title 28, Judiciary and Judicial Procedure.

#### SALARY INCREASES

For adjustment of salaries under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of this title.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of this title.

#### Executive Documents

#### TRANSFER OF FUNCTIONS

Office of Director of Office of Science and Technology abolished and functions vested by law in such office transferred to Director of the National Science Foundation by sections 2 and 3(a)(5) of 1973 Reorg. Plan No. 1, effective July 1, 1973, set out in the Appendix to this title.

### § 5314. Positions at level III

Level III of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Solicitor General of the United States.

Under Secretary of Commerce, Under Secretary of Commerce for Economic Affairs, Under Secretary of Commerce for Industry and Security, Under Secretary of Commerce for Travel and Tourism, and Under Secretary of Commerce for Minority Business Development.

Under Secretaries of State (6).

Under Secretaries of the Treasury (3).

Administrator of General Services.

Administrator of the Small Business Administration.

Deputy Administrator, Agency for International Development.

Chairman of the Merit Systems Protection Board.

Chairman, Federal Communications Commission.

Chairman, Board of Directors, Federal Deposit Insurance Corporation.

Chairman, Federal Energy Regulatory Commission.

Chairman, Federal Trade Commission.

Chairman, Surface Transportation Board.

Chairman, National Labor Relations Board.

Chairman, Securities and Exchange Commission.

Chairman, National Mediation Board.

Chairman, Railroad Retirement Board.

Chairman, Federal Maritime Commission.

Comptroller of the Currency.

Commissioner of Internal Revenue.

Under Secretary of Defense for Research and Engineering.

Under Secretary of Defense for Acquisition and Sustainment.

Under Secretary of Defense for Policy.

Under Secretary of Defense (Comptroller).

Under Secretary of Defense for Personnel and Readiness.

Under Secretary of Defense for Intelligence and Security.

Under Secretary of the Air Force.

Under Secretary of the Army.

Under Secretary of the Navy.

Deputy Administrator of the National Aeronautics and Space Administration.

Deputy Director of the Central Intelligence Agency.

Director of the Office of Emergency Planning.

Director of the Peace Corps.

Deputy Director, National Science Foundation.

President of the Export-Import Bank of Washington.

Members, Nuclear Regulatory Commission.

Members, Defense Nuclear Facilities Safety Board.

Director of the Federal Bureau of Investigation, Department of Justice.

Administrator of the National Highway Traffic Safety Administration.

Administrator of the Federal Motor Carrier Safety Administration.

Administrator, Federal Railroad Administration.

Chairman, National Transportation Safety Board.

Chairman of the National Endowment for the Arts the incumbent of which also serves as Chairman of the National Council on the Arts.

Chairman of the National Endowment for the Humanities.

Director of the Federal Mediation and Conciliation Service.

Chairman, Postal Regulatory Commission.

Chairman, Occupational Safety and Health Review Commission.

Governor of the Farm Credit Administration.

Chairman, Equal Employment Opportunity Commission.

Chairman, Consumer Product Safety Commission.

Under Secretaries of Energy (3).

Chairman, Commodity Futures Trading Commission.

Deputy United States Trade Representatives (3).



Chief Agricultural Negotiator, Office of the United States Trade Representative.

Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative.

Chairman, United States International Trade Commission.

Under Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Administrator of the National Oceanic and Atmospheric Administration.

Under Secretary of Commerce for Standards and Technology, who also serves as Director of the National Institute of Standards and Technology.

Associate Attorney General.

Chairman, Federal Mine Safety and Health Review Commission.

Chairman, National Credit Union Administration Board.

Deputy Director of the Office of Personnel Management.

Under Secretary of Agriculture for Farm Production and Conservation.

Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.

Under Secretary of Agriculture for Natural Resources and Environment.

Under Secretary of Agriculture for Research, Education, and Economics.

Under Secretary of Agriculture for Food Safety.

Under Secretary of Agriculture for Marketing and Regulatory Programs.

Director, Institute for Scientific and Technological Cooperation.

Under Secretary of Agriculture for Rural Development.

Administrator, Maritime Administration.

Executive Director Property Review Board.

Deputy Administrator of the Environmental Protection Agency.

Archivist of the United States.

Executive Director, Federal Retirement Thrift Investment Board.

Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.<sup>1</sup>

Director, Trade and Development Agency.

Under Secretary for Health, Department of Veterans Affairs.

Under Secretary for Benefits, Department of Veterans Affairs.

Under Secretary for Memorial Affairs, Department of Veterans Affairs.

Under Secretaries, Department of Homeland Security.

Director of the Bureau of Citizenship and Immigration Services.

Director of the Office of Government Ethics.

Administrator for Federal Procurement Policy.

Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Director of the Office of Thrift Supervision.

Chairperson of the Federal Housing Finance Board.

Executive Secretary, National Space Council.

Controller, Office of Federal Financial Management, Office of Management and Budget.

Administrator, Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

Deputy Director for Demand Reduction, Office of National Drug Control Policy.

Deputy Director for Supply Reduction, Office of National Drug Control Policy.

Deputy Director for State and Local Affairs, Office of National Drug Control Policy.

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Register of Copyrights.

Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

Under Secretary of Education<sup>2</sup>

Administrator of the Centers for Medicare & Medicaid Services.

Administrator of the Office of Electronic Government.

Administrator, Pipeline and Hazardous Materials Safety Administration.

Director, Pension Benefit Guaranty Corporation.

Deputy Administrators, Federal Emergency Management Agency.

Deputy Administrator, Transportation Security Administration.

Chief Executive Officer, International Clean Energy Foundation.

Independent Member of the Financial Stability Oversight Council (1).

Director of the Office of Financial Research.

Director of the National Reconnaissance Office.

Special Counsel of the Office of Special Counsel.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 460; Pub. L. 89-670, §10(d)(3), (e), Oct. 15, 1966, 80 Stat. 948; Pub. L. 90-83, §1(14), Sept. 11, 1967, 81 Stat. 198; Pub. L. 90-206, title II, §215(a), Dec. 16, 1967, 81 Stat. 638; Pub. L. 90-351, title I, §505, June 19, 1968, 82 Stat. 205, as amended by Pub. L. 91-644, title I, §7(1), Jan. 2, 1971, 84 Stat. 1887; Pub. L. 90-407, §15(a)(2), July 18, 1968, 82 Stat. 367; Pub. L. 90-623, §1(26), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 91-175, pt. V, §503(1), Dec. 30, 1969, 83 Stat. 826; Pub. L. 91-375, §6(c)(13), Aug. 12, 1970, 84 Stat. 776; Pub. L. 91-596, §12(c)(1), Dec. 29, 1970, 84 Stat. 1604; Pub. L. 91-644, title I, §§7(1), 8(a), Jan. 2, 1971, 84 Stat. 1887, 1888; Pub. L. 92-181, title V, §5.41(a), formerly §5.27(a), Dec. 10, 1971, 85 Stat. 625, as renumbered Pub. L. 99-205, title II, §205(a)(2), Dec. 23, 1985, 99 Stat. 1703; Pub. L. 92-226, pt. IV, §403, Feb. 7, 1972, 86 Stat. 34; Pub. L. 92-261, §9(a), Mar. 24, 1972, 86 Stat. 110; Pub. L. 92-302, §2(b), May 18, 1972, 86 Stat. 149; Pub. L. 92-352, title I, §104(2), July 13, 1972, 86 Stat. 490; Pub. L. 92-573, §4(h)(1), Oct. 27, 1972, 86 Stat. 1211; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 211; Pub. L. 93-438, title III, §310(2), Oct. 11, 1974, 88 Stat. 1252; Pub. L. 93-463, title I, §102(a), Oct. 23, 1974, 88 Stat. 1391; Pub. L. 93-618, title I, §§141(b)(3)(B),

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be followed by a period.

172(c)(1), Jan. 3, 1975, 88 Stat. 1999, 2010; Pub. L. 94-82, title II, §202(b)(3), Aug. 9, 1975, 89 Stat. 420; Pub. L. 94-123, §2(c)(1), Oct. 22, 1975, 89 Stat. 670; Pub. L. 94-183, §2(17), Dec. 31, 1975, 89 Stat. 1057; Pub. L. 92-255, title II, §209(a), as added Pub. L. 94-237, §4(b), Mar. 19, 1976, 90 Stat. 243; Pub. L. 94-461, §4(a), Oct. 8, 1976, 90 Stat. 1969; Pub. L. 94-561, §1(b), Oct. 19, 1976, 90 Stat. 2643; Pub. L. 95-91, title VII, §710(e), Aug. 4, 1977, 91 Stat. 609; Pub. L. 95-139, §3, Oct. 19, 1977, 91 Stat. 1171; Pub. L. 95-140, §3(d)(2), Oct. 21, 1977, 91 Stat. 1173; Pub. L. 95-164, title III, §302(c)(1), Nov. 9, 1977, 91 Stat. 1320; Pub. L. 95-426, title I, §114(b)(1), Oct. 7, 1978, 92 Stat. 969; Pub. L. 95-454, title II, §§201(b)(2), 202(c)(1), Oct. 13, 1978, 92 Stat. 1121, 1131; Pub. L. 95-501, title V, §501(b), Oct. 21, 1978, 92 Stat. 1691; Pub. L. 95-630, title V, §502(d), Nov. 10, 1978, 92 Stat. 3681; Pub. L. 96-53, title IV, §412(a), Aug. 14, 1979, 93 Stat. 377; Pub. L. 96-54, §2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 96-88, title V, §508(d), (g), Oct. 17, 1979, 93 Stat. 692; Pub. L. 90-351, title I, §808, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1204; Pub. L. 96-355, §3(b), Sept. 24, 1980, 94 Stat. 1173; Pub. L. 97-31, §12(1)(A), Aug. 6, 1981, 95 Stat. 153; Pub. L. 97-63, §4(a)(4), Oct. 16, 1981, 95 Stat. 1014; Pub. L. 97-195, §1(b)(1), June 16, 1982, 96 Stat. 115; Pub. L. 97-377, title I, §123, Dec. 21, 1982, 96 Stat. 1913; Pub. L. 97-449, §3(2), Jan. 12, 1983, 96 Stat. 2441; Pub. L. 97-456, §3(d)(1), (6), Jan. 12, 1983, 96 Stat. 2505, 2506; Pub. L. 98-80, §2(b)(1), Aug. 23, 1983, 97 Stat. 485; Pub. L. 98-164, title I, §125(b)(1), Nov. 22, 1983, 97 Stat. 1026; Pub. L. 98-216, §3(a)(2), Feb. 14, 1984, 98 Stat. 6; Pub. L. 98-443, §9(e), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 98-473, title II, §609J(a), Oct. 12, 1984, 98 Stat. 2102; Pub. L. 98-497, title I, §107(h), Oct. 19, 1984, 98 Stat. 2292; Pub. L. 99-64, title I, §116(b), July 12, 1985, 99 Stat. 153; Pub. L. 99-93, title I, §116(b), title VII, §704(a)(1), Aug. 16, 1985, 99 Stat. 412, 445; Pub. L. 99-335, title II, §203, Pub. L. 98-6, 1986, 100 Stat. 591; Pub. L. 99-348, title V, §501(d)(2), July 1, 1986, 100 Stat. 708; Pub. L. 99-500, §101(c) [title X, §§902(b), 903(b)(2)(A)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-132, and Pub. L. 99-591, §101(c) [title X, §§902(b), 903(b)(2)(A)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-132; Pub. L. 99-619, §2(a)(3), Nov. 6, 1986, 100 Stat. 3491; Pub. L. 99-659, title IV, §407(e)(1), Nov. 14, 1986, 100 Stat. 3740; Pub. L. 99-661, div. A, title IX, formerly title IV, §§902(b), 903(b)(2)(A), Nov. 14, 1986, 100 Stat. 3911, 3912, as renumbered Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; Pub. L. 100-418, title II, §2204(d)(1), Aug. 23, 1988, 102 Stat. 1331; Pub. L. 100-456, div. A, title XIV, §1441(b), Sept. 29, 1988, 102 Stat. 2084; Pub. L. 100-519, title II, §201(d)(4), Oct. 24, 1988, 102 Stat. 2594; Pub. L. 100-527, §13(e), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 100-598, §8, Nov. 3, 1988, 102 Stat. 3035; Pub. L. 100-679, §11(c), Nov. 17, 1988, 102 Stat. 4070; Pub. L. 100-690, title I, §§1003(a)(4)(B), 1007(c)(3), Nov. 18, 1988, 102 Stat. 4182, 4188; Pub. L. 101-73, title VII, §742(a)(1), Aug. 9, 1989, 103 Stat. 436; Pub. L. 101-328, §3(b), July 8, 1990, 104 Stat. 308; Pub. L. 101-509, title V, §529 [title I, §112(d)], Nov. 5, 1990, 104 Stat. 1427, 1455; Pub. L. 101-576, title II, §207(b), Nov. 15, 1990, 104 Stat. 2846; Pub. L. 102-103, title II, §202, Aug. 17, 1991, 105 Stat. 498; Pub. L. 102-233, title III, §315(c), Dec. 12, 1991, 105 Stat. 1772; Pub. L. 102-240, title III, §3004(d)(1), Dec. 18, 1991, 105 Stat. 2088; Pub. L. 102-378, §2(28), Oct. 2, 1992, 106 Stat. 1350; Pub. L. 102-405, title III, §302(d), Oct. 9, 1992, 106 Stat. 1985; Pub. L. 102-508, title IV, §401(c), Oct. 24, 1992, 106 Stat. 3310; Pub. L. 102-549, title II, §202(d), Oct. 28, 1992, 106 Stat. 3658; Pub. L. 102-552, title II, §201(b)(1), Oct. 28, 1992, 106 Stat. 4105; Pub. L. 103-160, div. A, title IX, §§901(b), 903(b), 904(e)(2), Nov. 30, 1993, 107 Stat. 1726, 1727, 1729; Pub. L. 103-204, §5(b)(1), Dec. 17, 1993, 107 Stat. 2382; Pub. L. 103-211, title II, §2003(b), Feb. 12, 1994, 108 Stat. 24; Pub. L. 103-236, title I, §162(d)(1), Apr. 30, 1994, 108 Stat. 405; Pub. L. 103-337, div. A, title IX, §903(c), Oct. 5, 1994, 108 Stat. 2823; Pub. L. 103-354, title II, §§225(e)(2), 231(f)(2), 241(e), 245(e), 251(g), formerly 251(e), 261(c), 285(e), Oct. 13, 1994, 108 Stat. 3214, 3219, 3222, 3223, 3226, 3227, as amended Pub. L. 105-277, div. A, §101(a) [title X, §1001(3)], Oct. 21, 1998, 112 Stat. 2681, 2681-41, and renumbered Pub. L. 110-234, title VII, §7511(a)(3), May 22, 2008, 122 Stat. 1259, and Pub. L. 110-246, §4(a), title VII, §7511(a)(3), June 18, 2008, 122 Stat. 1664, 2021; Pub. L. 104-88, title III, §301(a), Dec. 29, 1995, 109 Stat. 943; Pub. L. 104-105, title II, §219(b)(1), Feb. 10, 1996, 110 Stat. 184; Pub. L. 104-127, title VII, §794(b), Apr. 4, 1996, 110 Stat. 1155; Pub. L. 104-293, title VIII, §812(a), Oct. 11, 1996, 110 Stat. 3482; Pub. L. 105-277, div. C, title VII, §713(a)(3), div. G, subdiv. A, title XII, §1224(2), subdiv. B, title XXIII, §2305(a)(2), Oct. 21, 1998, 112 Stat. 2681-693, 2681-772, 2681-825; Pub. L. 105-304, title IV, §401(a)(3), Oct. 28, 1998, 112 Stat. 2887; Pub. L. 105-368, title IV, §403(b)(1), Nov. 11, 1998, 112 Stat. 3338; Pub. L. 106-65, div. A, title IX, §911(b)(2), div. C, title XXXII, §3293(a), Oct. 5, 1999, 113 Stat. 718, 969; Pub. L. 106-113, div. B, §§1000(a)(5) [title II, §238(a)(2)], 1000(a)(9) [title IV, §4720(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-302, 1501A-581; Pub. L. 106-159, title I, §101(d)(1), Dec. 9, 1999, 113 Stat. 1751; Pub. L. 106-476, title II, §2002, Nov. 9, 2000, 114 Stat. 2175; Pub. L. 106-569, title X, §1002(a)(3), Dec. 27, 2000, 114 Stat. 3028; Pub. L. 107-110, title X, §1071(a), Jan. 8, 2002, 115 Stat. 2088; Pub. L. 107-296, title IV, §411(b)(2), title XVII, §1702(a)(3), Nov. 25, 2002, 116 Stat. 2179, 2313; Pub. L. 107-314, div. A, title IX, §901(c), Dec. 2, 2002, 116 Stat. 2620; Pub. L. 108-173, title IX, §900(d)(1), Dec. 8, 2003, 117 Stat. 2370; Pub. L. 108-411, title III, §302(b), Oct. 30, 2004, 118 Stat. 2319; Pub. L. 108-426, §§2(d), 4(f), Nov. 30, 2004, 118 Stat. 2424, 2426; Pub. L. 108-447, div. C, title VI, §603(c)(1), Dec. 8, 2004, 118 Stat. 2967; Pub. L. 109-58, title X, §1006(c)(2), Aug. 8, 2005, 119 Stat. 932; Pub. L. 109-163, div. A, title IX, §901(a), Jan. 6, 2006, 119 Stat. 3397; Pub. L. 109-280, title IV, §411(b), Aug. 17, 2006, 120 Stat. 935; Pub. L. 109-295, title VI, §612(a)(2), Oct. 4, 2006, 120 Stat. 1410; Pub. L. 109-364, div. A, title IX, §942(b), Oct. 17, 2006, 120 Stat. 2365; Pub. L. 109-435, title VI, §604(b), Dec. 20, 2006, 120 Stat. 3241; Pub. L. 110-69, title III, §3002(c)(1), Aug. 9, 2007, 121 Stat. 586; Pub. L. 110-140, title IX, §922(b)(4)(B), Dec. 19, 2007, 121 Stat. 1733; Pub. L. 110-181, div. A, title IX, §904(a)(3), Jan. 28, 2008, 122 Stat. 274; Pub. L. 111-84, div. A, title IX, §906(d)(1), Oct. 28, 2009, 123 Stat. 2428; Pub. L. 111-203, title I, §§111(i)(2), 152(j), July 21, 2010, 124 Stat. 1394, 1414; Pub. L. 111-259, title IV, §423(b)(1), Oct. 7, 2010, 124 Stat. 2728; Pub. L. 111-358, title IV, §403(b)(1)(A), Jan. 4, 2011, 124 Stat. 4000; Pub. L. 113-76, div. L, title I, Jan. 17, 2014, 128 Stat. 574; Pub. L. 113-291, div. A, title

IX, §901(m)(2), Dec. 19, 2014, 128 Stat. 3469; Pub. L. 114-94, div. A, title III, §3029(b), Dec. 4, 2015, 129 Stat. 1496; Pub. L. 114-125, title VI, §609(b), title VIII, §802(d)(1), Feb. 24, 2016, 130 Stat. 190, 210; Pub. L. 115-91, div. A, title IX, §903(b), title X, §1081(b)(1)(C), Dec. 12, 2017, 131 Stat. 1512, 1597; Pub. L. 115-141, div. A, title VII, §772(b), Mar. 23, 2018, 132 Stat. 398; Pub. L. 115-232, div. A, title X, §1081(f)(1)(F), title XVII, §1781(c), formerly §1781(b), Aug. 13, 2018, 132 Stat. 1987, 2238, renumbered §1781(c), Pub. L. 116-6, div. H, title II, §205(a)(1), Feb. 15, 2019, 133 Stat. 476; Pub. L. 115-254, div. F, title VI, §1470(b)(1), div. K, title I, §1904(c)(2), Oct. 5, 2018, 132 Stat. 3516, 3546; Pub. L. 115-278, §2(h)(3)(A), Nov. 16, 2018, 132 Stat. 4183; Pub. L. 116-92, div. A, title IX, §902(93)(A), title XVI, §1621(e)(2)(A), Dec. 20, 2019, 133 Stat. 1554, 1733; Pub. L. 116-260, div. W, title III, §304, Dec. 27, 2020, 134 Stat. 2365; Pub. L. 116-283, div. H, title XC, §9001(b)(2), Jan. 1, 2021, 134 Stat. 4766; Pub. L. 117-58, div. K, §100003(b)(2)(B), Nov. 15, 2021, 135 Stat. 1448; Pub. L. 117-263, div. E, title LIII, §5304(b)(1)(A), Dec. 23, 2022, 136 Stat. 3251.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(1)–(44) .....	5 U.S.C. 2211(c) (less (39) and (46)).	Aug. 14, 1964, Pub. L. 88-426, §303(c) (less (39) and (46)), 78 Stat. 416.
(45) .....	5 U.S.C. 2211(b)(15) (proviso).	Aug. 14, 1964, Pub. L. 88-426, §303(b)(15) (proviso), 78 Stat. 416.

The provisos in paragraphs (39) and (46) of former section 2211(c) are carried into section 5315. The remainders of paragraphs (39) and (46) are omitted but not repealed, see table III. The parts of paragraphs (39) and (46) that are omitted but not repealed provide that the positions of Director of Selective Service and Associate Director of the Federal Bureau of Investigation shall be in Level III so long as the positions are held by the incumbents of the positions on August 14, 1964. The omission of these provisions from title 5, without repealing the corresponding provisions of the source statute, in effect, leaves existing statute unchanged insofar as it relates to the present incumbents of the positions of Director of Selective Service and Associate Director of the Federal Bureau of Investigation.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5314(49) .....	20: 954(d) (2d sentence).	Sept. 29, 1965, Pub. L. 89-209, §5(d)(1) (2d sentence), 79 Stat. 847.
5314(50) .....	20:956(b)(1) (2d sentence).	Sept. 29, 1965, Pub. L. 89-209, §7(b)(1) (2d sentence), 79 Stat. 850.
5314(51) .....	5 App.: 2211(c)(47).	July 18, 1966, Pub. L. 89-504, §408(a), 80 Stat. 299.
5314(52) .....	42:3533(a) (as applicable to compensation of Under Secretary).	Sept. 9, 1965, Pub. L. 89-174, §4(a) (as applicable to compensation of Under Secretary), 79 Stat. 668.

The deletion of paragraph (41) of 5 U.S.C. 5314 reflects the abolition of the position of “Deputy Administrator of the Housing and Home Finance Agency” by the act of September 9, 1965, Public Law 89-174, sections 5(a), 9(c), 79 Stat. 669, 671.

In paragraph (49), the words “In lieu of receiving compensation at the rate prescribed by section 785(c) of this title” are omitted since the provisions of 20 U.S.C. 785(c) relating to compensation are repealed by this bill; also see table II. The wording further reflects the first sentence of 20 U.S.C. 954(d), and conforms to 5 U.S.C. 5314 which applies to positions rather than individuals.

Editorial Notes

REFERENCES IN TEXT

The position of Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics, referred to in text, was established by former section 133a of Title 10, added Pub. L. 99-500, §101(c) [title X, §902(a)(1)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-131, and Pub. L. 99-591, §101(c) [title X, §902(a)(1)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-131; Pub. L. 99-661, div. A, title IX, formerly title IV, §902(a)(1), Nov. 14, 1986, 100 Stat. 3911, renumbered title IX, Pub. L. 100-26, §3(5), Apr. 21, 1987, 101 Stat. 273; amended Pub. L. 103-160, div. A, title IX, §904(c), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 103-337, div. A, title X, §1070(a)(2), Oct. 5, 1994, 108 Stat. 2855; Pub. L. 104-106, div. A, title IX, §903(c)(1), Feb. 10, 1996, 110 Stat. 401; Pub. L. 104-201, div. A, title IX, §901, Sept. 23, 1996, 110 Stat. 2617; Pub. L. 106-65, div. A, title IX, §911(c), Oct. 5, 1999, 113 Stat. 718; Pub. L. 107-107, div. A, title X, §1048(b)(1), Dec. 28, 2001, 115 Stat. 1225; Pub. L. 111-84, div. A, title IX, §906(c)(1)(A), (2)(A), Oct. 28, 2009, 123 Stat. 2427, which was repealed by Pub. L. 111-383, div. A, title IX, §901(b)(1), (p), Jan. 7, 2011, 124 Stat. 4317, 4327, effective Jan. 1, 2011.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 identically renumbered section 251(e) of Pub. L. 103-354, cited as a credit to this section, as section 251(g) of that Act. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234.

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Paragraph designation for the position added by Pub. L. 96-88 has been omitted in view of the deletion of all paragraph designations in this section by Pub. L. 96-54.

AMENDMENTS

2022—Pub. L. 117-263 inserted item relating to Special Counsel of the Office of Special Counsel.

2021—Pub. L. 117-58 substituted “Under Secretary of Commerce for Travel and Tourism, and Under Secretary of Commerce for Minority Business Development” for “and Under Secretary of Commerce for Travel and Tourism”.

Pub. L. 116-283 struck out item relating to Director, Cybersecurity and Infrastructure Security Agency.

2020—Pub. L. 116-260 inserted item relating to Director of the National Reconnaissance Office.

2019—Pub. L. 116-92, §1621(e)(2)(A), substituted “Under Secretary of Defense for Intelligence and Security” for “Under Secretary of Defense for Intelligence”.

Pub. L. 116-92, §902(93)(A), inserted item relating to Under Secretary of Defense for Research and Engineering.

Pub. L. 116-6, §205(a)(1), amended Pub. L. 115-232, §1781(b). See 2018 Amendment note below.

2018—Pub. L. 115-278 inserted item relating to Director, Cybersecurity and Infrastructure Security Agency.

Pub. L. 115-254, §1904(c)(2), inserted item relating to Deputy Administrator, Transportation Security Administration.

Pub. L. 115-254, §1470(b)(1), struck out item relating to President, Overseas Private Investment Corporation.

Pub. L. 115-232, §1781(c), formerly (b), as renumbered by Pub. L. 116-6, §205(a)(1), substituted “Under Secretary of Commerce for Industry and Security” for “Under Secretary of Commerce for Export Administration”.

Pub. L. 115-232, §1081(f)(1)(F), struck out item relating to Deputy Chief Management Officer of the Department of Defense.

Pub. L. 115-141 inserted items relating to Under Secretary of Agriculture for Farm Production and Conservation and Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs and struck out item relating to Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

2017—Pub. L. 115-91, §1081(b)(1)(C), repealed Pub. L. 113-291, §901(m)(2). See 2014 Amendment note below.

Pub. L. 115-91, §903(b), inserted item relating to Under Secretary of Defense for Acquisition and Sustainment.

2016—Pub. L. 114-125, §802(d)(1), substituted “Commissioner of U.S. Customs and Border Protection, Department of Homeland Security” for “Commissioner of Customs, Department of Homeland Security”.

Pub. L. 114-125, §609(b), inserted items relating to Chief Agricultural Negotiator, Office of the United States Trade Representative and Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative and struck out item relating to Chief Agricultural Negotiator.

2015—Pub. L. 114-94 struck out item relating to Federal Transit Administrator.

2014—Pub. L. 113-291, §901(m)(2), which directed striking out item relating to Deputy Chief Management Officer of the Department of Defense, was repealed by Pub. L. 115-91, §1081(b)(1)(C).

2011—Pub. L. 111-358 inserted item relating to Under Secretary of Commerce for Standards and Technology, who also serves as Director of the National Institute of Standards and Technology.

2010—Pub. L. 111-259 substituted “Deputy Director of the Central Intelligence Agency” for “Deputy Directors of Central Intelligence (2)”.

Pub. L. 111-203, §152(j), inserted item relating to Director of the Office of Financial Research.

Pub. L. 111-203, §111(i)(2), inserted item relating to Independent Member of the Financial Stability Oversight Council.

