

(c) Salary protection

In the case of an individual who is an officer or employee of the Commission on November 17, 1997, and who has not had a break in service with the Commission since that date, the rate of basic pay for that officer or employee may not be less than the rate in effect for that officer or employee on that date except—

- (1) as provided in a collective bargaining agreement;
- (2) as a result of an adverse action against the officer or employee; or
- (3) pursuant to a voluntary demotion.

(Pub. L. 96-70, title I, §1202, Sept. 27, 1979, 93 Stat. 461; Pub. L. 104-201, div. C, title XXXV, §3526, Sept. 23, 1996, 110 Stat. 2861; Pub. L. 105-85, div. C, title XXXV, §3523(b), Nov. 18, 1997, 111 Stat. 2065; Pub. L. 105-261, div. C, title XXXV, §3512(a)(1), Oct. 17, 1998, 112 Stat. 2271.)

Editorial Notes**AMENDMENTS**

1998—Subsec. (c). Pub. L. 105-261, §3512(a)(1)(C), which directed substitution of “that date” for “the day before the date of enactment”, was executed by making the substitution for “the day before that date of enactment” before “except” in introductory provisions to reflect the probable intent of Congress.

Pub. L. 105-261, §3512(a)(1)(A), (B), in introductory provisions, substituted “November 17, 1997.” for “the day before the date of the enactment of the Panama Canal Transition Facilitation Act of 1997” and struck out “on or after that date” after “pay for that officer or employee”.

1997—Subsec. (c). Pub. L. 105-85 added subsec. (c).

1996—Pub. L. 104-201 amended text generally. Prior to amendment, text read as follows:

“(a) In accordance with this part, the Panama Canal Commission may appoint without regard to the provisions of title 5, relating to appointments in the competitive service, fix the compensation of, and define the authority and duties of, officers, agents, attorneys, and employees (other than the Administrator, Deputy Administrator, and Chief Engineer) necessary for the management, operation, and maintenance of the Panama Canal and its complementary works, installations, and equipment.

“(b) Individuals serving in any Executive agency (other than the Commission) or the Smithsonian Institution, including individuals serving in the uniformed services, may, if appointed under this section or section 3613 or 3614 of this title, serve as officers or employees of the Commission.”

§ 3643. Transfer of Federal employees**(a) Authority to enter into agreements; reemployment rights**

The head of any agency may enter into agreements for the transfer or detail to the Commission of any employee of that agency serving under a permanent appointment. Any employee who so transfers or is so detailed shall, upon completion of the employee’s tour of duty with the Commission, be entitled to reemployment with the agency from which the employee was transferred or detailed without loss of pay, seniority, or other rights or benefits to which the employee would have been entitled had the employee not been so transferred or been so detailed.

(b) “Agency” defined

For purposes of this section, the term “agency” means an Executive agency, the United

States Postal Service, and the Smithsonian Institution.

(c) Regulations

The Office of Personnel Management shall prescribe regulations to carry out the purposes of this section.

(Pub. L. 96-70, title I, §1203, Sept. 27, 1979, 93 Stat. 461.)

§ 3644. Compensation of individuals in uniformed services**(a) Individual serving in a position in Commission**

Except as provided in subsection (b) of this section, any individual who is serving in a position in the Commission and who is a member of a uniformed service shall continue to be paid basic pay by such uniformed service and shall not be paid by the Commission for the period of the service in the uniformed service involved.

(b) Individual appointed as Administrator, Deputy Administrator, or Chief Engineer

If the individual appointed as Administrator, Deputy Administrator, or Chief Engineer of the Commission is a member of a uniformed service, the amount of basic pay otherwise payable to the individual for service in that position shall be reduced, up to the amount of that basic pay, by the amount of the basic pay payable to the individual as a member of a uniformed service.

(c) Reimbursement to uniformed service

The Commission shall annually pay to each uniformed service amounts sufficient to reimburse that uniformed service for any basic pay paid by that uniformed service to any member of that service during any period of service in the Commission by the member.

(Pub. L. 96-70, title I, §1204, Sept. 27, 1979, 93 Stat. 461.)

§ 3645. Deduction from basic pay of amounts due for supplies or services

The Commission may deduct from the basic pay otherwise payable by the Commission to any officer or employee of the Commission any amount due from the officer or employee to the Commission or to any contractor of the Commission for transportation, board, supplies, or any other service. Any amount so deducted may be paid by the Commission to any contractor to whom it is due or may be credited by the Commission to any fund from which the Commission has expended such amount.

(Pub. L. 96-70, title I, §1205, Sept. 27, 1979, 93 Stat. 462; Pub. L. 104-106, div. C, title XXXV, §3529(1), Feb. 10, 1996, 110 Stat. 641.)

Editorial Notes**AMENDMENTS**

1996—Pub. L. 104-106 substituted “fund” for “appropriation”.

§§ 3646, 3647. Repealed. Pub. L. 105-261, div. C, title XXXV, §3507(a), Oct. 17, 1998, 112 Stat. 2269

Section 3646, Pub. L. 96-70, title I, §1206, Sept. 27, 1979, 93 Stat. 462, related to cost of living allowance.