2009—Pub. L. 111-84 substituted “Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.” for “Deputy Under Secretary of Defense for Acquisition and Technology.”

2008—Pub. L. 110-181 inserted item relating to Deputy Chief Management Officer of the Department of Defense.

2007—Pub. L. 110-140 inserted item relating to Chief Executive Officer, International Clean Energy Foundation.

Pub. L. 110-69 struck out item relating to Under Secretary of Commerce for Technology.

2006—Pub. L. 109-435 substituted “Chairman, Postal Regulatory Commission” for “Chairman, Postal Rate Commission”.

Pub. L. 109-364 struck out item relating to Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

Pub. L. 109-295 inserted item relating to Deputy Administrators, Federal Emergency Management Agency.

Pub. L. 109-280 inserted item relating to Director, Pension Benefit Guaranty Corporation.

Pub. L. 109-163, which directed insertion of items relating to Under Secretary of the Air Force, Under Secretary of the Army, and Under Secretary of the Navy after “Under Secretary of Defense for Intelligence”, was executed by inserting such items after “Under Secretary of Defense for Intelligence.”, to reflect the probable intent of Congress.

2005—Pub. L. 109-58 substituted “Under Secretaries of Energy (3)” for “Under Secretaries of Energy (2)”.

2004—Pub. L. 108-447 struck out item relating to Chairman, Board of Directors of the Tennessee Valley Authority.

Pub. L. 108-426, §4(f), substituted “Administrator, Research and Innovative Technology Administration” for “Administrator, Research and Special Programs Administration”.

Pub. L. 108-426, §2(d), inserted item relating to Administrator, Pipeline and Hazardous Materials Safety Administration.

Pub. L. 108-411 inserted item relating to Administrator of the Office of Electronic Government.

2003—Pub. L. 108-173 inserted item relating to Administrator of Centers for Medicare & Medicaid Services.

2002—Pub. L. 107-314 inserted item relating to Under Secretary of Defense for Intelligence.

Pub. L. 107-296, §1702(a)(3), inserted items relating to Under Secretaries, Department of Homeland Security and Director of the Bureau of Citizenship and Immigration Services.

Pub. L. 107-296, §411(b)(2), substituted “Commissioner of Customs, Department of Homeland Security.” for “Commissioner of Customs, Department of the Treasury”.

Pub. L. 107-110 inserted item relating to Under Secretary of Education.

2000—Pub. L. 106-569 struck out item relating to Members, Board of Governors of the Federal Reserve System.

Pub. L. 106-476 inserted item relating to Chief Agricultural Negotiator.

1999—Pub. L. 106-159 inserted item relating to Administrator of the Federal Motor Carrier Safety Administration.

Pub. L. 106-113, §1000(a)(9) [title IV, §4720(a)], substituted “Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.” for “Assistant Secretary of Commerce and Commissioner of Patents and Trademarks.”

Pub. L. 106-113, §1000(a)(5) [title II, §238(a)(2)], inserted item relating to Commissioner of Customs, Department of the Treasury.

Pub. L. 106-65, §3293(a), substituted “Under Secretaries of Energy (2)” for “Under Secretary, Department of Energy”.

Pub. L. 106-65, §911(b)(2), inserted item relating to Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

1998—Pub. L. 105-368 inserted item relating to Under Secretary for Memorial Affairs, Department of Veterans Affairs.

Pub. L. 105-304 inserted items relating to Assistant Secretary of Commerce and Commissioner of Patents and Trademarks and Register of Copyrights.

Pub. L. 105-277, §2305(a)(2), substituted “Under Secretaries of State (6)” for “Under Secretaries of State (5)”.

Pub. L. 105-277, §1224(2), struck out item relating to Deputy Director of the United States Arms Control and Disarmament Agency.

Pub. L. 105-277, §713(a)(3), inserted items relating to Deputy Director for Demand Reduction, Office of National Drug Control Policy, Deputy Director for Supply Reduction, Office of National Drug Control Policy, and Deputy Director for State and Local Affairs, Office of National Drug Control Policy.

Pub. L. 105-277, §101(a) [title X, §1001(3)], added Pub. L. 103-354, §285(e). See 1994 Amendment note below.

1996—Pub. L. 104-293 substituted “Deputy Directors of Central Intelligence (2)” for “Deputy Director of Central Intelligence”.

Pub. L. 104-127 substituted “Under Secretary of Agriculture for Rural Development” for “Under Secretary of Agriculture for Rural Economic and Community Development”.

Pub. L. 104-105 struck out item relating to Chairperson, Board of Directors of the Farm Credit System Insurance Corporation.

1995—Pub. L. 104-88 substituted “Chairman, Surface Transportation Board” for “Chairman, Interstate Commerce Commission”.

1994—Pub. L. 103-354, §251(g), formerly §251(e), as renumbered by Pub. L. 110-246, §7511(a)(3), inserted item relating to Under Secretary of Agriculture for Research, Education, and Economics.

Pub. L. 103-354, §285(e), as added by Pub. L. 105-277, §101(a) [title X, §1001(3)], inserted item relating to Under Secretary of Agriculture for Marketing and Regulatory Programs.

Pub. L. 103-354, §§225(e)(2), 231(f)(2), 241(e), 245(e), 261(c), substituted “Under Secretary of Agriculture for

Farm and Foreign Agricultural Services” for “Under Secretary of Agriculture for International Affairs and Commodity Programs”, inserted items relating to Under Secretaries of Agriculture for Food, Nutrition, and Consumer Services; for Natural Resources and Environment; and for Food Safety, and substituted “Under Secretary of Agriculture for Rural Economic and Community Development” for “Under Secretary of Agriculture for Small Community and Rural Development”.

Pub. L. 103-337 substituted “Under Secretary of Defense (Comptroller)” for “Comptroller of the Department of Defense”.

Pub. L. 103-236 inserted item relating to Under Secretaries of State (5) and struck out items relating to Under Secretary of State for Political Affairs and Under Secretary of State for Economic and Agricultural Affairs and an Under Secretary of State for Coordinating Security Assistance Programs and Under Secretary of State for Management and Counselor of the Department of State.

Pub. L. 103-211 inserted item relating to Under Secretary of the Treasury (3) and struck out items relating to Under Secretary of the Treasury (or Counselor) and Under Secretary of the Treasury for Monetary Affairs.

1993—Pub. L. 103-204, which directed striking out of “chief executive officer of the Resolution Trust Corporation.”, was executed by striking “chief executive officer, Resolution Trust Corporation.” to reflect the probable intent of Congress.

Pub. L. 103-160 inserted items relating to Comptroller of the Department of Defense and Under Secretary of Defense for Personnel and Readiness and substituted “Deputy Under Secretary of Defense for Acquisition and Technology” for “Deputy Under Secretary of Defense for Acquisition”.

1992—Pub. L. 102-552 inserted item relating to Chairperson, Board of Directors of the Farm Credit System Insurance Corporation.

Pub. L. 102-549 substituted “Director, Trade and Development Agency” for “Director, Trade and Development Program”.

Pub. L. 102-508 inserted item relating to Administrator, Research and Special Programs Administration.

Pub. L. 102-405 substituted “Under Secretary for Health, Department of Veterans Affairs” for “Chief Medical Director, Department of Veterans Affairs” and “Under Secretary for Benefits, Department of Veterans Affairs” for “Chief Benefits Director, Department of Veterans Affairs”.

Pub. L. 102-378 struck out each of the items relating to Under Secretary of Education, Under Secretary of Health and Human Services, Under Secretary of the Interior, and Under Secretary of Housing and Urban Development.

1991—Pub. L. 102-240 substituted “Federal Transit Administrator” for “Urban Mass Transportation Administrator”.

Pub. L. 102-233 inserted item relating to chief executive officer, Resolution Trust Corporation.

Pub. L. 102-103 inserted item relating to Under Secretary of Education.

1990—Pub. L. 101-576 inserted item relating to Controller, Office of Federal Financial Management, Office of Management and Budget.

Pub. L. 101-509 directed the amendment of this section by striking the following:

“Under Secretary of Health and Human Services.

“Under Secretary of the Interior.

“Under Secretary of Education.

“Under Secretary of Housing and Urban Development.”

Section did not contain the positions in the order referred to in Pub. L. 101-509. See 1992 Amendment note above for Pub. L. 102-378.

Pub. L. 101-328 inserted item relating to Executive Secretary, National Space Council.

1989—Pub. L. 101-73 inserted items relating to Director of the Office of Thrift Supervision and Chairperson of the Federal Housing Finance Board, and struck out

item relating to Chairman of the Federal Home Loan Bank Board.

1988—Pub. L. 100-690, § 1007(c)(3), struck out item relating to Director of Office of Drug Abuse Policy.

Pub. L. 100-690, §§ 1003(a)(4)(B), 1009, temporarily inserted items relating to Deputy Director for Demand Reduction, Office of National Drug Control Policy, and Deputy Director for Supply Reduction, Office of National Drug Control Policy. See Effective and Termination Dates of 1988 Amendments note below.

Pub. L. 100-679 inserted items relating to Administrator for Federal Procurement Policy and to Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, and struck out item relating to Deputy Director of Office of Management and Budget.

Pub. L. 100-598 inserted item relating to Director of Office of Government Ethics.

Pub. L. 100-527 inserted items relating to Chief Medical Director, Department of Veterans Affairs, and Chief Benefits Director, Department of Veterans Affairs, and struck out item relating to Deputy Administrator of Veterans' Affairs.

Pub. L. 100-519 inserted item relating to Under Secretary of Commerce for Technology.

Pub. L. 100-456 inserted item relating to Members, Defense Nuclear Facilities Safety Board after item relating to Members, Nuclear Regulatory Commission.

Pub. L. 100-418 inserted item relating to Director, Trade and Development Program.

1986—Pub. L. 99-659 substituted “Under Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Administrator of the National Oceanic and Atmospheric Administration” for “Administrator, National Oceanic and Atmospheric Administration”.

Pub. L. 99-619 struck out item relating to Under Secretary of Labor.

Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661, amended section identically, inserting item relating to Deputy Under Secretary of Defense for Acquisition and striking out item relating to Director of Defense Research and Engineering.

Pub. L. 99-348 substituted “Under Secretary of Defense for Policy” for “Under Secretaries of Defense (2)” and inserted item relating to Director of Defense Research and Engineering.

Pub. L. 99-335 inserted item relating to Executive Director, Federal Retirement Thrift Investment Board.

1985—Pub. L. 99-93, § 116(b), substituted “Under Secretary of State for Economic and Agricultural Affairs” for “Under Secretary of State for Economic Affairs”.

Pub. L. 99-93, § 704(a)(1), inserted item relating to Deputy Director of United States Arms Control and Disarmament Agency.

Pub. L. 99-64 inserted item relating to Under Secretary of Commerce for Export Administration.

1984—Pub. L. 98-497 inserted item relating to Archivist of United States.

Pub. L. 98-473 struck out item relating to Director of Office of Justice Assistance, Research, and Statistics.

Pub. L. 98-443 struck out item relating to Chairman of Civil Aeronautics Board.

Pub. L. 98-216 substituted “Deputy Director of the Office of Management and Budget” for “Deputy Director of the Bureau of the Budget”.

1983—Pub. L. 98-164 inserted item relating to Counselor of Department of State.

Pub. L. 98-80 inserted item relating to Deputy Administrator of Environmental Protection Agency.

Pub. L. 97-456, § 3(d)(6), substituted “Deputy United States Trade Representatives (3)” for “Deputy Special Representatives for Trade Negotiations (2)”.

Pub. L. 97-449 substituted “Administrator of the National Highway Traffic Safety Administration” for “Administrator, Federal Highway Administration”.

1982—Pub. L. 97-377 inserted item relating to Executive Director of Property Review Board.

Pub. L. 97-195 substituted “Under Secretary of Commerce, Under Secretary of Commerce for Economic Af-

fairs, and Under Secretary of Commerce for Travel and Tourism” for “Under Secretary of Commerce and Under Secretary of Commerce for Travel and Tourism”.

1981—Pub. L. 97-63 substituted “Under Secretary of Commerce and Under Secretary of Commerce for Travel and Tourism” for “Under Secretary of Commerce”.

Pub. L. 97-31 inserted item relating to Administrator, Maritime Administration.

1980—Pub. L. 96-355 inserted item relating to Under Secretary of Agriculture for Small Community and Rural Development.

1979—Pub. L. 96-157 inserted item relating to Director, Office of Justice Assistance, Research, and Statistics, and struck out item relating to Administrator of Law Enforcement Assistance.

Pub. L. 96-88, § 508(g), substituted “Health and Human Services” for “Health, Education, and Welfare” in item relating to Under Secretary of Health and Human Services.

Par. (5). Pub. L. 96-88, § 508(d), added par. (5) relating to Under Secretary of Education. See Codification note above.

Pars. (1) to (70). Pub. L. 96-54 struck out paragraph designations for positions listed herein.

Par. (70). Pub. L. 96-53 added par. (70) relating to Director, Institute for Scientific and Technological Cooperation.

1978—Par. (9). Pub. L. 95-426 inserted “and Under Secretary of State for Management”.

Par. (17). Pub. L. 95-454, § 202(c)(1), substituted “Merit Systems Protection Board” for “United States Civil Service Commission”.

Par. (66). Pub. L. 95-630 added par. (66) relating to Chairman, National Credit Union Administration Board.

Par. (68). Pub. L. 95-454, § 201(b)(2), added par. (68) relating to Deputy Director of Office of Personnel Management.

Par. (69). Pub. L. 95-501 added par. (69) relating to Under Secretary of Agriculture for International Affairs and Commodity Programs.

1977—Par. (21). Pub. L. 95-91 substituted “Federal Energy Regulatory Commission” for “Federal Power Commission”.

Par. (32). Pub. L. 95-140 substituted “Under Secretaries of Defense (2)” for “Director of Defense Research and Engineering, Department of Defense”.

Par. (60). Pub. L. 95-91 substituted “Under Secretary, Department of Energy” for “Deputy Administrator, Energy Research and Development Administration”.

Par. (66). Pub. L. 95-164 added par. (66) relating to Chairman, Federal Mine Safety and Health Review Commission.

Pub. L. 95-139 added par. (66) relating to Associate Attorney General.

1976—Par. (3). Pub. L. 94-561 repealed par. (3) relating to Under Secretary of Agriculture.

Par. (64). Pub. L. 94-237 added par. (64) relating to Director of Office of Drug Abuse Policy.

Par. (65). Pub. L. 94-461 added par. (65) relating to Administrator, National Oceanic and Atmospheric Administration.

1975—Pub. L. 94-82 substituted provisions applying level III of Executive Schedule to positions for which annual rate of basic pay shall be rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title, for provisions applying such level III to positions for which annual rate of basic pay is \$29,500.

Par. (38). Pub. L. 94-123 repealed par. (38) relating to Chief Medical Director in Department of Medicine and Surgery, Veterans Administration.

Par. (54). Pub. L. 94-183 redesignated par. (55), relating to Chairman, Postal Rate Commission, as par. (54).

Pars. (56), (57). Pub. L. 94-183 redesignated par. (57) relating to Chairman, Occupational Safety and Health Review Commission, and par. (58) relating to Governor of the Farm Credit Administration, as pars. (56) and (57), respectively.

Par. (60). Pub. L. 93-618, § 141(b)(3)(B), added par. (60) relating to Deputy Special Representative for Trade Negotiations. For renumbering by Pub. L. 94-183, see item relating to par. (62) hereunder.

Par. (61). Pub. L. 94-183 redesignated par. (60), relating to Chairman, Commodity Futures Trading Commission, as par. (61).

Pub. L. 93-618, § 172(c)(1), added par. (61). For renumbering by Pub. L. 94-183, see item relating to par. (63) hereunder.

Pars. (62), (63). Pub. L. 94-183 redesignated par. (60) relating to Deputy Special Representatives for Trade Negotiations, and par. (61) relating to Chairman, United States International Trade Commission, as pars. (62) and (63), respectively.

1974—Par. (42). Pub. L. 93-438 substituted “Members, Nuclear Regulatory Commission” for “Members, Atomic Energy Commission”.

Par. (60). Pub. L. 93-463 added par. (60) relating to Chairman, Commodity Futures Trading Commission.

Pub. L. 93-438 added par. (60) relating to Deputy Administrator, Energy Research and Development Administration.

1973—Par. (55). Pub. L. 93-83 reenacted par. (55) relating to Administrator of Law Enforcement Assistance.

1972—Par. (9). Pub. L. 92-352 substituted “and” for “or”, after “Political Affairs”.

Pub. L. 92-226 included position of an Under Secretary of State for Coordinating Security Assistance Programs.

Par. (10). Pub. L. 92-302 substituted “Under Secretary of the Treasury (or Counselor)” for “Under Secretary of the Treasury”.

Par. (58). Pub. L. 92-261 added par. (58) relating to Chairman, Equal Employment Opportunity Commission.

Par. (59). Pub. L. 92-573 added par. (59) relating to Chairman, Consumer Product Safety Commission.

1971—Pars. (1) to (54). Pub. L. 91-644, § 8(a), struck out par. (1) relating to Deputy Attorney General, now a level II position under section 5313 of this title, renumbered pars. (2) through (54) as (1) through (53), respectively.

Par. (55). Pub. L. 91-644, § 7(1), in amending section 505 of Pub. L. 90-351, renumbered par. (90) “Administrator of Law Enforcement Assistance” of section 5315 of this title as par. (55) of this section.

Par. (58). Pub. L. 92-181 added par. (58) relating to Governor of Farm Credit Administration.

1970—Par. (3). Pub. L. 91-375, § 6(c)(13)(A), struck out par. (3) relating to Deputy Postmaster General.

Par. (55). Pub. L. 91-375, § 6(c)(13)(B), added par. (55) relating to Chairman, Postal Rate Commission.

Par. (57). Pub. L. 91-596 added par. (57) relating to Chairman, Occupational Safety and Health Review Commission.

1969—Par. (54). Pub. L. 91-175 added par. (54) relating to President, Overseas Private Investment Corporation.

1968—Par. (40). Pub. L. 90-407 substituted “Deputy Director, National Science Foundation” for “Director of the National Science Foundation”.

Par. (53). Pub. L. 90-623 added par. (53) relating to Urban Mass Transportation Administrator.

1967—Pub. L. 90-206 increased annual rate of basic pay from \$28,500 to \$29,500.

1966—Pub. L. 89-670 added pars. (46) to (48), relating to Administrator of Federal Highway Administration, Administrator of the Federal Railroad Administration, and Chairman of National Transportation Safety Board, respectively, and repealed par. (6) which provided for Under Secretary of Commerce for Transportation, subject to the provisions of section 1657 of former Title 49, Transportation.

## Statutory Notes and Related Subsidiaries

### CHANGE OF NAME

“Office of the Assistant Secretary for Research and Technology of the Department of Transportation” sub-

stituted for “Research and Innovative Technology Administration” in text on authority of title I of div. L of Pub. L. 113-76, set out in part as a note under former section 112 of Title 49, Transportation.

“Export-Import Bank of Washington”, referred to in text, was changed to “Export-Import Bank of the United States” in the Export-Import Bank Act of 1945, section 635 et seq. of Title 12, Banks and Banking, as provided for in section 1(a) of Pub. L. 90-267, Mar. 13, 1968, 82 Stat. 47.

#### EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-263, div. E, title LIII, § 5304(b)(2), Dec. 23, 2022, 136 Stat. 3251, provided that: “The rate of pay applied under the amendments made by paragraph (1) [amending this section and section 5315 of this title] shall begin to apply on the first day of the first pay period beginning after [the] date of enactment of this Act [Dec. 23, 2022].”

#### EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by section 902(93)(A) of Pub. L. 116-92 not effective until the next date on which Congress confirms an individual to serve as the Under Secretary of Defense for Research and Engineering after Dec. 20, 2019 (July 22, 2021), see section 902(93)(C) of Pub. L. 116-92, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 1470(b)(1) of Pub. L. 115-254 effective at the end of the transition period, as defined in section 9681 of Title 22, Foreign Relations and Intercourse, see section 1470(w) of Pub. L. 115-254, set out as a note under section 905 of Title 2, The Congress.

#### EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115-91, div. A, title X, § 1081(b)(1), Dec. 12, 2017, 131 Stat. 1597, provided that the amendment made by section 1081(b)(1)(C) is effective as of Dec. 23, 2016.

Pub. L. 115-91, div. A, title IX, § 903(b), Dec. 12, 2017, 131 Stat. 1512, provided that the amendment made by section 903(b) is effective on Feb. 1, 2018.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after Dec. 4, 2015, see section 3029(c) of Pub. L. 114-94, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title IX, § 901(m)(2), Dec. 19, 2014, 128 Stat. 3469, which provided that the amendment made by section 901(m)(2) is effective on Feb. 1, 2017, was repealed by Pub. L. 115-91, div. A, title X, § 1081(b)(1)(C), Dec. 12, 2017, 131 Stat. 1597, effective Dec. 23, 2016.

#### EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-259 applicable on the earlier of (1) the date of the appointment by the President of an individual to serve as Deputy Director of the Central Intelligence Agency (CIA) pursuant to section 3037 of Title 50, War and National Defense, as added by section 423(a) of Pub. L. 111-259, with certain exceptions; or (2) the date of the cessation of the performance of the duties of the Deputy Director of the CIA by the individual administratively performing such duties as of Oct. 7, 2010, see section 423(c) of Pub. L. 111-259, set out as an Effective Date note under section 3037 of Title 50.

Amendment by Pub. L. 111-203 effective 1 day after July 21, 2010, except as otherwise provided, see section 4 of Pub. L. 111-203, set out as an Effective Date note under section 5301 of Title 12, Banks and Banking.

#### EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110-140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub.

L. 110-140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title IX, § 942(c), Oct. 17, 2006, 120 Stat. 2365, provided that: “The amendments made by this section [amending this section and section 5315 of this title] shall take effect on the date of the enactment of this Act [Oct. 17, 2006], and shall apply with respect to individuals appointed as Deputy Under Secretary of Defense for Logistics and Materiel Readiness on or after that date.”

#### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-447 effective on the later of the date on which at least three persons nominated under section 604(a) of Pub. L. 108-447 take office or May 18, 2005, see section 604(b) of Pub. L. 108-447, set out as an Appointments; Effective Date; Transition note under section 831a of Title 16, Conservation.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-173, title IX, § 900(d)(3), Dec. 8, 2003, 117 Stat. 2370, provided that: “The amendments made by this subsection [amending this section and section 5315 of this title] take effect on January 1, 2004.”

#### EFFECTIVE DATE OF 2002 AMENDMENTS

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

Pub. L. 107-110, title X, § 1071(b), Jan. 8, 2002, 115 Stat. 2088, provided that: “This section [amending this section] shall take effect on the first day of the first pay period on or after the date of enactment of this Act [Jan. 8, 2002].”

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-569 effective on the first day of the first pay period for the Chairman and Members of the Board of Governors of the Federal Reserve System beginning on or after Dec. 27, 2000, see section 1002(b) of Pub. L. 106-569, set out as a note under section 5312 of this title.

#### EFFECTIVE DATE OF 1999 AMENDMENTS

Amendment by Pub. L. 106-159 effective Jan. 1, 2000, see section 107(a) of Pub. L. 106-159, set out as a note under section 104 of Title 49, Transportation.

Pub. L. 106-113, div. B, § 1000(a)(5) [title II, § 238(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-302, provided that: “The amendment made by this subsection [probably means this section, amending this section and section 5315 of this title] shall take effect on January 1, 2000.”

Amendment by section 1000(a)(9) [title IV, § 4720(a)] of Pub. L. 106-113 effective 4 months after Nov. 29, 1999, see section 1000(a)(9) [title IV, § 4731] of Pub. L. 106-113, set out as a note under section 1 of Title 35, Patents.

Amendment by section 3293(a) of Pub. L. 106-65 effective Mar. 1, 2000, see section 3299 of Pub. L. 106-65, set out as an Effective Date note under section 2401 of Title 50, War and National Defense.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1224(2) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

#### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of

State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1992 AMENDMENTS

Amendment by Pub. L. 102-552 effective Jan. 1, 1996, see section 201(c)(1) of Pub. L. 102-552, set out as an Effective Date of 1992 Amendment; Transitional Provision note under section 2277a-2 of Title 12, Banks and Banking.

Amendment by Pub. L. 102-378 effective as of the first day of the first applicable pay period beginning on or after Nov. 5, 1990, see section 9(b)(10) of Pub. L. 102-378, set out as a note under section 6303 of this title.

#### EFFECTIVE DATE OF 1991 AMENDMENTS

Amendment by Pub. L. 102-233 effective Feb. 1, 1992, see section 318 of Pub. L. 102-233, set out as a note under section 1441 of Title 12, Banks and Banking.

Amendment by Pub. L. 102-103 effective on first day of first pay period beginning on or after Aug. 17, 1991, see section 203 of Pub. L. 102-103, set out as a note under section 3412 of Title 20, Education.

#### EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-509 effective on first day of first pay period beginning on or after Nov. 5, 1990, with continued service by incumbent Under Secretary of Health and Human Services, Under Secretary of the Interior, Under Secretary of Education, and Under Secretary of Housing and Urban Development, see section 529 [title I, §112(e)] of Pub. L. 101-509, set out as a note under section 3404 of Title 20, Education.

Pub. L. 101-328, §6, July 8, 1990, 104 Stat. 309, provided that: "The provisions of this Act [amending this section and enacting provisions set out as notes under section 2471 of Title 42, The Public Health and Welfare] are effective as of October 1, 1989."

#### EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENTS

Amendment by Pub. L. 100-690 effective Jan. 21, 1989, and amendment by section 1003(a)(4)(B) of Pub. L. 100-690 repealed on Sept. 30, 1997, see sections 1012 and 1009, respectively, of Pub. L. 100-690.

Amendment by Pub. L. 100-679 effective Jan. 20, 1989, see section 11(e) of Pub. L. 100-679, set out as a note under section 5312 of this title.

Pub. L. 100-598, §10, Nov. 3, 1988, 102 Stat. 3035, provided that:

"(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act [see Tables for classification] shall take effect on the date of the enactment of this Act [Nov. 3, 1988].

"(b) EXCEPTION.—The amendments made by section 3 [amending former section 401 of Pub. L. 95-521, see section 13121 of this title] shall take effect on October 1, 1989."

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-335 effective Jan. 1, 1987, see section 702(a) of Pub. L. 99-335, set out as an Effective Date note under section 8401 of this title.

#### EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-64, title I, §116(d), July 12, 1985, 99 Stat. 153, as amended by Pub. L. 99-441, §5, Oct. 3, 1986, 100 Stat. 1118, provided that: "The provisions of [former] section 15(a) of the Export Administration Act of 1979 [former 50 U.S.C. 4617(a)], as amended by subsection (a) of this

section, and the amendments made by subsections (b) and (c) of this section [amending sections 5314 and 5315 of this title] shall take effect on October 1, 1987."

#### EFFECTIVE DATE OF 1984 AMENDMENTS

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of Title 44, Public Printing and Documents.

Amendment by section 609J of Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA of Pub. L. 98-473, set out as an Effective Date note under section 10101 of Title 34, Crime Control and Law Enforcement.

Pub. L. 98-443, §9(v), Oct. 4, 1984, 98 Stat. 1709, provided that: "The amendments made by this section [amending sections 5314 and 5315 of this title, sections 1622 and 2145 of Title 7, Agriculture, sections 4746 and 9746 of Title 10, Armed Forces, sections 18, 21, 1607, 1681s, 1691c, and 1692f of Title 15, Commerce and Trade, section 18b of Title 16, Conservation, sections 47 and 7701 of Title 26, Internal Revenue Code, section 3726 of Title 31, Money and Finance, sections 3401, 5005, 5401, and 5402 of Title 39, Postal Service, section 3502 of Title 44, Public Printing and Documents, and sections 1159a, 1159b, 1301, 1305, 1377, 1382, 1388, 1389, and 1537 of former Title 49, Transportation] shall take effect on January 1, 1985."

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-63 effective Oct. 1, 1981, see section 6 of Pub. L. 97-63, set out as a note under section 2121 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-355 effective Oct. 1, 1980, see section 10 of Pub. L. 96-355, set out as an Effective Date note under section 2204b of Title 7, Agriculture.

#### EFFECTIVE DATE OF 1979 AMENDMENTS

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

Amendment by Pub. L. 96-54 effective Jan. 1, 1980, see section 2(a)(25)(B) of Pub. L. 96-54, set out as a note under section 5312 of this title.

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1978 AMENDMENTS

Amendment by Pub. L. 95-630 effective on expiration of 120 days after Nov. 10, 1978, see section 509 of Pub. L. 95-630, set out as a note under section 1752 of Title 12, Banks and Banking.

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

Section 114(c) of Pub. L. 95-426 provided that: "The amendments made by this section [amending sections 5314 and 5315 of this title and section 2652 of Title 22, Foreign Relations and Intercourse, and enacting provisions set out as a note under section 2652 of Title 22] shall take effect on October 1, 1978."

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-164 effective 120 days after Nov. 9, 1977, except as otherwise provided, see section 307 of Pub. L. 95-164, set out as a note under section 801 of Title 30, Mineral Lands and Mining.

#### EFFECTIVE DATE OF 1975 AMENDMENT

Section 6(a), formerly section 6(a)(1), of Pub. L. 94-123, as renumbered Pub. L. 96-330, title I, §101, Aug. 26, 1980, 94 Stat. 1030, provided that: "The amendments made by section 2 of this Act [enacting former section 4118 of Title 38, Veterans' Benefits, amending this section, section 5315 of this title, and former section 4107



of Title 38, and enacting provisions set out as notes under former section 4118 of Title 38] shall become effective on October 12, 1975.”

#### EFFECTIVE DATE OF 1974 AMENDMENTS

Amendment by Pub. L. 93-463 effective Oct. 23, 1974, see section 418 of Pub. L. 93-463, set out as a note under section 2 of Title 7, Agriculture.

Amendment by Pub. L. 93-438 effective 120 days after Oct. 11, 1974, or on such earlier date as President may prescribe and publish in Federal Register, except that officers provided for in sections 5811 to 5820 of Title 42, The Public Health and Welfare, may be nominated and appointed at any time after Oct. 11, 1974, see section 312(a) of Pub. L. 93-438, set out as an Effective Date; Interim Appointments note under section 5801 of Title 42.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Offices and salaries modified under amendment by Pub. L. 93-83, prospectively only, effective on and after Aug. 6, 1973, see section 3 of Pub. L. 93-83, Aug. 6, 1973, 83 Stat. 218.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-302 effective May 18, 1972, see section 3 of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

#### EFFECTIVE DATE OF 1968 AMENDMENTS

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.

Amendment by Pub. L. 90-407 effective on first day of first calendar month which begins on or after July 18, 1968, see section 15 (a)(4) of Pub. L. 90-407, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective at beginning of first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967 as prescribed by President and published in Federal Register, see section 16(a), formerly §15(a), of Pub. L. 89-670 and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

#### NONAPPLICABILITY OF AMENDMENT BY PUB. L. 115-254

Pub. L. 115-254, div. K, title I, §1904(c)(3), Oct. 5, 2018, 132 Stat. 3546, provided that: “The amendment made by paragraph (2) of this subsection [amending this section] shall not affect the salary of an individual who is performing the duties of the Deputy Administrator on the date of enactment of this Act [Oct. 5, 2018], even if that individual is subsequently appointed as Deputy Administrator.”

#### SPENDING AUTHORITY UNDER 1985 AMENDMENT

Pub. L. 99-64, title I, §116(e), July 12, 1985, 99 Stat. 153, provided that: “Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974 [2 U.S.C. 651]) which is provided under this section [amending this section, section 5315 of this title, and former section 4617 of Title 50, War and National Defense] shall be effective for any fiscal year only to the extent or in such amounts as are provided in appropriation Acts.”

#### PAY INCREASE; EFFECTIVE DATE

Persons occupying a position under the Executive Schedule on May 18, 1972, and later appointed to a position created or authorized by Pub. L. 92-302, not eligible to an increase in basic pay until Jan. 21, 1973, see section 3(c) of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION, DEPARTMENT OF JUSTICE

Director of Federal Bureau of Investigation, Department of Justice to receive compensation at rate prescribed for level II of Federal Executive Salary Schedule (5 U.S.C. 5313), effective as of day following date on which person holding such office on June 19, 1968, ceases to serve as Director, see section 1101(a) of Pub. L. 90-351, set out as a note under section 532 of Title 28, Judiciary and Judicial Procedure.

Position of Director of Federal Bureau of Investigation, referred to in text, placed temporarily in level II during incumbency of incumbent on Aug. 14, 1964, by Pub. L. 88-426, Aug. 14, 1964, §303(b)(15), 78 Stat. 416.

Section 1101(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. 90-351, June 19, 1968, 82 Stat. 236), which is set out as a note under section 532 of Title 28, Judiciary and Judicial Procedure, provided in part that when present incumbent of position of Director leaves office, his successors will be paid at rate prescribed for level II.

#### SALARY INCREASES

For adjustment of salaries under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of this title.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of this title.

#### Executive Documents

#### TRANSFER OF FUNCTIONS

Office of Emergency Preparedness, including offices of Director, Deputy Director, Assistant Directors, and Regional Directors, abolished and functions vested by law in Office of Emergency Preparedness or Director of Office of Emergency Preparedness transferred to President by sections 1 and 3(a)(1) of 1973 Reorg. Plan No. 1, effective July 1, 1973, set out in the Appendix to this title.

#### § 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Deputy Administrator of General Services.

Associate Administrator of the National Aeronautics and Space Administration.

Assistant Administrators, Agency for International Development (6).

Regional Assistant Administrators, Agency for International Development (4).

Assistant Secretaries of Agriculture (3).

Assistant Secretaries of Commerce (11).

Assistant Secretaries of Defense (19).

Assistant Secretaries of the Air Force (5).

Assistant Secretaries of the Army (5).

Assistant Secretaries of the Navy (4).

Assistant Secretaries of Health and Human Services (6).

Assistant Secretaries of the Interior (6).  
 Assistant Attorneys General (11).  
 Assistant Secretaries of Labor (10), one of whom shall be the Assistant Secretary of Labor for Veterans' Employment and Training.  
 Administrator, Wage and Hour Division, Department of Labor.  
 Assistant Secretaries of State (24) and 4 other State Department officials to be appointed by the President, by and with the advice and consent of the Senate.  
 Assistant Secretaries of the Treasury (10).  
 Members, United States International Trade Commission (5).  
 Assistant Secretaries of Education (10).  
 General Counsel, Department of Education.  
 Director of Civil Defense, Department of the Army.  
 Deputy Director of the Office of Emergency Planning.  
 Deputy Director of the Office of Science and Technology.  
 Deputy Director of the Peace Corps.  
 Assistant Directors of the Office of Management and Budget (3).  
 General Counsel of the Department of Agriculture.  
 General Counsel of the Department of Commerce.  
 General Counsel of the Department of Defense.  
 General Counsel of the Department of Health and Human Services.  
 Solicitor of the Department of the Interior.  
 Solicitor of the Department of Labor.  
 General Counsel of the National Labor Relations Board.  
 General Counsel of the Department of the Treasury.  
 First Vice President of the Export-Import Bank of Washington.  
 Members, Council of Economic Advisers.  
 Members, Board of Directors of the Export-Import Bank of Washington.  
 Members, Federal Communications Commission.  
 Member, Board of Directors of the Federal Deposit Insurance Corporation.  
 Directors, Federal Housing Finance Board.  
 Members, Federal Energy Regulatory Commission.  
 Members, Federal Trade Commission.  
 Members, Surface Transportation Board.  
 Members, National Labor Relations Board.  
 Members, Securities and Exchange Commission.  
 Members, Merit Systems Protection Board.  
 Members, Federal Maritime Commission.  
 Members, National Mediation Board.  
 Members, Railroad Retirement Board.  
 Director of Selective Service.  
 Associate Director of the Federal Bureau of Investigation, Department of Justice.  
 Members, Equal Employment Opportunity Commission (4).  
 Director, Community Relations Service.  
 Members, National Transportation Safety Board.  
 General Counsel, Department of Transportation.

Deputy Administrator, Federal Aviation Administration.  
 Assistant Secretaries of Transportation (5).  
 Deputy Federal Highway Administrator.  
 Administrator of the Great Lakes St. Lawrence Seaway Development Corporation.  
 Assistant Secretary for Science, Smithsonian Institution.  
 Assistant Secretary for History and Art, Smithsonian Institution.  
 Deputy Administrator of the Small Business Administration.  
 Assistant Secretaries of Housing and Urban Development (8).  
 General Counsel of the Department of Housing and Urban Development.  
 Commissioner of Interama.  
 Federal Insurance Administrator, Federal Emergency Management Agency.  
 Members, National Credit Union Administration Board (2).  
 Members, Postal Regulatory Commission (4).  
 Members, Occupational Safety and Health Review Commission.  
 Deputy Under Secretaries of the Treasury (or Assistant Secretaries of the Treasury) (2).  
 Members, Consumer Product Safety Commission (4).  
 Members, Commodity Futures Trading Commission.  
 Director of Nuclear Reactor Regulation, Nuclear Regulatory Commission.  
 Director of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission.  
 Director of Nuclear Regulatory Research, Nuclear Regulatory Commission.  
 Executive Director for Operations, Nuclear Regulatory Commission.  
 President, Government National Mortgage Association, Department of Housing and Urban Development.  
 Assistant Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Deputy Administrator of the National Oceanic and Atmospheric Administration.  
 Director, Bureau of Prisons, Department of Justice.  
 Assistant Secretaries of Energy (8).  
 General Counsel of the Department of Energy.  
 Administrator, Economic Regulatory Administration, Department of Energy.  
 Administrator, Energy Information Administration, Department of Energy.  
 Director, Office of Indian Energy Policy and Programs, Department of Energy.  
 Director, Office of Science, Department of Energy.  
 Assistant Secretary of Labor for Mine Safety and Health.  
 Members, Federal Mine Safety and Health Review Commission.  
 President, National Consumer Cooperative Bank.  
 Chairman, Federal Labor Relations Authority.  
 Assistant Secretaries, Department of Homeland Security.  
 Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency.

Assistant Director for Infrastructure Security, Cybersecurity and Infrastructure Security Agency.

General Counsel, Department of Homeland Security.

Officer for Civil Rights and Civil Liberties, Department of Homeland Security.

Chief Financial Officer, Department of Homeland Security.

Chief Information Officer, Department of Homeland Security.

Deputy Director, Institute for Scientific and Technological Cooperation.

Director of the National Institute of Justice.

Director of the Bureau of Justice Statistics.

Chief Counsel for Advocacy, Small Business Administration.

Assistant Administrator for Toxic Substances, Environmental Protection Agency.

Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

Assistant Administrators, Environmental Protection Agency (8).

Director of Operational Test and Evaluation, Department of Defense.

Director of Cost Assessment and Program Evaluation, Department of Defense.

Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State.

Ambassadors at Large.

Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Assistant Secretaries, Department of Veterans Affairs (7).

General Counsel, Department of Veterans Affairs.

Commissioner of Food and Drugs, Department of Health and Human Services<sup>1</sup>

Chairman, Board of Veterans' Appeals.

Administrator, Office of Juvenile Justice and Delinquency Prevention.

Director, United States Marshals Service.

Chairman, United States Parole Commission.

Director, Bureau of the Census, Department of Commerce.

Director of the Institute of Museum and Library Services.

Chief Financial Officer, Department of Agriculture.

Chief Financial Officer, Department of Commerce.

Chief Financial Officer, Department of Education.

Chief Financial Officer, Department of Energy.

Chief Financial Officer, Department of Health and Human Services.

Chief Financial Officer, Department of Housing and Urban Development.

Chief Financial Officer, Department of the Interior.

Chief Financial Officer, Department of Justice.

Chief Financial Officer, Department of Labor.

Chief Financial Officer, Department of State.

Chief Financial Officer, Department of Transportation.

Chief Financial Officer, Department of the Treasury.

Chief Financial Officer, Department of Veterans Affairs.

Chief Financial Officer, Environmental Protection Agency.

Chief Financial Officer, National Aeronautics and Space Administration.

Commissioner, Office of Navajo and Hopi Indian Relocation.

Deputy Under Secretary of Defense for Research and Engineering.

Deputy Under Secretary of Defense for Acquisition and Sustainment.

Deputy Under Secretary of Defense for Policy.

Deputy Under Secretary of Defense for Personnel and Readiness.

Deputy Under Secretary of Defense (Comptroller).

Deputy Under Secretary of Defense for Intelligence and Security.

General Counsel of the Department of the Army.

General Counsel of the Department of the Navy.

General Counsel of the Department of the Air Force.

Liaison for Community and Junior Colleges, Department of Education.

Director of the Office of Educational Technology.

Director of the International Broadcasting Bureau.

The<sup>2</sup> Commissioner of Labor Statistics, Department of Labor.

Chief Information Officer, Department of Agriculture.

Chief Information Officer, Department of Commerce.

Chief Information Officer, Department of Defense (unless the official designated as the Chief Information Officer of the Department of Defense is an official listed under section 5312, 5313, or 5314 of this title).

Chief Information Officer, Department of Education.

Chief Information Officer, Department of Energy.

Chief Information Officer, Department of Health and Human Services.

Chief Information Officer, Department of Housing and Urban Development.

Chief Information Officer, Department of the Interior.

Chief Information Officer, Department of Justice.

Chief Information Officer, Department of Labor.

Chief Information Officer, Department of State.

Chief Information Officer, Department of Transportation.

Chief Information Officer, Department of the Treasury.

Chief Information Officer, Department of Veterans Affairs.

<sup>1</sup> So in original. Probably should be followed by a period.

<sup>2</sup> The word "The" probably should not appear.

Chief Information Officer, Environmental Protection Agency.

Chief Information Officer, National Aeronautics and Space Administration.

Chief Information Officer, Agency for International Development.

Chief Information Officer, Federal Emergency Management Agency.

Chief Information Officer, General Services Administration.

Chief Information Officer, National Science Foundation.

Chief Information Officer, Nuclear Regulatory Agency.

Chief Information Officer, Office of Personnel Management.

Chief Information Officer, Small Business Administration.

General Counsel of the Central Intelligence Agency.

Principal Deputy Administrator, National Nuclear Security Administration.

Additional Deputy Administrators of the National Nuclear Security Administration (3), but if the Deputy Administrator for Naval Reactors is an officer of the Navy on active duty, (2).

Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

General Counsel of the Office of the Director of National Intelligence.

Chief Medical Officer, Department of Homeland Security.

Director of the National Counterintelligence and Security Center.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 461; Pub. L. 89-670, §10(d)(4), (e), Oct. 15, 1966, 80 Stat. 948; Pub. L. 89-734, §1(1), Nov. 2, 1966, 80 Stat. 1163; Pub. L. 89-779, §8(c)(1), Nov. 6, 1966, 80 Stat. 1364; Pub. L. 90-83, §1(15), Sept. 11, 1967, 81 Stat. 198; Pub. L. 90-206, title II, §215(b), Dec. 16, 1967, 81 Stat. 638; Pub. L. 90-351, title I, §505, June 19, 1968, 82 Stat. 205; Pub. L. 90-448, title XI, §1105(b), title XVII, §1708(b), Aug. 1, 1968, 82 Stat. 567, 606; Pub. L. 90-623, §1(4), Oct. 22, 1968, 82 Stat. 1312; Pub. L. 91-121, title IV, §404(b), Nov. 19, 1969, 83 Stat. 207; Pub. L. 91-175, pt. V, §503(2), Dec. 30, 1969, 83 Stat. 826; Pub. L. 91-206, §5(b), Mar. 10, 1970, 84 Stat. 51; Pub. L. 91-375, §6(c)(14), Aug. 12, 1970, 84 Stat. 776; Pub. L. 91-469, §42(b), Oct. 21, 1970, 84 Stat. 1038; Pub. L. 91-477, §3(b), Oct. 21, 1970, 84 Stat. 1072; Pub. L. 91-596, §§12(c)(2), 29(b), Dec. 29, 1970, 84 Stat. 1604, 1619; Pub. L. 91-611, title II, §211(b), Dec. 31, 1970, 84 Stat. 1829; Pub. L. 91-644, title I, §7 (1), (2), Jan. 2, 1971, 84 Stat. 1887; Pub. L. 92-22, §2, June 1, 1971, 85 Stat. 76; Pub. L. 92-181, title V, §5.41(a), formerly §5.27(a), Dec. 10, 1971, 85 Stat. 625, renumbered Pub. L. 99-205, title II, §205(a)(2), Dec. 23, 1985, 99 Stat. 1703; Pub. L. 92-215, §2, Dec. 22, 1971, 85 Stat. 777; Pub. L. 92-255, title II, §212(b), Mar. 21, 1972, 86 Stat. 69; Pub. L. 92-261, §9(b), Mar. 24, 1972, 86 Stat. 110; Pub. L. 92-302, §2(c), May 18, 1972, 86 Stat. 149; Pub. L. 92-352, title I, §104(3), July 13, 1972, 86 Stat. 490; Pub. L. 92-419, title VI, §604(b), Aug. 30, 1972, 86 Stat. 676; Pub. L. 92-573, §4(h)(2), Oct. 27, 1972, 86 Stat. 1211; Pub. L. 92-603, title IV, §404(b), Oct. 30, 1972, 86 Stat. 1488; Pub. L. 90-351, title I, §506(a), as added Pub. L. 93-83, §2, Aug. 6,

1973, 87 Stat. 211; Pub. L. 93-126, §9(b), as added Pub. L. 93-312, §9, June 8, 1974, 88 Stat. 238; Pub. L. 93-383, title VIII, §818(c), Aug. 22, 1974, 88 Stat. 740; Pub. L. 93-400, §13, Aug. 30, 1974, 88 Stat. 799; Pub. L. 93-438, title III, §310(3), Oct. 11, 1974, 88 Stat. 1253; Pub. L. 93-463, title I, §102(b), Oct. 23, 1974, 88 Stat. 1391; Pub. L. 93-618, title I, §172(c)(2), Jan. 3, 1975, 88 Stat. 2010; Pub. L. 94-82, title II, §202(b)(4), Aug. 9, 1975, 89 Stat. 420; Pub. L. 94-123, §2(c)(2), Oct. 22, 1975, 89 Stat. 670; Pub. L. 94-183, §2(18), Dec. 31, 1975, 89 Stat. 1057; Pub. L. 92-255, title II, §209(b), as added Pub. L. 94-237, §4(b), Mar. 19, 1976, 90 Stat. 243; Pub. L. 94-375, §17(c), Aug. 3, 1976, 90 Stat. 1077; Pub. L. 94-461, §4(b), Oct. 8, 1976, 90 Stat. 1969; Pub. L. 94-503, title II, §202(b), Oct. 15, 1976, 90 Stat. 2426; Pub. L. 94-561, §3(a), Oct. 19, 1976, 90 Stat. 2643; Pub. L. 95-88, title I, §124(b), Aug. 3, 1977, 91 Stat. 542; Pub. L. 95-91, title VII, §710(f), Aug. 4, 1977, 91 Stat. 609; Pub. L. 95-105, title I, §109(d), Aug. 17, 1977, 91 Stat. 847; Pub. L. 95-108, §2(b), Aug. 17, 1977, 91 Stat. 871; Pub. L. 95-164, title III, §302(b), Nov. 9, 1977, 91 Stat. 1319; Pub. L. 95-173, §9(b), Nov. 12, 1977, 91 Stat. 1360; Pub. L. 95-351, title III, §302, Aug. 20, 1978, 92 Stat. 514; Pub. L. 95-426, title I, §§114(b)(2), 115(b)(1), Oct. 7, 1978, 92 Stat. 969; Pub. L. 95-452, §10(a), Oct. 12, 1978, 92 Stat. 1108; Pub. L. 95-454, title II, §§202(c)(2), (3), title VII, §703(d), Oct. 13, 1978, 92 Stat. 1131, 1217; Pub. L. 95-630, title V, §502(e), Nov. 10, 1978, 92 Stat. 3681; Pub. L. 96-39, title XI, §1106(c)(4), July 26, 1979, 93 Stat. 312; Pub. L. 96-53, title IV, §412(b), Aug. 14, 1979, 93 Stat. 377; Pub. L. 96-54, §2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 96-88, title V, §508(e), (g), Oct. 17, 1979, 93 Stat. 692; Pub. L. 96-107, title VIII, §820(e)(1), Nov. 9, 1979, 93 Stat. 819; Pub. L. 96-132, §5, Nov. 30, 1979, 93 Stat. 1045; Pub. L. 96-153, title VI, §603(b), Dec. 21, 1979, 93 Stat. 1138; Pub. L. 90-351, title I, §809, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1204; Pub. L. 96-302, title IV, §403, July 2, 1980, 94 Stat. 850; Pub. L. 96-511, §4(d), Dec. 11, 1980, 94 Stat. 2826; Pub. L. 97-31, §12(1)(B), Aug. 6, 1981, 95 Stat. 153; Pub. L. 97-35, title III, §396(h)(4), Aug. 13, 1981, 95 Stat. 441; Pub. L. 97-98, title XIV, §1414(b), Dec. 22, 1981, 95 Stat. 1303; Pub. L. 97-195, §1(b)(2), June 16, 1982, 96 Stat. 115; Pub. L. 97-252, title XI, §1117(d), Sept. 8, 1982, 96 Stat. 753; Pub. L. 97-325, §8(b), Oct. 15, 1982, 96 Stat. 1605; Pub. L. 97-449, §3(3), Jan. 12, 1983, 96 Stat. 2441; Pub. L. 98-80, §2(c)(1), Aug. 23, 1983, 97 Stat. 485; Pub. L. 98-94, title XII, §§1211(b), 1212(d), Sept. 24, 1983, 97 Stat. 686, 687; Pub. L. 98-164, title I, §125(b)(2), Nov. 22, 1983, 97 Stat. 1026; Pub. L. 98-202, §6(b), Dec. 2, 1983, 97 Stat. 1382; Pub. L. 98-216, §3(a)(3), Feb. 14, 1984, 98 Stat. 6; Pub. L. 98-369, div. B, title III, §2332(b), July 18, 1984, 98 Stat. 1089; Pub. L. 98-443, §9(e), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 98-473, title II, §§609J(b), 1701(b), Oct. 12, 1984, 98 Stat. 2102, 2185; Pub. L. 98-594, §1(b), Oct. 30, 1984, 98 Stat. 3129; Pub. L. 99-64, title I, §116(c), July 12, 1985, 99 Stat. 153; Pub. L. 99-73, §6(b)(1), July 29, 1985, 99 Stat. 173; Pub. L. 99-93, title I, §115(b), title VII, §704(a)(2), Aug. 16, 1985, 99 Stat. 411, 445; Pub. L. 99-399, title I, §104(c), title IV, §§412(c), 413(e), formerly 413(a)(5), Aug. 27, 1986, 100 Stat. 856, 867, 868, as renumbered Pub. L. 100-204, title I, §134(b), Dec. 22, 1987, 101 Stat. 1344; Pub. L. 99-500, §101(c) [title X, §903(b)(2)(B)], Oct. 18, 1986, 100 Stat. 1783-82,

1783–132, and Pub. L. 99–591, §101(c) [title X, §903(b)(2)(B)], Oct. 30, 1986, 100 Stat. 3341–82, 3341–132; Pub. L. 99–619, §2(b)(2), Nov. 6, 1986, 100 Stat. 3491; Pub. L. 99–659, title IV, §407(e)(2), Nov. 14, 1986, 100 Stat. 3740; Pub. L. 99–661, div. A, title IX, formerly title IV, §903(b)(2)(B), Nov. 14, 1986, 100 Stat. 3912, as renumbered Pub. L. 100–26, §3(5), Apr. 21, 1987, 101 Stat. 273; Pub. L. 100–204, title I, §178(a)(2), Dec. 22, 1987, 101 Stat. 1362; Pub. L. 100–297, title III, §3001(b)(2), Apr. 28, 1988, 102 Stat. 331; Pub. L. 100–418, title II, §2301(i), formerly §2301(h), title V, §5112(c)(2), Aug. 23, 1988, 102 Stat. 1341, 1431, as renumbered Pub. L. 102–429, title II, §203(b)(1), Oct. 21, 1992, 106 Stat. 2201; Pub. L. 100–485, title VI, §603(b), Oct. 13, 1988, 102 Stat. 2409; Pub. L. 100–504, title I, §103(a), Oct. 18, 1988, 102 Stat. 2521; Pub. L. 100–527, §13(f), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 100–607, title V, §503(b)(2), Nov. 4, 1988, 102 Stat. 3121; Pub. L. 100–679, §11(d), Nov. 17, 1988, 102 Stat. 4070; Pub. L. 100–687, div. A, title II, §201(b)(1), Nov. 18, 1988, 102 Stat. 4109; Pub. L. 100–690, title I, §§1003(a)(4)(C), 1007(c)(4), title VII, §§7252(b)(3), 7608(e), Nov. 18, 1988, 102 Stat. 4182, 4188, 4436, 4517; Pub. L. 101–73, title V, §501(b)(2)(A), title VII, §742(a)(2), Aug. 9, 1989, 103 Stat. 393, 436; Pub. L. 101–189, div. A, title XI, §1112, Nov. 29, 1989, 103 Stat. 1554; Pub. L. 101–319, §3(a), July 3, 1990, 104 Stat. 290; Pub. L. 101–509, title V, §529 [title I, §113(2)], Nov. 5, 1990, 104 Stat. 1427, 1455; Pub. L. 101–512, title III, §318 [title II, §202(a)(2)], Nov. 5, 1990, 104 Stat. 1960, 1975; Pub. L. 101–576, title II, §207(c), Nov. 15, 1990, 104 Stat. 2846; Pub. L. 102–138, title I, §122(d)(1), Oct. 28, 1991, 105 Stat. 659; Pub. L. 102–180, §3(g), Dec. 2, 1991, 105 Stat. 1231; Pub. L. 102–183, title IV, §404, Dec. 4, 1991, 105 Stat. 1267; Pub. L. 102–190, div. A, title IX, §§901(b), 903(a)(1), div. C, title XXXV, §3504(a), Dec. 5, 1991, 105 Stat. 1450, 1451, 1586; Pub. L. 102–325, title XV, §1553(b), July 23, 1992, 106 Stat. 839; Pub. L. 102–359, §2(b)(1), Aug. 26, 1992, 106 Stat. 962; Pub. L. 102–552, title II, §201(b)(2), Oct. 28, 1992, 106 Stat. 4105; Pub. L. 103–123, title I, §108(a)(2), Oct. 28, 1993, 107 Stat. 1234; Pub. L. 103–160, div. A, title IX, §§902(a)(2), 903(c)(2), Nov. 30, 1993, 107 Stat. 1727, 1728; Pub. L. 103–171, §3(b)(1), Dec. 2, 1993, 107 Stat. 1991; Pub. L. 103–204, §23(b), Dec. 17, 1993, 107 Stat. 2408; Pub. L. 103–227, title II, §233(b), Mar. 31, 1994, 108 Stat. 155; Pub. L. 103–236, title I, §162(d)(2), title III, §307(b)(2), title VII, §708(b), Apr. 30, 1994, 108 Stat. 405, 436, 494; Pub. L. 103–272, §4(b)(2), July 5, 1994, 108 Stat. 1361; Pub. L. 103–296, title I, §§106(a)(7)(B), 108(e)(3), Aug. 15, 1994, 108 Stat. 1476, 1486; Pub. L. 103–333, title I, §106, Sept. 30, 1994, 108 Stat. 2548; Pub. L. 103–337, div. A, title IX, §901(b), Oct. 5, 1994, 108 Stat. 2822; Pub. L. 103–354, title II, §§218(d), 232(b)(2), formerly 232(b)(3), Oct. 13, 1994, 108 Stat. 3212, 3219, as renumbered Pub. L. 112–166, §2(a)(2)(C), Aug. 10, 2012, 126 Stat. 1283; Pub. L. 104–88, title III, §301(b), Dec. 29, 1995, 109 Stat. 943; Pub. L. 104–105, title II, §219(b)(2), Feb. 10, 1996, 110 Stat. 184; Pub. L. 104–106, div. A, title IX, §902(b), div. E, title LI, §5125(e), Feb. 10, 1996, 110 Stat. 401, 686; Pub. L. 104–127, title VII, §723(b), Apr. 4, 1996, 110 Stat. 1119; Pub. L. 104–208, div. A, title I, §101(e) [title VII, §709(b)(1)], (f) [title VI, §662(c)(1)], Sept. 30, 1996, 110 Stat. 3009–233, 3009–313, 3009–314, 3009–380; Pub. L. 104–293, title VIII, §§812(b), 813(c), Oct. 11, 1996, 110 Stat. 3482, 3483; Pub. L. 105–85, div. A, title X, §1073(e)(1), div. C, title XXXV, §3550(b), Nov. 18, 1997, 111 Stat. 1906, 2074; Pub. L. 105–245, title III, §309(b)(2)(A), Oct. 7, 1998, 112 Stat. 1853; Pub. L. 105–261, div. A, title IX, §901(b), Oct. 17, 1998, 112 Stat. 2091; Pub. L. 105–277, div. A, §101(a) [title X, §1003], div. G, subdiv. A, title XII, §1224(3), title XIII, §§1314(c), 1332(2), subdiv. B, title XXIII, §2305(b)(2), Oct. 21, 1998, 112 Stat. 2681, 2681–42, 2681–772, 2681–776, 2681–785, 2681–825; Pub. L. 105–368, title IV, §403(b)(2), Nov. 11, 1998, 112 Stat. 3338; Pub. L. 106–65, div. C, title XXXII, §§3293(b), 3294(a)(1), Oct. 5, 1999, 113 Stat. 969, 970; Pub. L. 106–113, div. B, §§1000(a)(5) [title II, §238(a)(1)], 1000(a)(9) [title IV, §4720(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A–302, 1501A–581; Pub. L. 106–422, §1(c), Nov. 1, 2000, 114 Stat. 1872; Pub. L. 107–107, div. A, title IX, §901(b), (c)(2), div. C, title XXXI, §3141(b), Dec. 28, 2001, 115 Stat. 1194, 1370; Pub. L. 107–171, title VI, §6201(d)(1), title X, §10704(b), May 13, 2002, 116 Stat. 419, 518; Pub. L. 107–189, §22(b), June 14, 2002, 116 Stat. 708; Pub. L. 107–279, title IV, §404(b), Nov. 5, 2002, 116 Stat. 1985; Pub. L. 107–287, §5(d), Nov. 7, 2002, 116 Stat. 2030; Pub. L. 107–296, title XVII, §1702(a)(4), (5), Nov. 25, 2002, 116 Stat. 2313; Pub. L. 107–314, div. A, title IX, §902(d), Dec. 2, 2002, 116 Stat. 2621; Pub. L. 108–173, title IX, §900(d)(2), Dec. 8, 2003, 117 Stat. 2370; Pub. L. 108–177, title I, §105(d)(3), Dec. 13, 2003, 117 Stat. 2604; Pub. L. 108–447, div. C, title VI, §603(c)(2), Dec. 8, 2004, 118 Stat. 2967; Pub. L. 108–458, title I, §1015(c), Dec. 17, 2004, 118 Stat. 3664; Pub. L. 109–58, title V, §502(b)(2), title X, §1006(c)(3), Aug. 8, 2005, 119 Stat. 764, 932; Pub. L. 109–163, div. A, title IX, §901(b), Jan. 6, 2006, 119 Stat. 3397; Pub. L. 109–177, title V, §506(a)(3), Mar. 9, 2006, 120 Stat. 247; Pub. L. 109–295, title VI, §612(a)(3), Oct. 4, 2006, 120 Stat. 1410; Pub. L. 109–364, div. A, title IX, §§901(b), 942(a), Oct. 17, 2006, 120 Stat. 2350, 2365; Pub. L. 109–435, title VI, §604(b), Dec. 20, 2006, 120 Stat. 3241; Pub. L. 110–49, §11(b), July 26, 2007, 121 Stat. 260; Pub. L. 110–343, div. A, title I, §101(a)(3)(B)(i), Oct. 3, 2008, 122 Stat. 3767; Pub. L. 110–409, §4(a)(2), Oct. 14, 2008, 122 Stat. 4303; Pub. L. 111–11, title XIII, §13004(b), Mar. 30, 2009, 123 Stat. 1449; Pub. L. 111–23, title I, §101(a)(3), May 22, 2009, 123 Stat. 1706; Pub. L. 111–84, div. A, title IX, §906(d)(2), Oct. 28, 2009, 123 Stat. 2428; Pub. L. 111–259, title VIII, §807(b), Oct. 7, 2010, 124 Stat. 2749; Pub. L. 111–358, title IV, §403(b)(1)(B), Jan. 4, 2011, 124 Stat. 4000; Pub. L. 111–383, div. A, title IX, §901(n)(1), (2)(A), Jan. 7, 2011, 124 Stat. 4326, 4327; Pub. L. 112–87, title IV, §404, Jan. 3, 2012, 125 Stat. 1888; Pub. L. 113–76, div. H, title I, §111(a), Jan. 17, 2014, 128 Stat. 361; Pub. L. 113–291, div. A, title IX, §901(m)(3), Dec. 19, 2014, 128 Stat. 3469; Pub. L. 114–94, div. A, title VI, §6011(d)(1)(B), Dec. 4, 2015, 129 Stat. 1570; Pub. L. 115–91, div. A, title IX, §906(e), Dec. 12, 2017, 131 Stat. 1513; Pub. L. 115–254, div. F, title VI, §1470(b)(2), Oct. 5, 2018, 132 Stat. 3516; Pub. L. 115–278, §2(h)(3)(B), Nov. 16, 2018, 132 Stat. 4183; Pub. L. 115–334, title XII, §12408(a)(2), Dec. 20, 2018, 132 Stat. 4977; Pub. L. 116–92, div. A, title IX, §956(b)(2), title XVI, §1621(e)(2)(B), div. E, title LXIV, §6403, Dec. 20, 2019, 133 Stat. 1566, 1733, 2196; Pub. L. 116–260, div. AA, title V, §512(c)(1), Dec. 27, 2020, 134 Stat. 2756; Pub. L. 117–103, div. X, title IV, §405, Mar. 15, 2022, 136 Stat. 976; Pub. L. 117–263, div. A, title

IX, §901(b)(2), div. E, title LIII, §5304(b)(1)(B), Dec. 23, 2022, 136 Stat. 2747, 3251.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(1)–(69) .....	5 U.S.C. 2211(d).	Aug. 14, 1964, Pub. L. 88–426, §303(d), 78 Stat. 417.
(70), (71) ....	5 U.S.C. 2211(c)(39) (proviso), (46) (proviso).	Aug. 14, 1964, Pub. L. 88–426, §303(c)(39) (proviso), (46) (proviso), 78 Stat. 417.
(72)–(77) ....	5 U.S.C. 2211(g).	Aug. 14, 1964, Pub. L. 88–426, §303(g), 78 Stat. 422.

Paragraphs (72)–(77) are added on authority of former section 2211(g) which authorized the President to place, from Aug. 15, 1964, to Feb. 1, 1965, not more than 30 positions in Levels IV and V of the Federal Executive Salary Schedule. Pursuant to this authority, the President by Executive Order No. 11189, Nov. 23, 1964, as amended by Executive Order No. 11195, Jan. 30, 1965, placed the positions listed in paragraphs (72)–(77) in Level IV.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5315(12) .....	5 App.: 2211(d)(12).	Aug. 26, 1965, Pub. L. 89–136, §601(b), 79 Stat. 569.
5315(17) .....	5 App.: 2211(d)(17).	Aug. 9, 1965, Pub. L. 89–115, §4(c) (words before semicolon), 79 Stat. 449.
	[Uncodified].	Oct. 2, 1965, Pub. L. 89–234, §1(b) (last sentence), 79 Stat. 903.
		1966 Reorg. Plan No. 2, §5(a), eff. May 10, 1966, 80 Stat. 1609.
5315(18) .....	[Uncodified].	1966 Reorg. Plan No. 2, §2 (last 20 words), eff. May 10, 1966, 80 Stat. 1609.
5315(21) .....	5 App.: 2211(d)(21).	July 5, 1966, Pub. L. 89–492, §3, 80 Stat. 262.
5315(30) .....	5 App.: 2211(d)(30).	July 18, 1966, Pub. L. 89–504, §408(b), 80 Stat. 299.
5315(87), (88).	42: 3533(a) (as applicable to compensation of four Assistant Secretaries and General Counsel).	Sept. 9, 1965, Pub. L. 89–174, §4(a) (as applicable to compensation of four Assistant Secretaries and General Counsel), 79 Stat. 668.
5315(89) .....	22: 2083(a) (1st sentence, less 1st 20 words).	Feb. 19, 1966, Pub. L. 89–355, §3(a) (1st sentence, less 1st 20 words), 80 Stat. 6.

The deletion of paragraphs (25)–(28) of 5 U.S.C. 5315 reflects the abolition of the positions of “Commissioner, Community Facilities Administration”, “Commissioner, Federal Housing Administration”, “Commissioner, Public Housing Administration”, and “Commissioner, Urban Renewal Administration” by the act of September 9, 1965, Public Law 89–174, sections 5(a), 9(c), 79 Stat. 669, 671.

The redesignation of paragraphs (78) and (79), added by Public Law 89–734, and of paragraph (78), added by Public Law 89–779, as paragraphs “(84)”, “(85)”, and “(86)”, respectively, reflects the addition of paragraphs (78)–(83) by section 10(d)(4) of Public Law 89–670.

Editorial Notes

CODIFICATION

Pub. L. 99–591 is a corrected version of Pub. L. 99–500.

The paragraph designation for the positions added or amended by Pub. L. 96–88 and Pub. L. 96–302 has been omitted in view of the deletion of all paragraph designations in this section by Pub. L. 96–54.

Amendment by Pub. L. 94–237 to formerly designated par. (95) of this section has been editorially made to

formerly designated par. (96) of this section relating to the Deputy Director, Office of Drug Abuse Policy, in view of redesignation of par. (95) as (96) by Pub. L. 94–183 as the probable intent of Congress.

AMENDMENTS

2022—Pub. L. 117–263, §5304(b)(1)(B), struck out item relating to Special Counsel of the Merit Systems Protection Board.

Pub. L. 117–263, §901(b)(2), substituted “Assistant Secretaries of Defense (19).” for “Assistant Secretaries of Defense (14).”

Pub. L. 117–103 struck out item relating to Chief Information Officer of the Intelligence Community.

2020—Pub. L. 116–260 substituted “Great Lakes St. Lawrence Seaway Development Corporation” for “Saint Lawrence Seaway Development Corporation”.

2019—Pub. L. 116–92, §6403, inserted item relating to Director of the National Counterintelligence and Security Center.

Pub. L. 116–92, §1621(e)(2)(B), substituted “Deputy Under Secretary of Defense for Intelligence and Security” for “Deputy Under Secretary of Defense for Intelligence”.

Pub. L. 116–92, §956(b)(2), substituted “(5)” for “(4)” in item relating to Assistant Secretaries of the Air Force.

2018—Pub. L. 115–334 struck out item relating to Administrator, Rural Utilities Service, Department of Agriculture.

Pub. L. 115–278 inserted items relating to Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency and Assistant Director for Infrastructure Security, Cybersecurity and Infrastructure Security Agency.

Pub. L. 115–254 struck out item relating to Executive Vice President, Overseas Private Investment Corporation.

2017—Pub. L. 115–91 struck out “Principal” in items relating to Principal Deputy Under Secretary of Defense for Policy, Principal Deputy Under Secretary of Defense for Personnel and Readiness, Principal Deputy Under Secretary of Defense (Comptroller), and Principal Deputy Under Secretary of Defense for Intelligence and inserted, before item relating to Deputy Under Secretary of Defense for Policy, items relating to Deputy Under Secretary of Defense for Research and Engineering and Deputy Under Secretary of Defense for Acquisition and Sustainment.

2015—Pub. L. 114–94 substituted “(5)” for “(4)” in item relating to Assistant Secretaries of Transportation.

2014—Pub. L. 113–291 substituted “(14)” for “(16)” in item relating to Assistant Secretaries of Defense.

Pub. L. 113–76 inserted item relating to Administrator, Wage and Hour Division, Department of Labor.

2012—Pub. L. 112–87 inserted item relating to Chief Information Officer of the Intelligence Community.

2011—Pub. L. 111–383, §901(n)(2)(A), struck out item relating to Director of Defense Research and Engineering.

Pub. L. 111–383, §901(n)(1), substituted “(16)” for “(12)” in item relating to Assistant Secretaries of Defense.

Pub. L. 111–358 struck out item relating to Director, National Institute of Standards and Technology, Department of Commerce.

2010—Pub. L. 111–259 substituted “General Counsel of the Office of the Director of National Intelligence” for “General Counsel of the Central Intelligence Agency”.

2009—Pub. L. 111–84 substituted “(12)” for “(10)” in item relating to Assistant Secretaries of Defense, inserted items relating to Principal Deputy Under Secretaries of Defense for Policy, for Personnel and Readiness, and for Intelligence, and Principal Deputy Under Secretary of Defense (Comptroller), and struck out items relating to Deputy Under Secretaries of Defense for Policy, for Personnel and Readiness, and for Logistics and Materiel Readiness.

Pub. L. 111–23 inserted item relating to Director of Cost Assessment and Program Evaluation, Department of Defense.

Pub. L. 111-11 substituted “(8)” for “(7)” in item relating to Assistant Secretaries of Energy.

2008—Pub. L. 110-409 struck out items relating to Inspectors General of Departments of Education, Energy, Health and Human Services, Agriculture, Housing and Urban Development, Labor, Transportation, Veterans Affairs, Homeland Security, Defense, State, Commerce, the Interior, Justice, and the Treasury, Agency for International Development, Environmental Protection Agency, Export-Import Bank, Federal Emergency Management Agency, General Services Administration, National Aeronautics and Space Administration, Nuclear Regulatory Commission, Office of Personnel Management, Railroad Retirement Board, Small Business Administration, Tennessee Valley Authority, Federal Deposit Insurance Corporation, Resolution Trust Corporation, Central Intelligence Agency, Social Security Administration, and United States Postal Service.

Pub. L. 110-343 substituted “(10)” for “(9)” in item relating to Assistant Secretaries of the Treasury.

2007—Pub. L. 110-49 substituted “(9)” for “(8)” in item relating to Assistant Secretaries of the Treasury.

2006—Pub. L. 109-435 substituted “Members, Postal Regulatory Commission (4)” for “Members, Postal Rate Commission (4)”.

Pub. L. 109-364, § 942(a), inserted item relating to Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

Pub. L. 109-364, § 901(b), substituted “(10)” for “(9)” in item relating to Assistant Secretaries of Defense.

Pub. L. 109-295 inserted item relating to Chief Medical Officer, Department of Homeland Security.

Pub. L. 109-177, § 506(a)(3), substituted “(11)” for “(10)” in item relating to Assistant Attorneys General.

Pub. L. 109-163 struck out items relating to Under Secretary of the Air Force, Under Secretary of the Army, and Under Secretary of the Navy.

2005—Pub. L. 109-58, § 1006(c)(3), substituted “(7)” for “(6)” in item relating to Assistant Secretaries of Energy.

Pub. L. 109-58, § 502(b)(2), inserted item relating to Director, Office of Indian Energy Policy and Programs, Department of Energy.

2004—Pub. L. 108-458 inserted item relating to General Counsel of the Office of the National Intelligence Director and struck out item relating to Assistant Directors of Central Intelligence.

Pub. L. 108-447 struck out item relating to Members, Board of Directors of the Tennessee Valley Authority.

2003—Pub. L. 108-177 substituted “(8)” for “(7)” in item relating to Assistant Secretaries of the Treasury.

Pub. L. 108-173 struck out item relating to Administrator of the Health Care Financing Administration.

2002—Pub. L. 107-314, which directed the repeal of Pub. L. 107-107, § 901(c), was executed by substituting “(9)” for “(8)” in item relating to Assistant Secretaries of Defense to reflect the probable intent of Congress. See 2001 Amendment note below.

Pub. L. 107-296, § 1702(a)(5), struck out item relating to Commissioner of Immigration and Naturalization, Department of Justice.

Pub. L. 107-296, § 1702(a)(4), inserted items relating to Assistant Secretaries, Department of Homeland Security, General Counsel, Department of Homeland Security, Officer for Civil Rights and Civil Liberties, Department of Homeland Security, Chief Financial Officer, Department of Homeland Security, Chief Information Officer, Department of Homeland Security, and Inspector General, Department of Homeland Security.

Pub. L. 107-287 substituted “(7)” for “(6)” in item relating to Assistant Secretaries, Department of Veterans Affairs.

Pub. L. 107-279 struck out item relating to Commissioner, National Center for Education Statistics.

Pub. L. 107-189 inserted item relating to Inspector General, Export-Import Bank.

Pub. L. 107-171, § 10704(b), substituted “(3)” for “(2)” in item relating to Assistant Secretaries of Agriculture.

Pub. L. 107-171, § 6201(d)(1), struck out item relating to Executive Director of the Alternative Agricultural Research and Commercialization Corporation.

2001—Pub. L. 107-107, § 3141(b), inserted item relating to Principal Deputy Administrator, National Nuclear Security Administration and inserted “Additional” before “Deputy Administrators of the National Nuclear Security Administration”.

Pub. L. 107-107, § 901(c)(2), which substituted “(8)” for “(9)” in item relating to Assistant Secretaries of Defense, was repealed by Pub. L. 107-314. See 2002 Amendment note above.

Pub. L. 107-107, § 901(b), inserted item relating to Deputy Under Secretary of Defense for Personnel and Readiness.

2000—Pub. L. 106-422 inserted item relating to Inspector General, Tennessee Valley Authority.

1999—Pub. L. 106-113, § 1000(a)(9) [title IV, § 4720(b)], inserted item relating to Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

Pub. L. 106-113, § 1000(a)(5) [title II, § 238(a)(1)], struck out “Commissioner of Customs, Department of the Treasury”.

Pub. L. 106-65, § 3294(a)(1), substituted “(6)” for “(8)” in item relating to Assistant Secretaries of Energy.

Pub. L. 106-65, § 3293(b), inserted item relating to Deputy Administrators of the National Nuclear Security Administration.

1998—Pub. L. 105-368 struck out item relating to Director of the National Cemetery System.

Pub. L. 105-277, § 2305(b)(2), which directed the substitution of “Assistant Secretaries of State (24)” for “Assistant Secretaries of State (20)”, was executed by making the substitution for “20 Assistant Secretaries of State” in item relating to Assistant Secretaries of State and 4 other State Department officials to be appointed by the President, by and with the advice and consent of the Senate, to reflect the probable intent of Congress.

Pub. L. 105-277, § 1332(2), struck out item relating to Deputy Director of the United States Information Agency and substituted “Director of the International Broadcasting Bureau.” for “Director of the International Broadcasting Bureau, the United States Information Agency.”

Pub. L. 105-277, § 1314(c), struck out item relating to Inspector General, United States Information Agency.

Pub. L. 105-277, § 1224(3), struck out item relating to Assistant Directors, United States Arms Control and Disarmament Agency (4) and substituted “Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State” for “Special Representatives of the President for arms control, nonproliferation, and disarmament matters, United States Arms Control and Disarmament Agency”.

Pub. L. 105-277, § 101(a) [title X, § 1003], substituted “Assistant Secretaries of Agriculture (2)” for “Assistant Secretaries of Agriculture (3)”.

Pub. L. 105-261 substituted “(9)” for “(10)” in item relating to Assistant Secretaries of Defense.

Pub. L. 105-245 substituted “Director, Office of Science, Department of Energy” for “Director, Office of Energy Research, Department of Energy”.

1997—Pub. L. 105-85, § 3550(b), struck out item relating to Administrator of the Panama Canal Commission.

Pub. L. 105-85, § 1073(e)(1), inserted “the” before “Interior” in item relating to Chief Information Officer of Department of the Interior and before “Treasury” in item relating to Chief Information Officer of Department of the Treasury.

1996—Pub. L. 104-293 inserted items relating to Assistant Directors of Central Intelligence and General Counsel of Central Intelligence Agency.

Pub. L. 104-208, § 101(f) [title VI, § 662(c)(1)], inserted item relating to Inspector General, United States Postal Service.

Pub. L. 104-208, § 101(e) [title VII, § 709(b)(1)], substituted “Museum and Library Services” for “Museum Services” after “Director of the Institute of”.

Pub. L. 104-127 inserted item relating to Executive Director of the Alternative Agricultural Research and Commercialization Corporation.

Pub. L. 104-106, §5125(e), inserted items relating to Chief Information Officer of Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs and Chief Information Officer of Environmental Protection Agency, National Aeronautics and Space Administration, Agency for International Development, Federal Emergency Management Agency, General Services Administration, National Science Foundation, Nuclear Regulatory Agency, Office of Personnel Management, and Small Business Administration.

Pub. L. 104-106, §902(b), substituted “(10)” for “(11)” in item relating to Assistant Secretaries of Defense.

Pub. L. 104-105 struck out item relating to Members, Board of Directors of the Farm Credit System Insurance Corporation.

1995—Pub. L. 104-88 substituted “Members, Surface Transportation Board” for “Members, Interstate Commerce Commission”.

1994—Pub. L. 103-354, §§218(d), 232(b)(2), formerly 232(b)(3), Oct. 13, 1994, 108 Stat. 3212, 3219, as renumbered by Pub. L. 112-166, §2(a)(2)(C), Aug. 10, 2012, 126 Stat. 1283, substituted “(3)” for “(7)” in item relating to Assistant Secretaries of Agriculture and inserted item relating to Administrator, Rural Utilities Service, Department of Agriculture.

Pub. L. 103-337 substituted “(11)” for “(10)” in item relating to Assistant Secretaries of Defense.

Pub. L. 103-333 inserted item relating to Commissioner of Labor Statistics, Department of Labor.

Pub. L. 103-296, §108(e)(3), inserted item relating to Inspector General, Social Security Administration.

Pub. L. 103-296, §106(a)(7)(B), struck out item relating to Commissioner of Social Security, Department of Health and Human Services.

Pub. L. 103-272 substituted “Saint” for “St.” in item relating to Administrator of Saint Lawrence Seaway Development Corporation.

Pub. L. 103-236, §708(b), substituted “Special Representatives of the President for arms control, non-proliferation, and disarmament matters, United States Arms Control and Disarmament Agency” for “Special Representatives for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency (2)”.

Pub. L. 103-236, §307(b)(2), inserted item relating to Director of the International Broadcasting Bureau, United States Information Agency.

Pub. L. 103-236, §162(d)(2), directed insertion of item relating to 20 Assistant Secretaries of State and 4 other State Department Officials to be appointed by the President, and struck out “Assistant Secretaries of State (15).”, “Legal Adviser of the Department of State.”, “Chief of Protocol, Department of State.”, “Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Department of State.”, “Assistant Secretary for International Narcotics Matters, Department of State.”, and “Assistant Secretary for South Asian Affairs, Department of State.” New item was inserted in lieu of “Assistant Secretaries of State (15).” to reflect the probable intent of Congress.

Pub. L. 103-227 inserted item relating to Director of the Office of Educational Technology.

1993—Pub. L. 103-204 inserted item relating to Inspector General, Federal Deposit Insurance Corporation.

Pub. L. 103-171 substituted “(6)” for “(5)” in item relating to Assistant Secretaries of Health and Human Services.

Pub. L. 103-160 substituted “(10)” for “(11)” in item relating to Assistant Secretaries of Defense and struck out item relating to Chief Financial Officer, Department of Defense.

Pub. L. 103-123 inserted item relating to Commissioner of Customs, Department of the Treasury.

1992—Pub. L. 102-552 inserted item relating to Members, Board of Directors of the Farm Credit System Insurance Corporation.

Pub. L. 102-359 substituted “(10)” for “(6)” in item relating to Assistant Secretaries of Education.

Pub. L. 102-325 inserted item relating to Liaison for Community and Junior Colleges, Department of Education.

1991—Pub. L. 102-190, §3504(a), inserted item relating to Administrator of the Panama Canal Commission.

Pub. L. 102-190, §903(a)(1), inserted items relating to General Counsels of the Departments of the Army, Navy, and Air Force.

Pub. L. 102-190, §901(b), inserted item relating to Deputy Under Secretary of Defense for Policy.

Pub. L. 102-183 inserted item relating to Inspector General of Central Intelligence Agency.

Pub. L. 102-180 inserted item relating to Commissioner, Office of Navajo and Hopi Indian Relocation.

Pub. L. 102-138 inserted item relating to Assistant Secretary for South Asian Affairs, Department of State.

1990—Pub. L. 101-576 inserted items relating to Chief Financial Officer of Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Justice, Labor, State, Transportation, the Treasury, and Veterans Affairs and Chief Financial Officers of Environmental Protection Agency and National Aeronautics and Space Administration.

Pub. L. 101-512 inserted item relating to Director of the Institute of Museum Services.

Pub. L. 101-509 inserted item relating to Director, Bureau of the Census, Department of Commerce.

Pub. L. 101-319 inserted item relating to Chairman, United States Parole Commission.

1989—Pub. L. 101-189 substituted “(4)” for “(3)” in item relating to Assistant Secretaries of the Air Force.

Pub. L. 101-73, §742(a)(2), substituted “Directors, Federal Housing Finance Board” for “Members, Federal Home Loan Bank Board”.

Pub. L. 101-73, §501(b)(2)(A), inserted item relating to Inspector General, Resolution Trust Corporation.

1988—Pub. L. 100-690, §7608(e), inserted item relating to Director, United States Marshals Service.

Pub. L. 100-690, §7252(b)(3), inserted item relating to Administrator, Office of Juvenile Justice and Delinquency Prevention.

Pub. L. 100-690, §1007(c)(4), struck out item relating to Deputy Director of Office of Drug Abuse Policy.

Pub. L. 100-690, §§1003(a)(4)(C), 1009, temporarily inserted item relating to Associate Director for National Drug Control Policy, Office of National Drug Control Policy. See Effective and Termination Dates of 1988 Amendments note below.

Pub. L. 100-687 inserted item relating to Chairman, Board of Veterans’ Appeals.

Pub. L. 100-679 struck out items relating to Administrator for Federal Procurement Policy and Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Pub. L. 100-607 inserted item relating to Commissioner of Food and Drugs, Department of Health and Human Services.

Pub. L. 100-527 substituted “Inspector General, Department of Veterans Affairs” for “Inspector General, Veterans’ Administration” and inserted items relating to Assistant Secretaries, Department of Veterans Affairs (6), General Counsel, Department of Veterans Affairs, and Director of the National Cemetery System.

Pub. L. 100-504 inserted items relating to Inspector General for Departments of Commerce, Interior, Justice, and Treasury and for following agencies: Agency for International Development, Environmental Protection Agency, Federal Emergency Management Agency, General Services Administration, National Aeronautics and Space Administration, Nuclear Regulatory Commission, Office of Personnel Management, Railroad Retirement Board, and Small Business Administration.

Pub. L. 100-485 substituted “(5)” for “(4)” in item relating to Assistant Secretaries of Health and Human Services.

Pub. L. 100-418, §5112(c)(2), substituted “Director, National Institute of Standards and Technology, Depart-



ment of Commerce” for “Director, National Bureau of Standards, Department of Commerce”.

Pub. L. 100-418, § 2301(h), inserted item relating to Assistant Secretary of Commerce and Director General of United States and Foreign Commercial Service.

Pub. L. 100-297 inserted item relating to Commissioner, National Center for Education Statistics.

1987—Pub. L. 100-204 inserted item relating to Ambassadors at Large.

1986—Pub. L. 99-619 substituted “Assistant Secretaries of Labor (10), one of whom shall be the Assistant Secretary of Labor for Veterans’ Employment and Training” for “Assistant Secretaries of Labor (5)”.

Pub. L. 99-659 substituted “Assistant Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Deputy Administrator of the National Oceanic and Atmospheric Administration” for “Deputy Administrator, National Oceanic and Atmospheric Administration” and struck out item relating to Associate Administrator, National Oceanic and Atmospheric Administration.

Pub. L. 99-500, Pub. L. 99-591, and Pub. L. 99-661, amended section identically, inserting item relating to Director of Defense Research and Engineering.

Pub. L. 99-399, § 104(c), substituted “(15)” for “(14)” in item relating to Assistant Secretaries of State.

Pub. L. 99-399, §§ 412(c), 413(e), formerly § 413(a)(5), as renumbered by Pub. L. 100-204, § 134(b), inserted items relating to Inspector General, United States Information Agency, and Inspector General, Department of State.

1985—Pub. L. 99-93, § 704(a)(2)(A), struck out item relating to Deputy Director of United States Arms Control and Disarmament Agency.

Pub. L. 99-93, § 704(a)(2)(B), inserted item relating to Assistant Directors, United States Arms Control and Disarmament Agency (4).

Pub. L. 99-93, § 115(b)(1), struck out item relating to Director, Bureau of Intelligence and Research, Department of State.

Pub. L. 99-93, § 115(b)(2), substituted “(14)” for “(13)” in item relating to Assistant Secretaries of State.

Pub. L. 99-73 inserted item relating to Director, National Bureau of Standards, Department of Commerce.

Pub. L. 99-64 substituted “(11)” for “(8)” in item relating to Assistant Secretaries of Commerce.

1984—Pub. L. 98-594 substituted “(7)” for “(5)” in item relating to Assistant Secretaries of the Treasury.

Pub. L. 98-473, § 1701(b), struck out items relating to United States Attorney for Southern District of New York, United States Attorney for District of Columbia, United States Attorney for Northern District of Illinois, and United States Attorney for Central District of California.

Pub. L. 98-473, § 609J(b), struck out item relating to Administrator of Law Enforcement Assistance.

Pub. L. 98-443 struck out item relating to members of Civil Aeronautics Board.

Pub. L. 98-369 inserted item relating to Administrator of Health Care Financing Administration.

Pub. L. 98-216 substituted “Assistant Directors of Office of Management and Budget (3)” for “Assistant Directors of the Bureau of the Budget (3)”.

1983—Pub. L. 98-202, § 6(b)(1), inserted item relating to two Special Representatives for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency.

Pub. L. 98-202, § 6(b)(2), struck out item relating to Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency.

Pub. L. 98-164 struck out item relating to Counselor of Department of State.

Pub. L. 98-94, § 1212(d)(1), substituted “(11)” for “(7)” in item relating to Assistant Secretaries of Defense.

Pub. L. 98-94, § 1212(d)(2), substituted “(5)” for “(4)” in item relating to Assistant Secretaries of the Army.

Pub. L. 98-94, § 1212(d)(3), substituted “(4)” for “(3)” in item relating to Assistant Secretaries of the Navy.

Pub. L. 98-94, § 1211(b), inserted item relating to Director of Operational Test and Evaluation, Department of Defense.

Pub. L. 98-80 inserted items relating to Assistant Administrator for Toxic Substances, Environmental Protection Agency, Assistant Administrator, Office of Solid Waste, Environmental Protection Agency, and eight Assistant Administrators, Environmental Protection Agency.

Pub. L. 97-449 substituted “Deputy Federal Highway Administrator” for “Director of Public Roads”.

1982—Pub. L. 97-325 substituted “(7)” for “(6)” in item relating to Assistant Secretaries of Agriculture.

Pub. L. 97-252 inserted item relating to Inspector General, Department of Defense.

Pub. L. 97-195 substituted “(8)” for “(7)” in item relating to Assistant Secretaries of Commerce.

1981—Pub. L. 97-98 substituted “(6)” for “(5)” in item relating to Assistant Secretaries of Agriculture.

Pub. L. 97-35 struck out item relating to Director, Office of Self-Help Development and Technical Assistance, National Consumer Cooperative Bank.

Pub. L. 97-31 substituted “(7)” for “(8)” in item relating to Assistant Secretaries of Commerce.

1980—Pub. L. 96-511 inserted item relating to Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Pub. L. 96-302 inserted item relating to Chief Counsel for Advocacy, Small Business Administration.

1979—Pub. L. 96-157 inserted items relating to Administrator of Law Enforcement Assistance, Director of National Institute of Justice, and Director of Bureau of Justice Statistics, and struck out items relating to Deputy Administrator for Policy Development and Deputy Administrator for Administration of Law Enforcement Assistance Administration.

Pub. L. 96-88, § 508(g), substituted “Health and Human Services” for “Health, Education, and Welfare” in items relating to General Counsel of Department of Health and Human Services, Commissioner of Social Security, Department of Health and Human Services, and Inspector General, Department of Health and Human Services.

Pars. (1) to (128). Pub. L. 96-54 struck out paragraph designations for positions listed herein.

Pars. (13) to (16). Pub. L. 96-107 in par. (13), relating to Assistant Secretaries of Defense, substituted “(7)” for “(9)”, par. (14), relating to Assistant Secretaries of the Air Force, “(3)” for “(4)”, par. (15), relating to Assistant Secretaries of the Army, “(4)” for “(5)”, and par. (16), relating to Assistant Secretaries of the Navy, “(3)” for “(4)”.

Par. (17). Pub. L. 96-88, § 508(e)(1), substituted “(4)” for “(5)” and “Health and Human Services” for “Health, Education, and Welfare” in par. (17) relating to Assistant Secretaries of Health and Human Services. See Codification note above.

Par. (19). Pub. L. 96-132 in par. (19), relating to Assistant Attorneys General, increased authorized number from nine to ten.

Par. (24). Pub. L. 96-39 inserted “(5)” at end of par. (24) relating to Members, United States International Trade Commission.

Pars. (25) to (27). Pub. L. 96-88, § 508(e)(2), added pars. (25) to (27) relating to Assistant Secretaries of Education (6), General Counsel, Department of Education, and Inspector General, Department of Education, respectively. See Codification note above.

Par. (91). Pub. L. 96-153 substituted “Federal Emergency Management Agency” for “Department of Housing and Urban Development” in par. (91), relating to Federal Insurance Administrator, Federal Emergency Management Agency.

Par. (128). Pub. L. 96-53 added par. (128) relating to Deputy Director, Institute for Scientific and Technological Cooperation.

1978—Par. (10). Pub. L. 95-426, § 114(b)(2), struck out par. (10) relating to Deputy Under Secretary of State.

Par. (66). Pub. L. 95-454, § 202(c)(2), substituted “Merit Systems Protection Board” for “United States Civil Service Commission”.

Par. (93). Pub. L. 95-630 substituted “Members, National Credit Union Administration Board (2)” for “Ad-

ministrator of the National Credit Union Administration”.

Par. (122). Pub. L. 95-452 added par. (122) relating to Inspector General, Department of Health, Education, and Welfare.

Pub. L. 95-426, § 115(b)(1), added par. (122) relating to Assistant Secretary for International Narcotics Matters, Department of State.

Pub. L. 95-351 added par. (122) relating to President, National Consumer Cooperative Bank.

Par. (123). Pub. L. 95-454, § 202(c)(3), added par. (123) relating to Special Counsel of Merit Systems Protection Board.

Pub. L. 95-452 added par. (123) relating to Inspector General, Department of Agriculture.

Pub. L. 95-351 added par. (123) relating to Director, Office of Self-Help Development and Technical Assistance, National Consumer Cooperative Bank.

Par. (124). Pub. L. 95-454, § 703(d), added par. (124) relating to Chairman of Federal Labor Relations Authority.

Pub. L. 95-452 added par. (124) relating to Inspector General, Department of Housing and Urban Development.

Pars. (125) to (127). Pub. L. 95-452 added pars. (125) to (127) relating to Inspectors General for Department of Labor, Department of Transportation, and Veterans' Administration, respectively.

1977—Par. (1). Pub. L. 95-105, § 109(d)(1), struck out par. (1) relating to Administrator, Bureau of Security and Consular Affairs, Department of State.

Par. (12). Pub. L. 95-173 substituted “(8)” for “(6)” in par. (12) relating to Assistant Secretaries of Commerce.

Par. (22). Pub. L. 95-105, § 109(d)(2), substituted “(13)” for “(11)” in par. (22) relating to Assistant Secretaries of State.

Par. (50). Pub. L. 95-108 added par. (50) relating to Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency. A prior par. (50), relating to General Manager of Atomic Energy Commission, was repealed by Pub. L. 93-438, title III, § 310(3), Oct. 11, 1974, 88 Stat. 1253.

Pars. (52), (53). Pub. L. 95-88 struck out par. (52) relating to Inspector General, Foreign Assistance, and par. (53) relating to Deputy Inspector General, Foreign Assistance.

Par. (60). Pub. L. 95-91 substituted “Federal Energy Regulatory Commission” for “Federal Power Commission” in par. (60) relating to Members, Federal Energy Regulatory Commission.

Par. (102). Pub. L. 95-91 struck out par. (102) relating to Assistant Administrators, Energy Research and Development Administration (6).

Pars. (114) to (119). Pub. L. 95-91 added pars. (114) to (119) relating to Assistant Secretaries of Energy (8), General Counsel of Department of Energy, Administrator, Economic Regulatory Administration, Department of Energy, Administrator, Energy Information Administration, Department of Energy, Inspector General, Department of Energy, and Director, Office of Energy Research, Department of Energy, respectively.

Pars. (120), (121). Pub. L. 95-164 added pars. (120) and (121) relating to Assistant Secretary of Labor for Mine Safety and Health and Members, Federal Mine Safety and Health Review Commission, respectively.

1976—Par. (11). Pub. L. 94-561 substituted “(5)” for “(4)” in par. (11) relating to Assistant Secretaries of Agriculture.

Par. (96). Pub. L. 94-237 substituted “Deputy Director of the Office of Drug Abuse Policy” for “Deputy Director of the Special Action Office for Drug Abuse Prevention”.

Par. (108). Pub. L. 94-375 added par. (108) relating to President, Government National Mortgage Association, Department of Housing and Urban Development.

Par. (109). Pub. L. 94-461 added par. (109) relating to Deputy Administrator, National Oceanic and Atmospheric Administration.

Pub. L. 94-503 added par. (109) relating to Commissioner of Immigration and Naturalization.

Par. (110). Pub. L. 94-461 added par. (110) relating to Associate Administrator, National Oceanic and Atmospheric Administration.

Pub. L. 94-503 added par. (110) relating to United States Attorney for Northern District of Illinois.

Pars. (111) to (113). Pub. L. 94-503 added pars. (111) to (113) relating to United States Attorney for Central District of California, Director, Bureau of Prisons, Department of Justice, and Deputy Administrator for Administration of the Law Enforcement Assistance Administration, respectively.

1975—Pub. L. 94-82 substituted provisions applying level IV of Executive Schedule to positions for which annual rate of basic pay shall be rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title, for provisions applying such level IV to positions for which annual rate of basic pay is \$28,750.

Par. (24). Pub. L. 93-618 substituted “Members, United States International Trade Commission” for “Chairman of the United States Tariff Commission”.

Par. (31). Pub. L. 94-123 repealed par. (31) relating to Deputy Chief Medical Director in Department of Medicine and Surgery, Veterans' Administration.

Pars. (93) to (107). Pub. L. 94-183 redesignated par. (92) Administrator of the National Credit Union Administration, par. (93) Members, Postal Rate Commission, par. (94) Members, Occupational Safety and Health Review Commission, par. (95) Deputy Director of the Special Action Office for Drug Abuse Prevention, par. (96) Deputy Under Secretaries of the Treasury (or Assistant Secretaries of the Treasury), par. (97) Members, Consumer Product Safety Commission, par. (97) Commissioner of Social Security, Department of Health, Education, and Welfare, par. (99) Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Department of State, par. (100) Administrator for Federal Procurement Policy, par. (100) Assistant Administrators, Energy Research and Development Administration, par. (100) Members, Commodity Futures Trading Commission, par. (101) Director of Nuclear Reactor Regulation, Nuclear Regulatory Commission, par. (102) Director of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, par. (103) Director of Nuclear Regulatory Research, Nuclear Regulatory Commission, par. (104) Executive Director for Operations, Nuclear Regulatory Commission, as pars. (93) to (107), respectively.

1974—Par. (50). Pub. L. 93-438 struck out par. (50) relating to General Manager of Atomic Energy Commission.

Par. (87). Pub. L. 93-383 increased number of Assistant Secretaries of Housing and Urban Development from 6 to 8.

Par. (99). Pub. L. 93-126, § 9(b), as added by Pub. L. 93-312, added par. (99) relating to Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Department of State.

Par. (100). Pub. L. 93-463 added par. (100) relating to Members, Commodity Futures Trading Commission.

Pub. L. 93-438 added par. (100) relating to Assistant Administrators, Energy Research and Development Administration.

Pub. L. 93-400 added par. (100) relating to Administrator for Federal Procurement Policy.

Pars. (101) to (104). Pub. L. 93-438 added pars. (101) to (104) relating to Director of Nuclear Reactor Regulation, Director of Nuclear Material Safety and Safeguards, Director of Nuclear Regulatory Research, and Executive Director for Operations, respectively, of Nuclear Regulatory Commission.

1973—Par. (90). Pub. L. 93-83 substituted “Deputy Administrator for Policy Development of the Law Enforcement Assistance Administration” for “Associate Administrator of Law Enforcement Assistance (2)”.

1972—Par. (10). Pub. L. 92-352 substituted “Secretary of State” for “Secretaries of State (2)”.

Par. (11). Pub. L. 92-419 substituted “(4)” for “(3)” in par. (11) relating to Assistant Secretaries of Agriculture.

Par. (23). Pub. L. 92-302, §2(c)(1), substituted “(5)” for “(4)” in par. (23) relating to Assistant Secretaries of the Treasury.

Par. (72). Pub. L. 92-261 substituted “Members, Equal Employment Opportunity Commission (4)” for “Chairman, Equal Employment Opportunity Commission”.

Par. (95). Pub. L. 92-255 added par. (95) relating to Deputy Director of Special Action Office for Drug Abuse Prevention.

Par. (96). Pub. L. 92-302, §2(c)(2), added par. (96) relating to Deputy Under Secretaries of the Treasury (or Assistant Secretaries of the Treasury) (2).

Par. (97). Pub. L. 92-603 added par. (97) relating to Commissioner of Social Security, Department of Health, Education, and Welfare.

Pub. L. 92-573 added par. (97) relating to Members, Consumer Product Safety Commission (4).

1971—Par. (13). Pub. L. 92-215 substituted “(9)” for “(8)” in par. (13) relating to Assistant Secretaries of Defense.

Par. (18). Pub. L. 92-22 substituted “(6)” for “(5)” in par. (18) relating to Assistant Secretaries of the Interior.

Par. (51). Pub. L. 92-181 struck out par. (51) relating to Governor of Farm Credit Administration.

Par. (90). Pub. L. 91-644, §7(1), (2), in amending section 505 of Pub. L. 90-351, struck out par. (90) “Administrator of Law Enforcement Assistance”, renumbered as par. (55) of section 5314 of this title, and renumbered par. (126) “Associate Administrator of Law Enforcement Assistance (2)” of section 5316 of this title as par. (90) of this section, respectively.

1970—Par. (12). Pub. L. 91-477 substituted “(6)” for “(5)” in par. (12) relating to Assistant Secretaries of Commerce. Pub. L. 91-469 also substituted “(6)” for “(5)” in par. (12). Thus, the correct figure in par. (12) presumably should be seven. See amendment of par. (12) by Pub. L. 95-173 above.

Par. (15). Pub. L. 91-611 substituted “(5)” for “(4)” in par. (15) relating to Assistant Secretaries of the Army.

Par. (20). Pub. L. 91-596, §29(b), substituted “(5)” for “(4)” in par. (20) relating to Assistant Secretaries of Labor.

Pars. (21), (45). Pub. L. 91-375, §6(c)(14)(A), struck out pars. (21) and (45) relating to Assistant Postmasters General (6) and General Counsel of Post Office Department, respectively.

Par. (92). Pub. L. 91-206 added par. (92) relating to Administrator of National Credit Union Administration.

Par. (93). Pub. L. 91-375, §6(c)(14)(B), added par. (93) relating to Members, Postal Rate Commission (4).

Par. (94). Pub. L. 91-596, §12(c)(2), added par. (94) relating to Members, Occupational Safety and Health Review Commission.

1969—Par. (13). Pub. L. 91-121 substituted “(8)” for “(7)” in par. (13) relating to Assistant Secretaries of Defense.

Par. (92). Pub. L. 91-175 added par. (92) relating to Executive Vice President, Overseas Private Investment Corporation.

1968—Pars. (14) to (16). Pub. L. 90-623 substituted “(4)” for “(3)” in pars. (14) to (16) relating to Assistant Secretaries of Air Force, Army, and Navy respectively.

Par. (87). Pub. L. 90-448, §1708(b), substituted “(6)” for “(4)” in par. (87) relating to Assistant Secretaries of Housing and Urban Development.

Par. (90). Pub. L. 90-351 added par. (90) relating to Administrator of Law Enforcement Assistance.

Par. (91). Pub. L. 90-448, §1105(b), added par. (91) relating to Federal Insurance Administrator, Department of Housing and Urban Development.

1967—Pub. L. 90-206 increased annual rate of basic pay from \$27,000 to \$28,750.

1966—Pub. L. 89-779 added par. (78) relating to Deputy Administrator of Small Business Administration.

Pub. L. 89-734 added par. (78) relating to Assistant Secretary for Science, Smithsonian Institution, and par. (79) relating to Assistant Secretary for History and Art, Smithsonian Institution.

Pub. L. 89-670 added par. (78) relating to Members, National Transportation Safety Board, par. (79) relat-

ing to General Counsel, Department of Transportation, and pars. (80) to (83), and repealed par. (2) which provided for Deputy Administrator of Federal Aviation Agency, subject to the provisions of section 1657 of former Title 49, Transportation.

### Statutory Notes and Related Subsidiaries

#### CHANGE OF NAME

“Export-Import Bank of Washington”, referred to in items relating to First Vice President and Members, was changed to “Export-Import Bank of the United States” in the Export-Import Bank Act of 1945, section 635 et seq. of Title 12, Banks and Banking, as provided for in section 1(a) of Pub. L. 90-267, Mar. 13, 1968, 82 Stat. 47.

#### EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by section 5304(b)(1)(B) of Pub. L. 117-263 applicable on the first day of the first pay period beginning after Dec. 23, 2022, see section 5304(b)(2) of Pub. L. 117-263, set out as a note under section 5314 of this title.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-254 effective at the end of the transition period, as defined in section 9681 of Title 22, Foreign Relations and Intercourse, see section 1470(w) of Pub. L. 115-254, set out as a note under section 905 of Title 2, The Congress.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by section 901 of Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 of Title 10, Armed Forces.

#### EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110-49, §12, July 26, 2007, 121 Stat. 260, provided that: “The amendments made by this Act [amending this section, section 301 of Title 31, Money and Finance, and section 4565 of Title 50, War and National Defense] shall apply after the end of the 90-day period beginning on the date of enactment of this Act [July 26, 2007].”

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 942(a) of Pub. L. 109-364 effective Oct. 17, 2006, and applicable with respect to individuals appointed as Deputy Under Secretary of Defense for Logistics and Materiel Readiness on or after that date, see section 942(c) of Pub. L. 109-364, set out as a note under section 5314 of this title.

#### EFFECTIVE DATE OF 2004 AMENDMENTS

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of Title 50, War and National Defense.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out as an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of Title 50, War and National Defense.

Amendment by Pub. L. 108-447 effective on the later of the date on which at least three persons nominated under section 604(a) of Pub. L. 108-447 take office or May 18, 2005, see section 604(b) of Pub. L. 108-447, set out as an Appointments; Effective Date; Transition note under section 831a of Title 16, Conservation.

#### EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-173 effective Jan. 1, 2004, see section 900(d)(3) of Pub. L. 108-173, set out as a note under section 5314 of this title.

#### EFFECTIVE DATE OF 2002 AMENDMENTS

Pub. L. 107-296, title XVII, §1702(b), Nov. 25, 2002, 116 Stat. 2313, provided that: “Notwithstanding section 4 [enacting provisions set out as a note under section 101 of Title 6, Domestic Security], the amendment made by subsection (a)(5) [amending this section] shall take effect on the date on which the transfer of functions specified under section 441 [enacting section 251 of Title 6] takes effect.”

Pub. L. 107-189, §22(e), June 14, 2002, 116 Stat. 708, provided that: “The amendments made by this section [amending this section and sections 9 and 11 of the Inspector General Act of 1978, Pub. L. 95-452, formerly set out in the Appendix to this title] shall take effect on October 1, 2002.”

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title IX, §901(d), Dec. 28, 2001, 115 Stat. 1194, which provided that amendments made by Pub. L. 107-107, §901(c) (amending this section and section 138 of Title 10, Armed Forces), were to take effect on the date on which a person was first appointed as Deputy Under Secretary of Defense for Personnel and Readiness, was repealed by Pub. L. 107-314, div. A, title IX, §902(d), Dec. 2, 2002, 116 Stat. 2621.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-422, §1(d), Nov. 1, 2000, 114 Stat. 1872, provided that:

“(1) IN GENERAL.—The amendments made by this section [see Tables for classification] shall take effect 30 days after the date of enactment of this Act [Nov. 1, 2000].

“(2) INSPECTOR GENERAL.—The person serving as Inspector General of the Tennessee Valley Authority on the effective date of this section—

“(A) may continue such service until the President makes an appointment under section 3(a) of the Inspector General Act of 1978 ([former] 5 U.S.C. App.) [see 5 U.S.C. 403(a)] consistent with the amendments made by this section; and

“(B) shall be subject to section 8G(c) and (d) of the Inspector General Act of 1978 ([former] 5 U.S.C. App.) [see 5 U.S.C. 415(c), (d)] as applicable to the Board of Directors of the Tennessee Valley Authority, unless that person is appointed by the President, by and with the advice and consent of the Senate, to be Inspector General of the Tennessee Valley Authority.”

#### EFFECTIVE DATE OF 1999 AMENDMENTS

Amendment by section 1000(a)(5) [title II, §238(a)(1)] of Pub. L. 106-113 effective Jan. 1, 2000, see section 1000(a)(5) [title II, §238(b)] of Pub. L. 106-113, set out as a note under section 5314 of this title.

Amendment by section 1000(a)(9) [title IV, §4720(b)] of Pub. L. 106-113 effective 4 months after Nov. 29, 1999, see section 1000(a)(9) [title IV, §4731] of Pub. L. 106-113, set out as a note under section 1 of Title 35, Patents.

Amendment by Pub. L. 106-65 effective Mar. 1, 2000, see section 3299 of Pub. L. 106-65, set out as an Effective Date note under section 2401 of Title 50, War and National Defense.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 1224(3) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set

out as an Effective Date note under section 6511 of Title 22, Foreign Relations and Intercourse.

Amendment by sections 1314(c) and 1332(2) of Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 5125(e) of Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, div. E, title LVII, Feb. 10, 1996, 110 Stat. 702.

#### EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

#### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 162(d)(2) of Pub. L. 103-236 applicable with respect to officials, offices, and bureaus of Department of State when executive orders, regulations, or departmental directives implementing the amendments by sections 161 and 162 of Pub. L. 103-236 become effective, or 90 days after Apr. 30, 1994, whichever comes earlier, see section 161(b) of Pub. L. 103-236, as amended, set out as a note under section 2651a of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-123, title I, §108(b), Oct. 28, 1993, 107 Stat. 1234, provided that: “The amendments made by this section [amending this section and section 5316 of this title] shall take effect on the first applicable pay period after enactment [Oct. 28, 1993].”

#### EFFECTIVE DATE OF 1992 AMENDMENTS

Amendment by Pub. L. 102-552 effective Jan. 1, 1996, see section 201(c)(1) of Pub. L. 102-552, set out as an Effective Date of 1992 Amendment; Transitional Provision note under section 2277a-2 of Title 12, Banks and Banking.

Pub. L. 102-359, §2(b)(3), Aug. 26, 1992, 106 Stat. 962, provided that: “The amendments made by paragraphs (1) and (2) [amending this section and section 5316 of this title] shall take effect on the first day of the first pay period that begins on or after the date of the enactment of this Act [Aug. 26, 1992].”

Amendment by Pub. L. 102-325 effective Oct. 1, 1992, see section 2 of Pub. L. 102-325, set out as a note under section 1001 of Title 20, Education.

#### EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-138, title I, §122(d)(2), Oct. 28, 1991, 105 Stat. 659, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on October 1, 1991.”

#### EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-512 effective Oct. 1, 1990, see section 318 [title IV, §403(a)] of Pub. L. 101-512, set out as a note under section 951 of Title 20, Education.

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of this title.

#### EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENTS

Amendment by sections 1003(a)(4)(C) and 1007(c)(4) of Pub. L. 100-690 effective Jan. 21, 1989, and amendment by section 1003(a)(4)(C) of Pub. L. 100-690 repealed on Sept. 30, 1997, see sections 1012 and 1009, respectively, of Pub. L. 100-690.

Amendment by section 7252(b)(3) of Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of Title 34, Crime Control and Law Enforcement.

Pub. L. 100-687, div. A, title II, §201(b)(2), Nov. 18, 1988, 102 Stat. 4109, provided that: "The amendment made by paragraph (1) [amending this section] shall take effect when the President first appoints an individual as Chairman of the Board of Veterans' Appeals under section 4001(b)(1) [now 7101(b)(1)] of title 38, United States Code (as amended by subsection (a))."

Amendment by Pub. L. 100-679 effective Jan. 20, 1989, see section 11(e) of Pub. L. 100-679, set out as a note under section 5312 of this title.

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

Pub. L. 100-504, title I, §113, Oct. 18, 1988, 102 Stat. 2530, provided that: "This title and the amendments made by this title [see Tables for classification] shall take effect 180 days after the date of the enactment of this title [Oct. 18, 1988], except that [former] section 5(a)(6) through (12) of the Inspector General Act of 1978 (as amended by section 106(a) of this title) and [former] section 5(b)(1) through (4) of the Inspector General Act of 1978 (as amended by section 106(b) of this title) [see 5 U.S.C. 405(b)(6) to (12); (c)(1) to (4)] shall take effect 1 year after the date of the enactment of this title."

Pub. L. 100-485, title VI, §603(c), Oct. 13, 1988, 102 Stat. 2409, provided that: "The amendments made by this section [amending this section and enacting section 617 of Title 42, The Public Health and Welfare] shall become effective on February 1, 1989."

Amendment by Pub. L. 100-297 effective July 1, 1988, but with amendments authorizing appropriations for fiscal year 1988 effective Apr. 28, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of Title 20, Education.

#### EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-204 effective 30 days after Dec. 22, 1987, but not to affect salary of any individual holding rank of Ambassador at Large immediately before Dec. 22, 1987, during the period such individual continues to serve in such position, see section 178(b) of Pub. L. 100-204, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-619 applicable to incumbent Assistant Secretary of Labor for Veterans' Employment on Nov. 6, 1986, serving after such date, see section 2(f)(2) of Pub. L. 99-619, set out as a Present Incumbent note under section 553 of Title 29, Labor.

#### EFFECTIVE DATE OF 1985 AMENDMENTS

Pub. L. 99-73, §6(c), July 29, 1985, 99 Stat. 173, provided that: "The amendments made by this section [amending this section and section 5316 of this title and section 274 of Title 15, Commerce and Trade] shall be effective October 1, 1985."

Amendment by Pub. L. 99-64 effective Oct. 1, 1987, see section 116(d) of Pub. L. 99-64, set out as a note under section 5314 of this title.

#### EFFECTIVE DATE OF 1984 AMENDMENTS

Amendment by section 609J of Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA of Pub. L. 98-473, set out as an Effective Date note under section 10101 of Title 34, Crime Control and Law Enforcement.

Amendment by Pub. L. 98-443 effective Jan. 1, 1985, see section 9(v) of Pub. L. 98-443, set out as a note under section 5314 of this title.

Amendment by Pub. L. 98-369 applicable to appointments made after July 18, 1984, see section 2332(c) of Pub. L. 98-369, set out as an Effective Date note under section 1317 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by section 1211(b) of Pub. L. 98-94 effective Nov. 1, 1983, see section 1211(c) of Pub. L. 98-94, set

out as an Effective Date note under section 139 of Title 10, Armed Forces.

Amendment by section 1212(d) of Pub. L. 98-94 effective Oct. 1, 1983, see section 1212(e) of Pub. L. 98-94, set out as a note under section 138 of Title 10.

#### EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-325 effective Oct. 15, 1982, see section 8(e) of Pub. L. 97-325.

#### EFFECTIVE DATE OF 1981 AMENDMENTS

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of Title 7, Agriculture.

Amendment by Pub. L. 97-35 effective on day after Final Government Equity Redemption Date, see section 396(i) of Pub. L. 97-35, set out as a note under section 3011 of Title 12, Banks and Banking.

#### EFFECTIVE DATE OF 1980 AMENDMENTS

Amendment by Pub. L. 96-511 effective Apr. 1, 1981, see section 5 of Pub. L. 96-511, set out as a note under section 2904 of Title 44, Public Printing and Documents.

Amendment by Pub. L. 96-302 effective Oct. 1, 1980, see section 507 of Pub. L. 96-302, set out as a note under section 631 of Title 15, Commerce and Trade.

#### EFFECTIVE DATE OF 1979 AMENDMENTS

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

Amendment by Pub. L. 96-54 effective Jan. 1, 1980, see section 2(a)(25)(B) of Pub. L. 96-54, set out as a note under section 5312 of this title.

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of Title 22, Foreign Relations and Inter-course.

Amendment by Pub. L. 96-39 effective July 26, 1979, see section 1114 of Pub. L. 96-39, set out as an Effective Date note under section 2581 of Title 19, Customs Duties.

#### EFFECTIVE DATE OF 1978 AMENDMENTS

Amendment by Pub. L. 95-630 effective on expiration of 120 days after Nov. 10, 1978, see section 509 of Pub. L. 95-630, set out as a note under section 1752 of Title 12, Banks and Banking.

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

Amendment by Pub. L. 95-452 effective Oct. 1, 1978, see section 12 of Pub. L. 95-452 set out as an Effective Date of 1978 Act note under section 401 of this title.

Amendment by section 114(b)(2) of Pub. L. 95-426 effective Oct. 1, 1978, see section 114(c) of Pub. L. 95-426, set out as a note under section 5314 of this title.

Pub. L. 95-426, title I, §115(b)(2), Oct. 7, 1978, 92 Stat. 969, provided that: "The amendment made by paragraph (1) of this subsection [amending this section] shall take effect on October 1, 1978."

#### EFFECTIVE DATE OF 1977 AMENDMENTS

Amendment by Pub. L. 95-164 effective 120 days after Nov. 9, 1977, except as otherwise provided, see section 307 of Pub. L. 95-164, set out as a note under section 801 of Title 30, Mineral Lands and Mining.

Amendment by Pub. L. 95-88 effective July 1, 1978, see section 124(c) of Pub. L. 95-88, set out as a note under section 2384 of Title 22, Foreign Relations and Inter-course.

#### EFFECTIVE DATE OF 1975 AMENDMENT

Amendment by Pub. L. 94-123 effective Oct. 12, 1975, see section 6(a) of Pub. L. 94-123, set out as a note under section 5314 of this title.

#### EFFECTIVE DATE OF 1974 AMENDMENTS

Amendment by Pub. L. 93-463 effective Oct. 23, 1974, see section 418 of Pub. L. 93-463, set out as a note under section 2 of Title 7, Agriculture.

Amendment by Pub. L. 93-438 effective 120 days after Oct. 11, 1974, or on such earlier date as President may prescribe and publish in Federal Register, except that officers provided for in sections 5811-5820 of Title 42, The Public Health and Welfare, may be nominated and appointed at any time after Oct. 11, 1974, see section 312(a) of Pub. L. 93-438, set out as an Effective Date; Interim Appointments note under section 5801 of Title 42.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Offices and salaries modified under amendment by Pub. L. 93-83, prospectively only, effective on and after Aug. 6, 1973, see section 3 of Pub. L. 93-83, Aug. 6, 1973, 83 Stat. 218.

#### EFFECTIVE DATE OF 1972 AMENDMENTS

Pub. L. 92-603, title IV, §404(c), Oct. 30, 1972, 86 Stat. 1488, provided that: "The amendments made by the preceding provisions of this section [amending this section and section 5316 of this title] shall take effect on the first day of the first pay period of the Commissioner of Social Security, Department of Health, Education, and Welfare, which commences on or after the first day of the month which follows the month in which this Act is enacted [Oct. 30, 1972]."

Amendment by Pub. L. 92-302 effective May 18, 1972, see section 3 of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective at beginning of first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967, as prescribed by President and published in Federal Register, see section 16(a), formerly §15(a), of Pub. L. 89-670 and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

#### SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-180, §1, Dec. 2, 1991, 105 Stat. 1230, provided that: "This Act [amending this section and former sections 640d-11 and 640d-24 of Title 25, Indians, and enacting provisions formerly set out as notes under section 640d-11 of Title 25] may be cited as the 'Navajo-Hopi Relocation Housing Program Reauthorization Act of 1991'."

#### REPEALS

Pub. L. 93-496, §16(c), Oct. 28, 1974, 88 Stat. 1533, cited as a credit to this section, was repealed by Pub. L. 97-449, §7(b), Jan. 12, 1983, 96 Stat. 2444.

#### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agen-

cy, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

For transfer of responsibilities of the Department of Homeland Security Chief Information Officer related to the implementation of the Integrated Wireless Network to the Assistant Director for Emergency Communications, see section 571(d)(2) of Title 6, Domestic Security.

#### INSPECTOR GENERAL, UNITED STATES POSTAL SERVICE

Section 101(f) [title VI, §662(c)(1)] of Pub. L. 104-208 provided in part that: "The amendment made by the preceding sentence [amending this section] shall apply notwithstanding section 410 or any other provision of title 39, United States Code."

#### COMPENSATION OF DEPUTY ADMINISTRATOR OF DRUG ENFORCEMENT ADMINISTRATION

Section 6153(c) of Pub. L. 100-690 provided that: "The Deputy Administrator of the Drug Enforcement Administration shall receive compensation at the rate now or hereafter prescribed by law for positions of Level IV of the Executive Schedule Pay Rate (5 U.S.C. 5315)."

#### TEMPORARY INCREASE IN NUMBER OF ASSISTANT SECRETARIES OF DEFENSE

Number of Assistant Secretaries of Defense authorized at level IV of Executive Schedule under this section to be increased by one (to a total of 12) until Jan. 20, 1989, see section 1311 of Pub. L. 100-180, set out as a note under section 138 of Title 10, Armed Forces.

#### PAY INCREASE; EFFECTIVE DATE

Persons occupying a position under the Executive Schedule on May 18, 1972, and later appointed to a position created or authorized by Pub. L. 92-302, not eligible to an increase in basic pay until Jan. 21, 1973, see section 3(c) of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### ASSOCIATE DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION

Position of Associate Director of Federal Bureau of Investigation placed temporarily in level III during incumbency of incumbent on Aug. 14, 1964, by Pub. L. 88-426, Aug. 14, 1964, §303(c)(46), 78 Stat. 417.

#### SALARY INCREASES

For adjustment of salaries under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of this title.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of this title.

#### Executive Documents

#### TRANSFER OF FUNCTIONS

Office of Emergency Preparedness, including offices of Director, Deputy Director, Assistant Directors, and Regional Directors, abolished and functions, vested by law in Office of Emergency Preparedness or Director of Office of Emergency Preparedness transferred to President by sections 1 and 3(a)(1) of 1973 Reorg. Plan No. 1, effective July 1, 1973, set out in the Appendix to this title.

Office of Deputy Director of Office of Science and Technology abolished and functions vested by law in

such office transferred to Director of National Science Foundation by sections 2 and 3(a)(5) of 1973 Reorg. Plan No. 1, effective July 1, 1973, set out in the Appendix to this title.

**ABOLITION OF ONE POSITION OF ASSISTANT ADMINISTRATOR, AGENCY FOR INTERNATIONAL DEVELOPMENT**

One of the 6 positions of Assistant Administrator, Agency for International Development, provided for in this section, was abolished by Reorg. Plan No. 2 of 1979, § 7, 44 F.R. 41165, 93 Stat. 1378, set out in the Appendix to this title.

**§ 5316. Positions at level V**

Level V of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Administrator, Bonneville Power Administration, Department of the Interior.

Administrator of the National Capital Transportation Agency.

Associate Administrators of the Small Business Administration (4).

Associate Administrators, National Aeronautics and Space Administration (7).

Associate Deputy Administrator, National Aeronautics and Space Administration.

Deputy Associate Administrator, National Aeronautics and Space Administration.

Archivist of the United States.

Assistant Secretary of Health and Human Services for Administration.

Assistant Attorney General for Administration.

Assistant and Science Adviser to the Secretary of the Interior.

Chairman, Foreign Claims Settlement Commission of the United States, Department of Justice.

Chairman of the Renegotiation Board.

Chairman of the Subversive Activities Control Board.

Chief Counsel for the Internal Revenue Service, Department of the Treasury.

Commissioner, Federal Acquisition Service, General Services Administration.

Director, United States Fish and Wildlife Service, Department of the Interior.

Commissioner of Indian Affairs, Department of the Interior.

Commissioners, Indian Claims Commission (5).

Commissioner, Public Buildings Service, General Services Administration.

Commissioner of Reclamation, Department of the Interior.

Commissioner of Vocational Rehabilitation, Department of Health and Human Services.

Commissioner of Welfare, Department of Health and Human Services.

Director, Bureau of Mines, Department of the Interior.

Director, Geological Survey, Department of the Interior.

Deputy Commissioner of Internal Revenue, Department of the Treasury.

Associate Director of the Federal Mediation and Conciliation Service.

Associate Director for Volunteers, Peace Corps.

Associate Director for Program Development and Operations, Peace Corps.

Assistants to the Director of the Federal Bureau of Investigation, Department of Justice (2).

Assistant Directors, Office of Emergency Planning (3).

Fiscal Assistant Secretary of the Treasury.

General Counsel of the Agency for International Development.

General Counsel of the Nuclear Regulatory Commission.

General Counsel of the National Aeronautics and Space Administration.

Manpower Administrator, Department of Labor.

Members, Renegotiation Board.

Members, Subversive Activities Control Board.

Assistant Administrator of General Services.

Director, United States Travel Service, Department of Commerce.

Assistant Director (Program Planning, Analysis and Research), Office of Economic Opportunity.

Deputy Director, National Security Agency.

Director, Bureau of Land Management, Department of the Interior.

Director, National Park Service, Department of the Interior.

National Export Expansion Coordinator, Department of Commerce.

Staff Director, Commission on Civil Rights.

Assistant Secretary for Administration, Department of Transportation.

Director, United States National Museum, Smithsonian Institution.

Director, Smithsonian Astrophysical Observatory, Smithsonian Institution.

Administrator of the Environmental Science Services Administration.

Associate Directors of the Office of Personnel Management (5).

Assistant Federal Highway Administrator.

Deputy Administrator of the National Highway Traffic Safety Administration.

Deputy Administrator of the Federal Motor Carrier Safety Administration.

Assistant Federal Motor Carrier Safety Administrator.

Director, Bureau of Narcotics and Dangerous Drugs, Department of Justice.

Deputy Administrator, Federal Transit Administration, Department of Transportation.

General Counsel of the Equal Employment Opportunity Commission.

Executive Director, Advisory Council on Historic Preservation.

Additional Officers, Department of Energy (14).

Additional officers, Nuclear Regulatory Commission (5).

Assistant Administrator for Coastal Zone Management, National Oceanic and Atmospheric Administration.

Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration.

Assistant Administrators (3), National Oceanic and Atmospheric Administration.

General Counsel, National Oceanic and Atmospheric Administration.

Members, Federal Labor Relations Authority (2) and its General Counsel.

Additional officers, Institute for Scientific and Technological Cooperation (2).

Additional officers, Office of Management and Budget (6).

Chief Scientist, National Oceanic and Atmospheric Administration.

Director, Indian Health Service, Department of Health and Human Services.

Commissioners, United States Parole Commission (8).

Commissioner, Administration on Children, Youth, and Families.

Chairman of the Advisory Council on Historic Preservation.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 463; Pub. L. 89-670, §10(d)(5), (e), Oct. 15, 1966, 80 Stat. 948; Pub. L. 89-734, §1(2), Nov. 2, 1966, 80 Stat. 1163; Pub. L. 89-779, §8(c)(2), Nov. 6, 1966, 80 Stat. 1364; Pub. L. 90-9, §6, Apr. 10, 1967, 81 Stat. 12; Pub. L. 90-83, §1(16), Sept. 11, 1967, 81 Stat. 198; Pub. L. 90-206, title II, §215(c), Dec. 16, 1967, 81 Stat. 638; Pub. L. 90-351, title I, §506, June 19, 1968, 82 Stat. 205; Pub. L. 90-407, §15(a)(3), July 18, 1968, 82 Stat. 367; Pub. L. 90-623, §1(4), (5), Oct. 22, 1968, 82 Stat. 1312; Pub. L. 91-175, pt. V, §503(3), Dec. 30, 1969, 83 Stat. 826; Pub. L. 91-375, §6(c)(15), Aug. 12, 1970, 84 Stat. 776; Pub. L. 91-453, §12, Oct. 15, 1970, 84 Stat. 968; Pub. L. 91-644, title I, §7(2), Jan. 2, 1971, 84 Stat. 1887; Pub. L. 92-22, §3, June 1, 1971, 85 Stat. 76; Pub. L. 92-255, title II, §212(c), Mar. 21, 1972, 86 Stat. 69; Pub. L. 92-261, §9(c), (d), Mar. 24, 1972, 86 Stat. 110; Pub. L. 92-302, §2(d), May 18, 1972, 86 Stat. 149; Pub. L. 92-603, title IV, §404(a), Oct. 30, 1972, 86 Stat. 1488; Pub. L. 93-43, §2(c), June 18, 1973, 87 Stat. 78; Pub. L. 93-74, §8, July 23, 1973, 87 Stat. 175; Pub. L. 90-351, title I, §506(b), as added Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 211; Pub. L. 93-271, §2, Apr. 22, 1974, 88 Stat. 92; Pub. L. 93-126, §9(c), as added Pub. L. 93-312, §9, June 8, 1974, 88 Stat. 238; Pub. L. 93-383, title VIII, §818(b), Aug. 22, 1974, 88 Stat. 740; Pub. L. 93-438, title III, §310(4), Oct. 11, 1974, 88 Stat. 1253; Pub. L. 93-463, title I, §102(c), Oct. 23, 1974, 88 Stat. 1392; Pub. L. 93-618, title I, §172(c)(3), Jan. 3, 1975, 88 Stat. 2010; Pub. L. 94-82, title II, §202(b)(5), Aug. 9, 1975, 89 Stat. 420; Pub. L. 94-183, §2(19), Dec. 31, 1975, 89 Stat. 1058; Pub. L. 94-237, §4(c)(6), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94-307, §7, June 4, 1976, 90 Stat. 681; Pub. L. 94-370, §15(b), July 26, 1976, 90 Stat. 1032; Pub. L. 94-422, title II, §202, Sept. 28, 1976, 90 Stat. 1323; Pub. L. 94-503, title II, §202(c), Oct. 15, 1976, 90 Stat. 2427; Pub. L. 94-561, §3(b), Oct. 19, 1976, 90 Stat. 2643; Pub. L. 94-582, §26, Oct. 21, 1976, 90 Stat. 2889; Pub. L. 95-89, title II, §209, Aug. 4, 1977, 91 Stat. 558; Pub. L. 95-91, title VII, §710(g), Aug. 4, 1977, 91 Stat. 609; Pub. L. 95-115, §3(a)(6), Oct. 3, 1977, 91 Stat. 1049; Pub. L. 95-219, §3(b), Dec. 28, 1977, 91 Stat. 1614; Pub. L. 95-452, §10(b), Oct. 12, 1978, 92 Stat. 1108; Pub. L. 95-454, title II, §§201(b)(3), 202(c)(4), title VII, §703(e), Oct. 13, 1978, 92 Stat. 1121, 1131, 1217; Pub. L. 95-521, title IV, §406, Oct. 26, 1978, 92 Stat. 1864; Pub. L. 96-53, title IV, §412(c), Aug. 14, 1979, 93 Stat. 377; Pub. L. 96-54, §2(a)(25)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 96-70, title III, §3302(e)(11), Sept. 27, 1979, 93 Stat. 499; Pub. L. 96-88, title V,

§508(f), (g), Oct. 17, 1979, 93 Stat. 692; Pub. L. 96-107, title VIII, §820(e)(2), Nov. 9, 1979, 93 Stat. 819; Pub. L. 96-209, title I, §109, Mar. 14, 1980, 94 Stat. 97; Pub. L. 96-466, title V, §504(d), Oct. 17, 1980, 94 Stat. 2203; Pub. L. 97-31, §12(1)(C), Aug. 6, 1981, 95 Stat. 153; Pub. L. 97-113, title VII, §705(b)(3), Dec. 29, 1981, 95 Stat. 1545; Pub. L. 97-258, §2(a), Sept. 13, 1982, 96 Stat. 1052; Pub. L. 97-325, §8(c), Oct. 15, 1982, 96 Stat. 1605; Pub. L. 97-449, §3(4), (5), Jan. 12, 1983, 96 Stat. 2441; Pub. L. 98-557, §26(b), Oct. 30, 1984, 98 Stat. 2873; Pub. L. 99-73, §6(b)(2), July 29, 1985, 99 Stat. 173; Pub. L. 99-93, title VII, §704(a)(3), Aug. 16, 1985, 99 Stat. 446; Pub. L. 99-145, title XII, §1204(c), Nov. 8, 1985, 99 Stat. 721; Pub. L. 99-383, §7(b)(2), Aug. 21, 1986, 100 Stat. 814; Pub. L. 99-619, §2(c)(2), (d), Nov. 6, 1986, 100 Stat. 3491; Pub. L. 99-659, title IV, §407(e)(3), Nov. 14, 1986, 100 Stat. 3740; Pub. L. 100-180, div. A, title XII, §1245(c), Dec. 4, 1987, 101 Stat. 1165; Pub. L. 100-504, title I, §103(b), Oct. 18, 1988, 102 Stat. 2522; Pub. L. 100-527, §13(g), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 100-598, §8, Nov. 3, 1988, 102 Stat. 3035; Pub. L. 100-607, title V, §503(b)(1), Nov. 4, 1988, 102 Stat. 3121; Pub. L. 100-690, title VII, §7252(b)(4), Nov. 18, 1988, 102 Stat. 4436; Pub. L. 100-713, title VI, §601(d), Nov. 23, 1988, 102 Stat. 4826; Pub. L. 101-319, §§3(b), 4, July 3, 1990, 104 Stat. 290, 291; Pub. L. 101-501, title IX, §915(b)(1)(B), Nov. 3, 1990, 104 Stat. 1263; Pub. L. 101-509, title V, §529 [title I, §113(1)], Nov. 5, 1990, 104 Stat. 1427, 1455; Pub. L. 102-190, div. A, title IX, §903(a)(2), div. C, title XXXV, §3504(b), Dec. 5, 1991, 105 Stat. 1451, 1586; Pub. L. 102-240, title III, §3004(d)(2), title VI, §6006(d), Dec. 18, 1991, 105 Stat. 2088, 2174; Pub. L. 102-359, §2(b)(2), Aug. 26, 1992, 106 Stat. 962; Pub. L. 103-123, title I, §108(a)(1), Oct. 28, 1993, 107 Stat. 1234; Pub. L. 103-333, title I, §106, Sept. 30, 1994, 108 Stat. 2549; Pub. L. 103-354, title II, §294, Oct. 13, 1994, 108 Stat. 3237; Pub. L. 104-106, div. A, title IX, §904(b)(2), Feb. 10, 1996, 110 Stat. 403; Pub. L. 104-201, div. A, title X, §1073(e)(1)(A), Sept. 23, 1996, 110 Stat. 2658; Pub. L. 105-85, div. A, title X, §1073(e)(2), Nov. 18, 1997, 111 Stat. 1906; Pub. L. 105-277, div. G, subdiv. A, title XII, §1224(4), title XIII, §1332(3), Oct. 21, 1998, 112 Stat. 2681-772, 2681-785; Pub. L. 105-393, title I, §103, Nov. 13, 1998, 112 Stat. 3617; Pub. L. 106-44, §2(b), Aug. 5, 1999, 113 Stat. 223; Pub. L. 106-113, div. B, §1000(a)(9) [title IV, §4732(b)(4)], Nov. 29, 1999, 113 Stat. 1536, 1501A-583; Pub. L. 106-159, title I, §101(d)(2), Dec. 9, 1999, 113 Stat. 1751; Pub. L. 107-171, title X, §10702(c)(2), May 13, 2002, 116 Stat. 517; Pub. L. 108-426, §3(c), Nov. 30, 2004, 118 Stat. 2425; Pub. L. 109-313, §2(b), Oct. 6, 2006, 120 Stat. 1734; Pub. L. 111-383, div. A, title IX, §901(n)(2)(B), (3), Jan. 7, 2011, 124 Stat. 4327; Pub. L. 113-76, div. H, title I, §111(b), Jan. 17, 2014, 128 Stat. 362; Pub. L. 114-94, div. A, title VI, §6011(d)(1)(C), Dec. 4, 2015, 129 Stat. 1570; Pub. L. 114-289, title V, §501(c)(4), Dec. 16, 2016, 130 Stat. 1490; Pub. L. 115-254, div. F, title VI, §1470(b)(3), Oct. 5, 2018, 132 Stat. 3516.)

#### HISTORICAL AND REVISION NOTES 1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(1)-(99) .....	5 U.S.C. 2211(e).	Aug. 14, 1964, Pub. L. 88-426, §303(e), 78 Stat. 419.



HISTORICAL AND REVISION NOTES—CONTINUED  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(100)–(116) ..	5 U.S.C. 2211(g).	Aug. 14, 1964, Pub. L. 88–426, § 303(g), 78 Stat. 422.

Paragraphs (100)–(116) are added on authority of former section 2211(g) which authorized the President to place, from Aug. 15, 1964, to Feb. 1, 1965, not more than 30 positions in Levels IV and V of the Federal Executive Salary Schedule. Pursuant to this authority, the President by Executive Order No. 11189, Nov. 23, 1964, as amended by Executive Order No. 11195, Jan. 30, 1965, placed the positions listed in paragraphs (100)–(116) in Level V.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5316(60) .....	5 App.: 2211(e)(60).	July 5, 1966, Pub. L. 89–492, § 4(1), 80 Stat. 262.
5316(94) .....	5 App.: 2211(e)(94).	Sept. 9, 1965, Pub. L. 89–174, § 5(b)(as applicable to § 303(e)(94) of the Federal Executive Salary Act of 1964), 79 Stat. 669.
5316(95) .....	5 App.: 2211(e)(95).	Aug. 9, 1965, Pub. L. 89–115, § 4(c)(words after semicolon), 79 Stat. 449.
5316(120) ....	5 App.: 2211(e)(100).	Aug. 26, 1965, Pub. L. 89–136, § 601(c), 79 Stat. 570.
5316(121) ....	[Uncodified].	1965 Reorg. Plan No. 2, § 4(a)(2d sentence, less 1st 18 words), eff. July 13, 1965, 79 Stat. 1318.
5316(122) ....	42:3533(b) (last 29 words).	Sept. 9, 1965, Pub. L. 89–174, § 4(b)(last 29 words), 79 Stat. 668.
5316(123) ....	5 App.: 2211(e)(101).	July 5, 1966, Pub. L. 89–492, § 4(2), 80 Stat. 262.
5316(124) ....	49: 1652(f)(2) (last 15 words in 2d sentence).	Oct. 15, 1966, Pub. L. 89–670, § 3(f)(2)(last 15 words in 2d sentence), 80 Stat. 932.
5316(125) ....	49: 1652(f)(1) (last 15 words in 2d sentence).	Oct. 15, 1966, Pub. L. 89–670, § 3(f)(1)(last 15 words in 2d sentence), 80 Stat. 932.

The deletion of paragraphs (22), (38), and (83) of 5 U.S.C. 5316 reflects (1) the termination, effective June 30, 1965, of the position of “Area Redevelopment Administrator, Department of Commerce” pursuant to Public Law 87–27 (sec. 29, 75 Stat. 63; 42 U.S.C. 2525); (2) the abolition of the position of “Chief, Weather Bureau, Department of Commerce” by 1965 Reorganization Plan No. 2 (sec. 2(a), 79 Stat. 1318); and (3) the abolition of the position of “General Counsel of the Housing and Home Finance Agency” by Public Law 89–174 (sec. 5(a), 9(c), 79 Stat. 669, 671).

The redesignation of paragraphs (117) and (118) as paragraphs “(118)” and “(119)”, respectively, eliminates duplicate paragraph numbering effected by section 10(d)(5) of Public Law 89–670 and section 1(2) of Public Law 89–734.

### Editorial Notes

#### CODIFICATION

The paragraph designations for the positions added by Pub. L. 96–88 have been omitted in view of the deletion of all paragraph designations in this section by Pub. L. 96–54.

#### AMENDMENTS

2018—Pub. L. 115–254 struck out item relating to Vice Presidents, Overseas Private Investment Corporation (3).

2016—Pub. L. 114–289 inserted item relating to Chairman of the Advisory Council on Historic Preservation.

2015—Pub. L. 114–94 struck out item relating to Associate Deputy Secretary, Department of Transportation.

2014—Pub. L. 113–76 struck out item relating to Administrator, Wage and Hour and Public Contracts Division, Department of Labor.

2011—Pub. L. 111–383, § 901(n)(3), struck out items relating to Director, Defense Advanced Research Projects Agency, Department of Defense, Deputy General Counsel, Department of Defense, Deputy Under Secretaries of Defense for Research and Engineering, Department of Defense, and Special Assistant to the Secretary of Defense.

Pub. L. 111–383, § 901(n)(2)(B), struck out item relating to Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs, Department of Defense.

2006—Pub. L. 109–313 substituted “Commissioner, Federal Acquisition Service, General Services Administration” for “Commissioner, Federal Supply Service, General Services Administration”.

2004—Pub. L. 108–426 struck out item relating to Director, Bureau of Transportation Statistics.

2002—Pub. L. 107–171 struck out items relating to General Counsel, Commodity Futures Trading Commission and Executive Director, Commodity Futures Trading Commission.

1999—Pub. L. 106–159 inserted items relating to Deputy Administrator of the Federal Motor Carrier Safety Administration and Assistant Federal Motor Carrier Safety Administrator.

Pub. L. 106–113 which directed amendment of this section by striking out items relating to Commissioner of Patents, Department of Commerce, Deputy Commissioner of Patents and Trademarks, Assistant Commissioner for Patents, and Assistant Commissioner for Trademarks, was executed by striking out items relating to Deputy Commissioner of Patents and Trademarks, Assistant Commissioner for Patents, and Assistant Commissioner for Trademarks to reflect the probable intent of Congress and the intervening amendment by Pub. L. 106–44, § 2(b), which struck out item relating to Commissioner of Patents, Department of Commerce. See below.

Pub. L. 106–44 struck out item relating to Commissioner of Patents, Department of Commerce.

1998—Pub. L. 105–393 struck out item relating to Administrator for Economic Development.

Pub. L. 105–277, § 1332(3), struck out items relating to Deputy Director, Policy and Plans, United States Information Agency, and Associate Director (Policy and Plans), United States Information Agency.

Pub. L. 105–277, § 1224(4), struck out item relating to General Counsel of the United States Arms Control and Disarmament Agency.

1997—Pub. L. 105–85 substituted “Nuclear and Chemical and Biological Defense Programs” for “Atomic Energy”.

1996—Pub. L. 104–201 inserted “Defense” before “Advanced Research Projects Agency”.

Pub. L. 104–106, which directed amendment of section by substituting “Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs, Department of Defense.” for “The Assistant to the Secretary of Defense for Atomic Energy, Department of Defense.”, could not be executed because the words to be substituted for did not appear.

1994—Pub. L. 103–354 struck out following items relating to Department of Agriculture: Administrator, Agricultural Marketing Service, Administrator, Agricultural Research Service, Administrator, Agricultural Stabilization and Conservation Service, Administrator, Farmers Home Administration, Administrator, Foreign Agricultural Service, Administrator, Rural Electrification Administration, Administrator, Soil Conservation Service, Chief Forester of the Forest Service, Director of Science and Education, Administrator, Animal and Plant Health Inspection Service, and Administrator, Federal Grain Inspection Service.

Pub. L. 103-333 struck out item relating to Commissioner of Labor Statistics, Department of Labor.

1993—Pub. L. 103-123 struck out item relating to Commissioner of Customs, Department of the Treasury.

1992—Pub. L. 102-359 struck out item relating to Additional Officers, Department of Education.

1991—Pub. L. 102-240, §6006(d), inserted item relating to Director, Bureau of Transportation Statistics.

Pub. L. 102-240, §3004(d)(2), substituted “Deputy Administrator, Federal Transit Administration” for “Deputy Administrator, Urban Mass Transportation Administration”.

Pub. L. 102-190, §3504(b), struck out item relating to Administrator of the Panama Canal Commission.

Pub. L. 102-190, §903(a)(2), struck out items relating to General Counsels of the Departments of the Air Force, Army, and Navy.

1990—Pub. L. 101-509 struck out item relating to Director, Bureau of the Census, Department of Commerce.

Pub. L. 101-501 inserted item relating to Commissioner, Administration on Children, Youth, and Families.

Pub. L. 101-319, §4, inserted items relating to Deputy Commissioner of Patents and Trademarks, Assistant Commissioner for Patents, and Assistant Commissioner for Trademarks.

Pub. L. 101-319, §3(b), inserted item relating to Commissioners, United States Parole Commission.

1988—Pub. L. 100-713 inserted item relating to Director, Indian Health Service, Department of Health and Human Services.

Pub. L. 100-690 struck out item relating to Associate Administrator, Office of Juvenile Justice and Delinquency Prevention of Law Enforcement Assistance Administration.

Pub. L. 100-607 struck out item relating to Commissioner of Food and Drugs, Department of Health and Human Services.

Pub. L. 100-598 struck out item relating to Director of Office of Government Ethics.

Pub. L. 100-527 struck out items relating to Associate Deputy Administrator of Veterans' Affairs, Chief Benefits Director, Veterans' Administration, General Counsel of the Veterans' Administration, and Director, National Cemetery System, Veterans' Administration.

Pub. L. 100-504 struck out items relating to Inspectors General for Departments of Commerce and Interior and for Agency for International Development, Community Services Administration, Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, and Small Business Administration and relating to Deputy Inspectors General for Departments of Energy and Health and Human Services.

1987—Pub. L. 100-180 substituted “Assistant to the Secretary of Defense for Atomic Energy, Department of Defense” for “Chairman of the Military Liaison Committee to the Atomic Energy Commission, Department of Defense”.

1986—Pub. L. 99-659 inserted item relating to Chief Scientist, National Oceanic and Atmospheric Administration.

Pub. L. 99-619, §2(c)(2), struck out item relating to Assistant Secretary of Labor for Administration.

Pub. L. 99-619, §2(d), struck out item relating to Assistant Secretary of Labor for Veterans' Employment.

Pub. L. 99-383 struck out item relating to Assistant Directors, National Science Foundation (4).

1985—Pub. L. 99-145 struck out item relating to Administrator of Education for Overseas Dependents, Department of Education.

Pub. L. 99-93 struck out item relating to Assistant Directors, United States Arms Control and Disarmament Agency (4).

Pub. L. 99-73 struck out item relating to Director, National Bureau of Standards, Department of Commerce.

1984—Pub. L. 98-557 inserted item relating to Associate Deputy Secretary, Department of Transportation.

1983—Pub. L. 97-449, §3(4), substituted “Assistant Federal Highway Administrator” for “Director, National Highway Safety Bureau”.

Pub. L. 97-449, §3(5), substituted “Deputy Administrator of the National Highway Traffic Safety Administration” for “Director, National Traffic Safety Bureau”.

1982—Pub. L. 97-325 struck out item relating to Assistant Secretary of Agriculture for Administration.

Pub. L. 97-258 inserted item relating to Additional officers, Office of Management and Budget (6).

1981—Pub. L. 97-113 substituted “Inspector General, Agency for International Development” for “Auditor General of the Agency for International Development”.

Pub. L. 97-31 purported to strike out “Maritime Administration, Department of Commerce” which was executed by striking out “Maritime Administrator, Department of Commerce.” as the probable intent of Congress.

1980—Pub. L. 96-466 inserted item relating to Assistant Secretary of Labor for Veterans' Employment.

Pub. L. 96-209, §109(1), which provided for striking out par. (31) and inserting in lieu thereof “(31) Chairman, Foreign Claims Settlement Commission of the United States, Department of Justice.” was executed by striking out the item relating to the Chairman, Foreign Claims Settlement Commission of the United States which was designated par. (31) prior to amendment of this section by Pub. L. 96-54 and inserting the item relating to the Chairman, Foreign Claims Settlement Commission of the United States, Department of Justice. See 1979 Amendment note below.

Pub. L. 96-209, §109(2), which provided for striking out par. (90) was executed by striking out item relating to Members, Foreign Claims Settlement Commission of United States which was designated par. (90) prior to amendment of this section by Pub. L. 96-54. See 1979 Amendment note below.

1979—Pub. L. 96-88, §508(f)(1), which provided for striking out par. (41) was executed by striking out item relating to Commissioner of Education, Department of Health, Education, and Welfare which was designated par. (41) prior to amendment of this section by Pub. L. 96-54. See 1979 Amendment note below.

Pub. L. 96-88, §508(g), substituted “Health and Human Services” for “Health, Education, and Welfare” in items relating to the Assistant Secretary of Health and Human Services for Administration, the Commissioner of Food and Drugs, the Commissioner of Vocational Rehabilitation, the Commissioner of Welfare, and the Deputy Inspector General of the Department of Health and Human Services.

Pars. (1) to (152). Pub. L. 96-54 struck out paragraph designations for positions listed herein.

Pars. (37), (38). Pub. L. 96-88, §508(f)(2), added pars. (37) and (38) relating to additional officers and Administrator of Education for Overseas Dependents in Department of Education, respectively. See Codification note set out above.

Par. (87). Pub. L. 96-70 substituted “Administrator of the Panama Canal Commission” for “Governor of the Canal Zone”.

Par. (96). Pub. L. 96-107 substituted “Deputy Under Secretaries of Defense for Research and Engineering, Department of Defense” for “Deputy Directors of Defense Research and Engineering, Department of Defense”.

Par. (152). Pub. L. 96-53 added par. (152) relating to two additional officers in Institute for Scientific and Technological Cooperation.

1978—Par. (99). Pub. L. 95-454, §202(c)(4), struck out par. (99) relating to Executive Director of United States Civil Service Commission.

Par. (122). Pub. L. 95-454, §201(b)(3), added par. (122) relating to five Associate Directors of Office of Personnel Management.

Par. (144). Pub. L. 95-452, §10(b), added par. (144) relating to Deputy Inspector General, Department of Health, Education, and Welfare.

Par. (145). Pub. L. 95-454, §703(e), added par. (145) relating to Members and General Counsel of Federal Labor Relations Authority.

Pub. L. 95-452 added par. (145) relating to Inspector General, Department of Commerce.

Par. (146). Pub. L. 95-521 added par. (146) relating to Director of Office of Government Ethics.

Pub. L. 95-452 added par. (146) relating to Inspector General, Department of the Interior.

Pars. (147) to (151). Pub. L. 95-452 added pars. (147) to (151) relating to Inspector General, Community Services Administration, Inspector General, Environmental Protection Agency, Inspector General, General Services Administration, Inspector General, National Aeronautics and Space Administration, and Inspector General, Small Business Administration, respectively.

1977—Par. (11). Pub. L. 95-89 substituted “(4)” for “(3)” in par. (11) relating to Associate Administrators of the Small Business Administration.

Par. (135). Pub. L. 95-91 substituted “Deputy Inspector General, Department of Energy” for “General Counsel, Energy Research and Development Administration”, covered in section 5315 by item relating to General Counsel of the Department of Energy.

Par. (136). Pub. L. 95-91 substituted “Department of Energy (14)” for “Energy Research and Development Administration (8)”.

Par. (140). Pub. L. 95-219 substituted “Assistant” for “Associate”, relating to Assistant Administrator for Coastal Zone Management, National Oceanic and Atmospheric Administration.

Par. (141). Pub. L. 95-219 added par. (141) relating to Assistant Administrator for Fisheries.

Pub. L. 95-115 added par. (141) relating to Associate Administrator Office of Juvenile Justice and Delinquency Prevention.

Pars. (142), (143). Pub. L. 95-219 added pars. (142) and (143) relating to three Assistant Administrators, National Oceanic and Atmospheric Administration and General Counsel, National Oceanic and Atmospheric Administration, respectively.

1976—Par. (15). Pub. L. 94-307 substituted “(7)” for “(6)” in par. (15) relating to Associate Administrators, National Aeronautics and Space Administration.

Par. (44). Pub. L. 94-503 struck out par. (44) relating to Commissioner of Immigration and Naturalization, Department of Justice.

Par. (55). Pub. L. 94-561, §3(b)(1), struck out par. (55) relating to Director of Agricultural Economics, Department of Agriculture.

Par. (58). Pub. L. 94-503 struck out par. (58) relating to Director, Bureau of Prisons, Department of Justice.

Pars. (115), (116). Pub. L. 94-503 struck out par. (115) relating to United States Attorney for Northern District of Illinois, and par. (116) relating to United States Attorney for Southern District of California.

Par. (131). Pub. L. 94-237 struck out par. (131) relating to Assistant Directors, Special Action Office for Drug Abuse Prevention (6).

Par. (134). Pub. L. 94-503 struck out par. (134) relating to Deputy Administrator for Administration of Law Enforcement Assistance Administration.

Par. (135). Pub. L. 94-422 added par. (135) relating to Executive Director, Advisory Council on Historic Preservation.

Par. (137). Pub. L. 94-582 added par. (137) relating to Administrator, Federal Grain Inspection Service, Department of Agriculture.

Pub. L. 94-561 added par. (137) relating to Administrator, Animal and Plant Health Inspection Service, Department of Agriculture.

Par. (140). Pub. L. 94-370 added par. (140) relating to Associate Administrator for Coastal Zone Management, National Oceanic and Atmospheric Administration.

1975—Pub. L. 94-82 substituted provisions applying level V of Executive Schedule to positions for which annual rate of basic pay shall be rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title, for provisions applying such level V to positions for which annual rate of basic pay is \$28,000.

Par. (93). Pub. L. 93-613 struck out par. (93) relating to Members, United States Tariff Commission.

Pars. (134) to (139). Pub. L. 94-183 redesignated par. (133), Deputy Administrator for Administration of the Law Enforcement Assistance Administration, par. (134), General Counsel, Energy Research and Development Administration, par. (135), Additional officers, Energy Research and Development Administration (8), par. (135), General Counsel, Commodity Futures Trading Commission, par. (136), Additional officers, Nuclear Regulatory Commission (5), and par. (136), Executive Director, Commodity Futures Trading Commission, as pars. (134) to (139), respectively.

1974—Par. (29). Pub. L. 93-438 struck out par. (29) relating to Assistant General Manager, Atomic Energy Commission.

Par. (42). Pub. L. 93-271, §2, substituted “Director, United States Fish and Wildlife” for “Commissioner of Fish and Wildlife”.

Par. (62). Pub. L. 93-438 struck out par. (62) relating to Director of Regulation, Atomic Energy Commission. See section 5315 of this title.

Par. (69). Pub. L. 93-438 struck out par. (69) relating to Deputy General Manager, Atomic Energy Commission.

Par. (81). Pub. L. 93-438 substituted “General Counsel of the Nuclear Regulatory Commission” for “General Counsel of the Atomic Energy Commission”.

Par. (102). Pub. L. 93-438 struck out par. (102) relating to Assistant General Managers, Atomic Energy Commission (2).

Par. (109). Pub. L. 93-126, §9(c), as added by Pub. L. 93-312, repealed par. (109) relating to Director of International Scientific Affairs, Department of State.

Par. (122). Pub. L. 93-383 struck out par. (122) relating to Assistant Secretary of Housing and Urban Development for Administration.

Par. (134). Pub. L. 93-438 added par. (134) relating to General Counsel, Energy Research and Development Administration.

Pars. (135), (136). Pub. L. 93-463 added pars. (135) and (136) relating, respectively, to General Counsel, Commodity Futures Trading Commission, and Executive Director, Commodity Futures Trading Commission.

Pub. L. 93-438 added pars. (135) and (136) relating, respectively, to additional officers, Nuclear Regulatory Commission, and additional officers, Energy Research and Development Administration.

1973—Pars. (15) to (17). Pub. L. 93-74 added par. (15), Associate Administrators, National Aeronautics and Space Administration (6), and repealed provisions of former pars. (15) for an Associate Administrator for Advanced Research and Technology, (16) for Associate Administrator for Space Science and Applications, and (17) for Associate Administrator for Manned Space Flight, National Aeronautics and Space Administration.

Pars. (131) to (133). Pub. L. 93-43 redesignated par. (131) relating to General Counsel of the Equal Employment Opportunity Commission as par. (132), and added par. (133) relating to Director, National Cemetery System.

Par. (133). Pub. L. 93-83 added par. (133) relating to Deputy Administrator for Administration of the Law Enforcement Assistance Administration.

1972—Pars. (28), (64). Pub. L. 92-302 struck out pars. (28) and (64) relating to an Assistant Secretary of the Treasury for Administration and a Deputy Under Secretary for Monetary Affairs, Department of the Treasury, respectively.

Par. (51). Pub. L. 92-603 struck out par. (51) relating to Commissioner of Social Security, Department of Health, Education, and Welfare. See section 5315 of this title.

Par. (111). Pub. L. 92-261, §9(c), struck out par. (111) relating to Members, Equal Employment Opportunity Commission (4). See section 5315 of this title.

Par. (131). Pub. L. 92-261, §9(d), added par. (131) relating to General Counsel of the Equal Employment Opportunity Commission.

Pub. L. 92-255 added par. (131) relating to Assistant Directors, Special Action Office for Drug Abuse Prevention.

1971—Par. (25). Pub. L. 92-22 struck out position of Assistant Secretary of the Interior for Administration. See section 1453a of Title 43 and section 5315 of this title.

Par. (126). Pub. L. 91-644 struck out par. (126) relating to Associate Administrator of Law Enforcement Assistance (2). See section 5315 of this title.

1970—Pars. (37), (60), (123). Pub. L. 91-375 struck out pars. (37), (60), and (123) relating to Chief Postal Inspector; Director, Research and Development; and Director, Construction Engineering, respectively.

Par. (130). Pub. L. 91-453 added par. (130) relating to Deputy Administrator, Urban Mass Transportation Administration, Department of Transportation.

1969—Pars. (128), (129). Pub. L. 91-175 added pars. (128) and (129) relating to Auditor-General of the Agency for International Development, and Vice Presidents, Overseas Private Investment Corporation (3), respectively.

1968—Par. (66). Pub. L. 90-407 substituted “Assistant Directors, National Science Foundation (4)” for “Deputy Director, National Science Foundation”.

Par. (126). Pub. L. 90-623, §1(4), inserted “(2)” at end of par. (126) relating to Associate Administrator of Law Enforcement Assistance.

Pub. L. 90-351 added par. (126) relating to Associate Administrator of Law Enforcement Assistance.

Par. (127). Pub. L. 90-623, §1(5), added par. (127) relating to Director, Bureau of Narcotics and Dangerous Drugs, Department of Justice.

1967—Pub. L. 90-206 increased annual rate of basic pay from \$26,000 to \$28,000.

Pars. (46), (47). Pub. L. 90-9 struck out par. (46) relating to Chief Commissioner, Indian Claims Commission, and substituted “Commissioners, Indian Claims Commission (5)” for “Associate Commissioners, Indian Claims Commission (2)” in par. (47).

1966—Pub. L. 89-779 substituted “Associate Administrators of the Small Business Administration (3)” for “Deputy Administrators of the Small Business Administration (4)” in par. (11).

Pub. L. 89-734 added par. (117) relating to Director, United States National Museum, Smithsonian Institution, and par. (118).

Pub. L. 89-670 added par. (117) relating to Assistant Secretary for Administration, Department of Transportation, and struck out pars. (10) Administrator of the Saint Lawrence Seaway Development Corporation, (12) Associate Administrator for Administration, Federal Aviation Agency, (13) Associate Administrator for Development, Federal Aviation Agency, (14) Associate Administrator for Programs, Federal Aviation Agency, (76) Federal Highway Administrator, Department of Commerce, and (82) General Counsel of the Federal Aviation Agency, subject to the provisions of section 1657 of former Title 49, Transportation.

### Statutory Notes and Related Subsidiaries

#### CHANGE OF NAME

Bureau of Mines redesignated United States Bureau of Mines by section 10(b) of Pub. L. 102-285, set out as a note under section 1 of Title 30, Mineral Lands and Mining.

Geological Survey redesignated United States Geological Survey by provision of title I of Pub. L. 102-154, set out as a note under section 31 of Title 43, Public Lands.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-254 effective at the end of the transition period, as defined in section 9681 of Title 22, Foreign Relations and Intercourse, see section 1470(w) of Pub. L. 115-254, set out as a note under section 905 of Title 2, The Congress.

#### EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by section 901 of Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 of Title 10, Armed Forces.

#### EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-313, §6, Oct. 6, 2006, 120 Stat. 1738, provided that: “This Act [see Short Title of 2006 Amendment note set out under section 101 of Title 40, Public Buildings, Property, and Works] and the amendments made by this Act shall take effect 60 days after the date of the enactment of this Act [Oct. 6, 2006].”

#### EFFECTIVE DATE OF 1999 AMENDMENTS

Amendment by Pub. L. 106-159 effective Jan. 1, 2000, see section 107(a) of Pub. L. 106-159, set out as a note under section 104 of Title 49, Transportation.

Amendment by Pub. L. 106-113 effective 4 months after Nov. 29, 1999, see section 1000(a)(9) [title IV, §4731] of Pub. L. 106-113, set out as a note under section 1 of Title 35, Patents.

#### EFFECTIVE DATE OF 1998 AMENDMENTS

Amendment by Pub. L. 105-393 effective on date determined by Secretary of Commerce, but not later than 90 days after Nov. 13, 1998, see section 105 of Pub. L. 105-393, set out as an Effective Date note under section 3121 of Title 42, The Public Health and Welfare.

Amendment by section 1224(4) of Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of Title 22, Foreign Relations and Intercourse.

Amendment by section 1332(3) of Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-123 effective on first applicable pay period after Oct. 28, 1993, see section 108(b) of Pub. L. 103-123, set out as a note under section 5315 of this title.

#### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-359 effective on first day of first pay period that begins on or after Aug. 26, 1992, see section 2(b)(3) of Pub. L. 102-359, set out as a note under section 5315 of this title.

#### EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of this title.

Amendment by Pub. L. 101-501 effective Oct. 1, 1990, see section 1001(a) of Pub. L. 101-501, set out as a note under section 8621 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of Title 34, Crime Control and Law Enforcement.

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

Amendment by Pub. L. 100-504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100-504, set out as an Effective and Termination Dates of 1988 Amendments note under section 5315 of this title.

#### EFFECTIVE DATE OF 1986 AMENDMENT

Section 2(e) of Pub. L. 99-619 provided that: “Subsection (c) of this section [amending this section and

Reorg. Plan No. 6 of 1950, set out in the Appendix to this title] shall become effective on the day upon which the individual who is the incumbent of the position abolished by such subsection, as of the date of enactment [Nov. 6, 1986], ceases to hold the position.”

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-73 effective Oct. 1, 1985, see section 6(c) of Pub. L. 99-73, set out as a note under section 5315 of this title.

#### EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-325 to take effect on the appointment of a person to fill successor position created by section 2212c of Title 7, Agriculture, see section 8(e) of Pub. L. 97-325.

#### EFFECTIVE DATE OF 1980 AMENDMENTS

Amendment by Pub. L. 96-466 effective Oct. 1, 1980, see section 802(e) of Pub. L. 96-466, set out as a note under section 4101 of Title 38, Veterans' Benefits.

Amendment by Pub. L. 96-209 effective Mar. 14, 1980, see title VI of Pub. L. 96-209, set out as an Effective Date note under section 1622a of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1979 AMENDMENTS

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

Amendment by Pub. L. 96-54 effective Jan. 1, 1980, see section 2(a)(25)(B) of Pub. L. 96-54, set out as a note under section 5312 of this title.

Amendment by Pub. L. 96-53 effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as a note under section 2151 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE OF 1978 AMENDMENTS

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of this title.

Amendment by Pub. L. 95-452 effective Oct. 1, 1978, see section 12 of Pub. L. 95-452 set out as an Effective Date of 1978 Act note under section 401 of this title.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, formerly set out as a note under section 11101 of Title 34, Crime Control and Law Enforcement.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-582 effective 30 days after Oct. 21, 1976, see section 27 of Pub. L. 94-582, as amended, set out as a note under section 74 of Title 7, Agriculture.

#### EFFECTIVE DATE OF 1974 AMENDMENTS

Amendment by Pub. L. 93-463 effective Oct. 23, 1974, see section 418 of Pub. L. 93-463, set out as a note under section 2 of Title 7, Agriculture.

Amendment by Pub. L. 93-438 effective 120 days after Oct. 11, 1974, or on such earlier date as President may prescribe and publish in Federal Register, except that officers provided for in sections 5811-5820 of Title 42, The Public Health and Welfare, may be nominated and appointed at any time after Oct. 11, 1974, see section 312(a) of Pub. L. 93-438, set out as an Effective Date; Interim Appointments note under section 5801 of Title 42.

Amendment by Pub. L. 93-271 effective July 1, 1974, see section 3 of Pub. L. 93-271, set out as a note under section 742b of Title 16, Conservation.

#### EFFECTIVE DATE OF 1973 AMENDMENTS

Offices and salaries modified under amendment by Pub. L. 93-83, prospectively only, effective on and after Aug. 6, 1973, see section 3 of Pub. L. 93-83, Aug. 6, 1973, 83 Stat. 218.

Amendment by Pub. L. 93-43 effective June 18, 1973, see section 10(a) of Pub. L. 93-43, set out as an Effective Date note under section 2400 of Title 38, Veterans' Benefits.

#### EFFECTIVE DATE OF 1972 AMENDMENTS

Amendment by Pub. L. 92-603 effective on first day of first pay period of Commissioner of Social Security, Department of Health, Education, and Welfare, which commences on or after first day of month which follows month in which Pub. L. 92-603 was enacted, see section 404(c) of Pub. L. 92-603, set out as a note under section 5315 of this title.

Amendment by Pub. L. 92-302, abolishing offices of Assistant Secretary of the Treasury for Administration and Deputy Under Secretary for Monetary Affairs, Department of the Treasury, effective on confirmation by Senate of Presidential appointees to fill the successor positions created by Pub. L. 92-302, see, section 3(b) of Pub. L. 92-302, May 18, 1972, 86 Stat. 149.

#### EFFECTIVE DATE OF 1971 AMENDMENT

Amendment by Pub. L. 92-22 effective on Senate confirmation of Presidential appointment under section 1453a of Title 43 and section 5315(18) of this title, see note set out under section 1453a of Title 43, Public Lands.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

#### EFFECTIVE DATE OF 1968 AMENDMENTS

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.

Amendment by Pub. L. 90-407 effective on first day of first calendar month which begins on or after July 18, 1968, see section 15(a)(4) of Pub. L. 90-407, set out as a note under section 5313 of this title.

#### EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective as of beginning of first pay period which begins on or after Dec. 16, 1967, see section 220(a)(3) of Pub. L. 90-206, set out as a note under section 603 of Title 28, Judiciary and Judicial Procedure.

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967, as prescribed by President and published in Federal Register, see section 16(a), formerly § 15(a), of Pub. L. 89-670 and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

#### INDIAN CLAIMS COMMISSION

Indian Claims Commission terminated on Sept. 30, 1978, pursuant to Pub. L. 94-465, § 2, Oct. 8, 1976, 90 Stat. 1990.

#### COMMISSIONER OF PATENTS

Commissioner of Patents redesignated Commissioner of Patents and Trademarks by Pub. L. 93-596, § 3, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

#### ADMINISTRATOR OF BONNEVILLE POWER ADMINISTRATION

Bonneville Power Administration transferred to Department of Energy by section 7152 of Title 42, The Public Health and Welfare.

## GENERAL COUNSEL OF MILITARY DEPARTMENTS

Pub. L. 100-456, div. A, title VII, §703(b), Sept. 29, 1988, 102 Stat. 1996, which provided that, notwithstanding this section, the General Counsel of each of the military departments was to be paid at the highest rate of basic pay payable under section 5382 of this title, to a member of the Senior Executive Service, was repealed by Pub. L. 102-190, div. A, title IX, §903(b), Dec. 5, 1991, 105 Stat. 1451.

## COMPENSATION OF DEPUTY ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION

Pub. L. 95-567, title I, §106(c), Nov. 2, 1978, 92 Stat. 2409, provided that: "The position of Deputy Assistant Secretary of Commerce for Communications and Information, established in Department of Commerce Organization Order Numbered 10-10 (effective March 26, 1978), shall be compensated at the rate of pay in effect from time to time for level V of the Executive Schedule under section 5316 of title 5, United States Code."

## SUBVERSIVE ACTIVITIES CONTROL BOARD

Subversive Activities Control Board, Chairman and Members of which were compensated under this section, ceased operation on June 3, 1973, as unfunded by Congress.

## SALARY INCREASES

For adjustment of salaries under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of this title.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of this title.

## Executive Documents

## TRANSFER OF FUNCTIONS

Office of Emergency Preparedness, including offices of Director, Deputy Director, Assistant Directors, and Regional Directors, abolished and functions vested by law in Office of Emergency Preparedness or Director of Office of Emergency Preparedness transferred to President by sections 1 and 3(a)(1) of 1973 Reorg. Plan No. 1, set out in the Appendix to this title.

Environmental Science Services Administration in Department of Commerce, including offices of Administrator and Deputy Administrator thereof, abolished by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to this title, which created National Oceanic and Atmospheric Administration in Department of Commerce and transferred personnel, property, records, and unexpended balances of funds of Environmental Science Services Administration to such newly created National Oceanic and Atmospheric Administration. Components of Environmental Science Services Administration thus transferred included Weather Bureau [now National Weather Service], Coast and Geodetic Survey [now National Ocean Survey], Environmental Data Service, National Environmental Satellite Center, and ESSA Research Laboratories.

Bureau of Narcotics and Dangerous Drugs, including office of Director thereof, in Department of Justice abolished by 1973 Reorg. Plan No. 2, eff. July 1, 1973, 38 F.R. 15932, 87 Stat. 1091, set out in the Appendix to this title, 1973 Reorg. Plan No. 2 also created in Department of Justice an agency to be known as Drug Enforcement Administration, with an Administrator and Deputy Administrator appointed by President with advice and consent of Senate.

## § 5317. Presidential authority to place positions at levels IV and V

In addition to the positions listed in sections 5315 and 5316 of this title, the President, from time to time, may place in levels IV and V of the Executive Schedule positions held by not to exceed 34 individuals when he considers that action necessary to reflect changes in organization, management responsibilities, or workload in an Executive agency. Such an action with respect to a position to which appointment is made by the President by and with the advice and consent of the Senate is effective only at the time of a new appointment to the position. Notice of each action taken under this section shall be published in the Federal Register, except when the President determines that the publication would be contrary to the interest of national security. The President may not take action under this section with respect to a position the pay for which is fixed at a specific rate by this subchapter or by statute enacted after August 14, 1964.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 89-670, §10(d)(6), Oct. 15, 1966, 80 Stat. 948; Pub. L. 90-83, §1(17), Sept. 11, 1967, 81 Stat. 199.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2211(f).	Aug. 14, 1964, Pub. L. 88-426, § 303(f), 78 Stat. 421.

The word "offices" is omitted as included in "positions". The term "Executive agency" is substituted for "Federal department or agency" in view of the definition in section 105. The words "after August 14, 1964" are substituted for "subsequent to the date of enactment of this Act".

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

## 1967 ACT

The amendment to 5 U.S.C. 5317 conforms to the style of title 5.

## Editorial Notes

## AMENDMENTS

1966—Pub. L. 89-670 increased from thirty to thirty-four the number of additional level IV and V positions authorized when necessary.

## Statutory Notes and Related Subsidiaries

## EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967, as prescribed by President and published in Federal Register, see section 16(a), formerly §15(a), of Pub. L. 89-670 and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

## Executive Documents

## EXECUTIVE ORDER NO. 11189

Ex. Ord. No. 11189, Nov. 23, 1964, 29 F.R. 15855, which placed certain positions in levels IV and V of the Executive Schedule, was revoked by Ex. Ord. No. 12060, May 15, 1978, 43 F.R. 21315.

## EXECUTIVE ORDER NO. 11195

Ex. Ord. No. 11195, Jan. 30, 1965, 30 F.R. 1169, which placed certain positions in levels IV and V of the Exec-

utive Schedule, was revoked by Ex. Ord. No. 12060, May 15, 1978, 43 F.R. 21315.

#### EXECUTIVE ORDER NO. 11861

Ex. Ord. 11861, May 21, 1975, 40 F.R. 22531, as amended by Ex. Ord. No. 11864, June 13, 1975, 40 F.R. 25579; Ex. Ord. No. 11872, July 21, 1975, 40 F.R. 30619; Ex. Ord. No. 11877, Sept. 2, 1975, 40 F.R. 40797; Ex. Ord. No. 11885, Oct. 15, 1975, 40 F.R. 48491; Ex. Ord. No. 11893, Dec. 31, 1975, 41 F.R. 1040; Ex. Ord. No. 11898, Jan. 14, 1976, 41 F.R. 2365; Ex. Ord. No. 11908, Mar. 18, 1976, 41 F.R. 11805; Ex. Ord. No. 11927, July 22, 1976, 41 F.R. 30583; Ex. Ord. No. 11976, Mar. 11, 1977, 42 F.R. 14081; Ex. Ord. No. 11983, May 4, 1977, 42 F.R. 23127; Ex. Ord. No. 11986, May 20, 1977, 42 F.R. 26407; Ex. Ord. No. 11995, June 8, 1977, 42 F.R. 29841; Ex. Ord. No. 11999, June 27, 1977, 42 F.R. 33255; Ex. Ord. No. 12025, Dec. 1, 1977, 42 F.R. 61447; Ex. Ord. No. 12035, Jan. 20, 1978, 43 F.R. 3073; Ex. Ord. No. 12060, May 15, 1978, 43 F.R. 21315; Ex. Ord. No. 12069, June 30, 1978, 43 F.R. 28973, which related to the placement of certain positions in levels IV and V, was revoked by Ex. Ord. No. 12076, Aug. 18, 1978, 43 F.R. 37161, formerly set out below.

#### EXECUTIVE ORDER NO. 11864

Ex. Ord. No. 11864, June 13, 1975, 40 F.R. 25579, which placed the position of Adviser to the Secretary (Counselor, Economic Policy Board), Department of the Treasury, to terminate effective August 1, 1975, in level IV of the Executive Schedule was superseded by Ex. Ord. No. 11877, Sept. 2, 1975, 40 F.R. 40797.

#### EXECUTIVE ORDER NO. 11995

Ex. Ord. No. 11995, June 8, 1977, 42 F.R. 29841, which placed the position of Executive Director, Federal Personnel Management Systems Study, United States Civil Service Commission, in level V of the Executive Schedule, was revoked by Ex. Ord. No. 12060, May 15, 1978, 43 F.R. 21315.

#### EXECUTIVE ORDER NO. 12076

Ex. Ord. No. 12076, Aug. 18, 1978, 43 F.R. 37161, as amended by Ex. Ord. No. 12099, Nov. 17, 1978, 43 F.R. 54191; Ex. Ord. No. 12111, Jan. 2, 1979, 44 F.R. 1071; Ex. Ord. No. 12119, Feb. 14, 1979, 44 F.R. 10039, which related to the placement of positions in levels IV and V of the Federal Executive Salary Schedule, was revoked by Ex. Ord. No. 12154, Sept. 4, 1979, 44 F.R. 51965, set out below.

#### EX. ORD. NO. 12154. PLACEMENT OF POSITIONS IN LEVELS IV AND V

Ex. Ord. No. 12154, Sept. 4, 1979, 44 F.R. 51965, as amended by Ex. Ord. No. 12199, Mar. 12, 1980, 45 F.R. 16441; Ex. Ord. No. 12236, Sept. 3, 1980, 45 F.R. 58805; Ex. Ord. No. 12237, Sept. 3, 1980, 45 F.R. 58807; Ex. Ord. No. 12422, May 20, 1983, 48 F.R. 23157; Ex. Ord. No. 12431, July 8, 1983, 48 F.R. 31849; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617; Ex. Ord. No. 12678, Apr. 28, 1989, 54 F.R. 18872; Ex. Ord. No. 12679, June 23, 1989, 54 F.R. 27149; Ex. Ord. No. 12749, Feb. 4, 1991, 56 F.R. 4711; Ex. Ord. No. 12758, Apr. 5, 1991, 56 F.R. 14631; Ex. Ord. No. 12814, Sept. 10, 1992, 57 F.R. 42483; Ex. Ord. No. 12833, Jan. 19, 1993, 58 F.R. 5907; Ex. Ord. No. 12841, Mar. 9, 1993, 58 F.R. 13529; Ex. Ord. No. 12942, Dec. 12, 1994, 59 F.R. 64551; Ex. Ord. No. 13063, Sept. 30, 1997, 62 F.R. 51757, provided:

By the authority vested in me as President by Section 5317 of Title 5 of the United States Code it is hereby ordered as follows:

#### 1-1. EXECUTIVE SCHEDULE POSITIONS

1-101. The following positions are placed in level IV of the Executive Schedule:

(a) Counselor to the Secretary, Department of the Treasury.

(b) Deputy Under Secretary for International Labor Affairs, Department of Labor.

(c) Administrator, Alcohol, Drug Abuse and Mental Health Administration, Department of Health and Human Services.

(d) Executive Secretary of the National Security Council.

(e) Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice.

(f) Comptroller of the Department of Defense [now Under Secretary of Defense (Comptroller)].

(g) Assistant Secretary of the Air Force (1).

(h) Director, Office for Victims of Crime, Department of Justice.

(i) Director, Bureau of Justice Assistance, Department of Justice.

(j) Director of the National Institutes of Health.

(k) Members, Chemical Safety and Hazard Investigation Board (5).

(k)(1) Commissioner on Aging [now Assistant Secretary for Aging], Department of Health and Human Services[.]

1-102. The following positions are placed in level V of the Executive Schedule:

(a) Deputy Assistant Secretary of Defense for Reserve Affairs, Department of Defense.

(b) Executive Assistant and Counselor to the Secretary of Labor, Department of Labor.

(c) Deputy Under Secretary for Education, Department of Education.

(d) Deputy Under Secretary for Education, Department of Education.

(e) Commissioner, Administration for Native Americans[.]

#### 1-2. GENERAL PROVISIONS

1-201. Nothing in this Order shall be deemed to terminate or otherwise affect the appointment, or to require the reappointment, of any occupant of any position listed in Section 1-1 of this Order who was the occupant of that position immediately prior to the issuance of this Order.

1-202. Executive Order No. 12076, as amended, is hereby revoked.

### § 5318. Adjustments in rates of pay

(a) Subject to subsection (b), effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of this title in the rates of pay under the General Schedule, the annual rate of pay for positions at each level of the Executive Schedule shall be adjusted by an amount, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the next higher multiple of \$100), equal to the percentage of such annual rate of pay which corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.

(b) In no event shall the percentage adjustment taking effect under subsection (a) in any calendar year (before rounding), in any rate of pay, exceed the percentage adjustment taking effect in such calendar year under section 5303 in the rates of pay under the General Schedule.

(Added Pub. L. 94-82, title II, §202(a), Aug. 9, 1975, 89 Stat. 419; amended Pub. L. 101-194, title VII, §704(a)(2)(A), Nov. 30, 1989, 103 Stat. 1769; Pub. L. 101-509, title V, §529 [title I, §101(b)(4)(A)], Nov. 5, 1990, 104 Stat. 1427, 1439; Pub. L. 103-356, title I, §101(3), Oct. 13, 1994, 108 Stat. 3411.)

**Editorial Notes****REFERENCES IN TEXT**

The General Schedule, referred to in text, is set out under section 5332 of this title.

Section 704(a)(1) of the Ethics Reform Act of 1989, referred to in subsec. (a), is section 704(a)(1) of Pub. L. 101-194, which is set out below.

**AMENDMENTS**

1994—Pub. L. 103-356 designated existing provisions as subsec. (a), substituted “Subject to subsection (b), effective” for “Effective”, and added subsec. (b).

1990—Pub. L. 101-509 substituted “5303” for “5305”.

1989—Pub. L. 101-194 substituted “corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect” for “corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 1994 AMENDMENT**

Pub. L. 103-356, title I, §101, Oct. 13, 1994, 108 Stat. 3410, provided that the amendment made by that section is effective as of Dec. 31, 1994.

**EFFECTIVE DATE OF 1990 AMENDMENT**

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, §305] of Pub. L. 101-509, set out as a note under section 5301 of this title.

**EFFECTIVE DATE OF 1989 AMENDMENT**

Pub. L. 101-194, title VII, §704(b), Nov. 30, 1989, 103 Stat. 1769, provided that: “This section and the amendments made by this section [amending this section, section 4501 of Title 2, The Congress, section 104 of Title 3, The President, and section 461 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under this section] shall take effect on January 1, 1991.”

**SALARY LEVELS OF SENIOR GOVERNMENT OFFICIALS**

Pub. L. 102-90, title I, §6(a), Aug. 14, 1991, 105 Stat. 450, provided that: “The rate of pay for the offices referred to under section 703(a)(2)(B) of the Ethics Reform Act of 1989 [Pub. L. 101-194] (5 U.S.C. 5318 note) shall be the rate of pay that would be payable for each such office if the provisions of sections 703(a)(2)(B) and 1101(a)(1)(A) of such Act (5 U.S.C. 5318 note and 5305 note) had not been enacted.”

Pub. L. 101-194, title VII, §703, Nov. 30, 1989, 103 Stat. 1768, provided that:

“(a) SALARY LEVELS.—

“(1) EXECUTIVE POSITIONS.—Effective the first day of the first applicable pay period that begins on or after January 1, 1991, the rate of basic pay for positions in the Executive Schedule shall be increased in the amount of 25 percent of their respective rates (as last in effect before the increase), rounded to the nearest multiple of \$100 (or, if midway between multiples of \$100, to the next higher multiple of \$100).

“(2) LEGISLATIVE POSITIONS; OFFICE OF THE VICE PRESIDENT.—

“(A) GENERALLY.—Effective the first day of the first applicable pay period that begins on or after January 1, 1991, the rate of basic pay for the offices and positions under subparagraphs (A) and (B) of section 225(f) of the Federal Salary Act of 1967 (2 U.S.C. 356(A) and (B)) shall be increased in the

amount of 25 percent of their respective rates (as last in effect before the increase), rounded to the nearest multiple of \$100 (or, if midway between multiples of \$100, to the next higher multiple of \$100), except as provided in subparagraph (B).

“(B) EXCEPTIONS.—Nothing in subparagraph (A) shall affect the rate of basic pay for a Senator, the President pro tempore of the Senate, or the majority leader or the minority leader of the Senate.

“(3) JUDICIAL POSITIONS.—Effective the first day of the first applicable pay period that begins on or after January 1, 1991, the rate of basic pay for the Chief Justice of the United States, an associate justice of the Supreme Court of the United States, a judge of a United States circuit court, a judge of a district court of the United States, and a judge of the United States Court of International Trade shall be increased in the amount of 25 percent of their respective rates (as last in effect before the increase), rounded to the nearest multiple of \$100 (or, if midway between multiples of \$100, to the next higher multiple of \$100).

“(b) COORDINATION RULE.—If a pay adjustment under subsection (a) is to be made for an office or position as of the same date as any other pay adjustment affecting such office or position, the adjustment under subsection (a) shall be made first.”

**REVISION IN METHOD BY WHICH ANNUAL PAY ADJUSTMENTS FOR CERTAIN EXECUTIVE, LEGISLATIVE, AND JUDICIAL POSITIONS ARE TO BE MADE**

Pub. L. 101-194, title VII, §704(a), Nov. 30, 1989, 103 Stat. 1769, provided that:

“(a) PERCENT CHANGE IN THE EMPLOYMENT COST INDEX.—

“(1) METHOD FOR COMPUTING PERCENT CHANGE IN THE ECI.—

“(A) DEFINITIONS.—For purposes of this paragraph—

“(i) the term ‘Employment Cost Index’ or ‘ECI’ means the Employment Cost Index (wages and salaries, private industry workers) published quarterly by the Bureau of Labor Statistics; and

“(ii) the term ‘base quarter’ means the 3-month period ending on December 31 of a year.

“(B) METHOD.—For purposes of the provisions of law amended by paragraph (2), the ‘most recent percentage change in the ECI’, as of any date, shall be one-half of 1 percent less than the percentage (rounded to the nearest one-tenth of 1 percent) derived by—

“(i) reducing—

“(I) the ECI for the last base quarter prior to that date, by

“(II) the ECI for the second to last base quarter prior to that date.

“(ii) dividing the difference under clause (i) by the ECI for the base quarter referred to in clause (i)(II), and

“(iii) multiplying the quotient under clause (ii) by 100, except that no percentage change determined under this paragraph shall be—

“(I) less than zero; or

“(II) greater than 5 percent.

“(2) PROVISIONS THROUGH WHICH NEW METHOD IS TO BE IMPLEMENTED.—

“(A) AMENDMENT TO TITLES 3, 5, AND 28 OF THE UNITED STATES CODE.—Section 104 of title 3, United States Code, section 5318 of title 5, United States Code, and section 461(a) of title 28, United States Code, are amended by striking ‘corresponds to’ and all that follows thereafter through the period, and inserting the following:

‘corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.’.



“(B) AMENDMENT TO THE LEGISLATIVE REORGANIZATION ACT OF 1946.—Section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31(2)) [now 2 U.S.C. 4501(2)] is amended by striking ‘corresponds to’ and all that follows thereafter through the period and inserting the following: ‘corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year in which such adjustment in the rates of pay under the General Schedule takes effect.’”

**REDUCTION OF RATE OF SALARY OR BASIC PAY OF OFFICES OR POSITIONS IN THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES TO THE SALARY OR BASIC PAY RATE PAYABLE AS OF JULY 14, 1983**

Pub. L. 98-51, title III, §304, July 14, 1983, 97 Stat. 279, reduced the rate of salary or basic pay prescribed by law as of July 14, 1983, for any office or position at level I, II, or III of the Executive Schedule, any Member of Congress, and certain other offices and positions in the legislative, executive, or judicial branch, or in the government of the District of Columbia and also reduced the maximum rate of salary or basic pay prescribed by law as of July 14, 1983, for certain offices and positions in the legislative, executive, or judicial branch, or in the government of the District of Columbia.

**LIMITATION ON MAXIMUM RATE OF SALARY INCREASES FOR SENIOR EXECUTIVE, JUDICIAL, AND LEGISLATIVE POSITIONS FOR SERVICES PERFORMED AFTER DECEMBER 17, 1982**

Pub. L. 97-377, title I, §129(b)–(d), Dec. 21, 1982, 96 Stat. 1914, reduced salary increases for senior executive, judicial, and legislative positions (including Members of Congress but excluding Senators) from up to 27.2 percent to 15 percent.

**FISCAL YEAR 1983 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS**

Section 306(a), (b), and (d) of S. 2939, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, made applicable by Pub. L. 97-276, §101(e), Oct. 2, 1982, 96 Stat. 1189, as amended by Pub. L. 97-377, title I, §129(a), Dec. 21, 1982, 96 Stat. 1914, prohibited the use of funds appropriated for the fiscal year ending Sept. 30, 1983, to pay the salary or pay of any individual in an office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeded the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for Sept. 30, 1982, if that rate was either fixed at a rate equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of this title or limited to a maximum rate equal to or greater than the rate of basic pay for such level V under section 5308 of this title or any other provision of law or congressional resolution.

**FISCAL YEAR 1982 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS**

Section 305(a), (b), and (d) of H.R. 4120, as reported July 9, 1981, made applicable by Pub. L. 97-92, §101(g), Dec. 15, 1981, 95 Stat. 1190, prohibited the use of funds appropriated for the fiscal year ending Sept. 30, 1982, to pay the salary or pay of any individual in any office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeded the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for Sept. 30, 1981, if that rate was either fixed at a rate equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of this title or limited to a maximum rate equal to or greater than the rate of basic pay for such level V under section 5308 of this title or any other provision of law or congressional resolution.

Similar provisions were contained in Pub. L. 97-51, §101(c), Oct. 1, 1981, 95 Stat. 959, as amended by Pub. L. 97-85, Nov. 23, 1981, 95 Stat. 1098.

Pub. L. 97-92, §141, Dec. 15, 1981, 95 Stat. 1200, provided that nothing in section 305 of H.R. 4120, made applicable by section 101(g) of Pub. L. 97-92, required that the rate of salary or basic pay, payable to any individual for or on account of services performed after Dec. 31, 1981, be limited to or reduced to an amount which was less than \$59,500 for pay corresponding to the rate of basic pay for level III of the Executive Schedule under section 5314 of this title; \$58,500 for pay corresponding to the rate of basic pay for level IV of the Executive Schedule under section 5315 of this title; or \$57,500 for pay corresponding to the rate of basic pay for level V of the Executive Schedule under section 5316 of this title. Any adjustment to the pay of an employee paid by the Clerk of the House was to result in pay no less than that of an employee paid by the Secretary of the Senate holding an equivalent position.

**FISCAL YEAR 1981 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS**

Section 306(a), (b), and (d) of H.R. 7593, as passed the House of Representatives on July 21, 1980, made applicable by Pub. L. 96-536, §101(c), Dec. 16, 1980, 94 Stat. 3167, as amended by Pub. L. 97-12, title IV, §401, June 5, 1981, 95 Stat. 95, prohibited the use of funds appropriated for the fiscal year ending Sept. 30, 1981, to pay the salary or pay of any individual in any office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeded the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for Sept. 30, 1980, if the rate of salary or basic pay for that office or position was either fixed at a rate equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of this title or limited to a maximum rate equal to or greater than the rate of basic pay for such level V under section 5308 of this title or any other provision of law or congressional resolution.

Similar provisions were contained in Pub. L. 96-369, §101(c), Oct. 1, 1980, 94 Stat. 1352.

**FISCAL YEAR 1980 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS**

Pub. L. 96-86, §101(c), Oct. 12, 1979, 93 Stat. 657, for the fiscal year 1980, prohibited the use of funds available for payment to executive employees, including Members of Congress, entitled under existing law to approximately 12.9 percent increase in pay, to pay any such employee or official any sum in excess of 5.5 percent increase in existing pay, and such sum, if accepted, would be in lieu of the 12.9 percent due for such fiscal year.

**FISCAL YEAR 1979 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS**

Pub. L. 95-429, title VI, §613, Oct. 10, 1978, 92 Stat. 1017, prohibited the use of funds appropriated for the fiscal year ending Sept. 30, 1979, to pay the salary or pay of any individual in any office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeded the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for Sept. 30, 1978, if the rate of salary or basic pay for such office or position was either fixed at a rate equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of this title or limited to a maximum rate equal to or greater than the rate of basic pay for such level V under section 5308 of this title or any other provision of law or congressional resolution.

Identical provisions were enacted by Pub. L. 95-391, title III, §304, Sept. 30, 1978, 92 Stat. 788.

#### 1977 COMPARABILITY ADJUSTMENT NOT EFFECTIVE FOR CERTAIN POSITIONS

Pub. L. 95-66, July 11, 1977, 91 Stat. 270, nullified the first adjustment in pay which would have been made after July 11, 1977, under the following provisions of law: the second sentence of section 104 of Title 3, The President; par. (2) of section 4501 of Title 2, The Congress; section 461 of Title 28, Judiciary and Judicial Procedure; and section 5318 of this title.

#### FISCAL YEAR 1977 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS

Pub. L. 94-440, title II, Oct. 1, 1976, 90 Stat. 1446, prohibited the use of funds appropriated in any Act to pay the salary of an individual in a position or office referred to in section 356 of Title 2, The Congress, at a rate exceeding the salary rate for such position or office in effect on Sept. 30, 1976, except increases submitted by the President pursuant to sections 351 to 364 of Title 2.

### SUBCHAPTER III—GENERAL SCHEDULE PAY RATES

#### § 5331. Definitions; application

(a) For the purpose of this subchapter, “agency”, “employee”, “position”, “class”, and “grade” have the meanings given them by section 5102 of this title.

(b) This subchapter applies to employees and positions to which chapter 51 applies, other than Senior Executive Service positions, positions in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, and positions to which section 5376 applies.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 95-454, title IV, § 408(b)(2), Oct. 13, 1978, 92 Stat. 1173; Pub. L. 100-325, § 2(h)(3), May 30, 1988, 102 Stat. 582; Pub. L. 101-509, title V, § 529 [title I, § 102(c)], Nov. 5, 1990, 104 Stat. 1427, 1444.)

#### HISTORICAL AND REVISION NOTES

The section is added on authority of former sections 1081, 1082, 1084, and 1091, which are carried into section 5102.

#### Editorial Notes

##### AMENDMENTS

1990—Subsec. (b). Pub. L. 101-509 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “This subchapter applies to employees and positions, other than Senior Executive Service positions and positions in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, to which chapter 51 of this title applies.”

1988—Subsec. (b). Pub. L. 100-325 inserted reference to positions in Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

1978—Subsec. (b). Pub. L. 95-454 inserted reference to Senior Executive Service positions.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101-509, set out as a note under section 5301 of this title.

##### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 9 months after Oct. 13, 1978, and congressional review of provisions of

sections 401 through 412 of Pub. L. 95-454, see section 415 of Pub. L. 95-454, set out as an Effective Date note under section 3131 of this title.

#### REFERENCES IN OTHER LAWS TO CHAPTER 51 AND SUBCHAPTER III OF CHAPTER 53

References in laws to fix pay in accordance with this subchapter and chapter 51 of this title considered to include authority under section 5376 of this title, if applicable, but not to include any authority under section 5304 of this title or section 529 [title III, § 302] of Pub. L. 101-509, set out as a note under section 5304 of this title, see section 529 [title I, § 101(c)(2)] of Pub. L. 101-509, set out in a References in Other Laws to GS-16, 17, or 18 Pay Rates; Regulations note under section 5376 of this title.

#### § 5332. The General Schedule

(a)(1) The General Schedule, the symbol for which is “GS”, is the basic pay schedule for positions to which this subchapter applies. Each employee to whom this subchapter applies is entitled to basic pay in accordance with the General Schedule.

(2) The General Schedule is a schedule of annual rates of basic pay, consisting of 15 grades, designated “GS-1” through “GS-15”, consecutively, with 10 rates of pay for each such grade. The rates of pay of the General Schedule are adjusted in accordance with section 5303.

(b) When payment is made on the basis of an hourly, daily, weekly, or biweekly rate, the rate is computed from the appropriate annual rate of basic pay named by subsection (a) of this section in accordance with the rules prescribed by section 5504(b) of this title.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 90-83, § 1(18), Sept. 11, 1967, 81 Stat. 199; Pub. L. 90-206, title II, § 202(a), Dec. 16, 1967, 81 Stat. 624; Pub. L. 95-454, title V, § 503(e), Oct. 13, 1978, 92 Stat. 1184; Pub. L. 98-615, title II, § 204(a)(1), Nov. 8, 1984, 98 Stat. 3216; Pub. L. 102-378, § 2(29), Oct. 2, 1992, 106 Stat. 1350; Pub. L. 103-89, § 3(b)(1)(F), Sept. 30, 1993, 107 Stat. 982.)

#### HISTORICAL AND REVISION NOTES 1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a) .....	5 U.S.C. 1113 (less (c)).	Oct. 28, 1949, ch. 782, § 603 (less (d)), 63 Stat. 965. Oct. 24, 1951, ch. 554, § 1(a), 65 Stat. 612. Sept. 1, 1954, ch. 1208, § 109 (less (c)), 68 Stat. 1108. June 28, 1955, ch. 189, § 2(a), 69 Stat. 172. June 20, 1958, Pub. L. 85-462, § 2(a), 72 Stat. 203. July 1, 1960, Pub. L. 86-568, § 112(a), 74 Stat. 298. Oct. 11, 1962, Pub. L. 87-793, § 602(a), 76 Stat. 843. Aug. 14, 1964, Pub. L. 88-426, § 102(a), 78 Stat. 400. Oct. 28, 1949, ch. 782, § 603 (d), 63 Stat. 965. Sept. 1, 1954, ch. 1208, § 109(c), 68 Stat. 1108.
(b) .....	5 U.S.C. 1113(c).	

In subsection (a), the words “the symbol for which is ‘GS’” are added on authority of former section 1111 which is carried into section 5104. So much as related to the Crafts, Protective, and Custodial Schedule is omitted as repealed effective not later than Sept. 11, 1955, by the Act of Sept. 1, 1954, §§ 109(b), 110(b), 68 Stat. 1108.