

Editorial Notes

AMENDMENTS

1998—Pub. L. 105-362 struck out “require reports by agencies, issue reports, including an annual report to Congress,” after “may investigate.”

1992—Pub. L. 102-378 substituted “sections 3105” for “section 3105”.

1978—Pub. L. 95-454 substituted provisions respecting functions pursuant to specified sections of this title of the Office of Personnel Management and the Merit Systems Protection Board for provisions respecting the functions pursuant to specified sections of this title of the Civil Service Commission.

Pub. L. 95-251 substituted “Administrative law judges” for “Hearing examiners” in section catchline and “administrative law judges” for “hearing examiners” in text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by section 801(a)(3)(B)(iii) of Pub. L. 95-454 substituting “5372” for “5362” effective on first day of first applicable pay period beginning on or after the 90th day after Oct. 13, 1978, see section 801(a)(4) of Pub. L. 95-454, set out as an Effective Date note under section 5361 of this title.

Amendment by section 906(a)(12) of Pub. L. 95-454 respecting functions of the Office and the Board 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 1967 AMENDMENT

Amendment by Pub. L. 90-83 effective as of Sept. 6, 1966, for all purposes, see section 9(h) of Pub. L. 90-83, set out as a note under section 5102 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, excluding committees composed wholly of full-time officers or employees of the Federal Government, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 1013 of this title.

§ 1306. Oaths to witnesses

The Director of the Office of Personnel Management and authorized representatives of the Director may administer oaths to witnesses in matters pending before the Office.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 402; Pub. L. 95-454, title IX, §906(a)(13), Oct. 13, 1978, 92 Stat. 1226.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 634.	Aug. 23, 1912, ch. 350, § 1 (last par. under “Civil Service Commission”), 37 Stat. 372.
.....	[Uncodified].	1949 Reorg. Plan No. 5, §2(c), eff. Aug. 19, 1949, 63 Stat. 1069.

The section is rewritten to reflect expansion of authority of the Commission to include its Chairman under section 2(c) of 1949 Reorg. Plan No. 5.

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

1978—Pub. L. 95-454 substituted provisions respecting powers of the Director of the Office of Personnel Management in administering oaths in matters before the Office for provisions respecting powers of the Chairman of the Civil Service Commission and each Commissioner in administering oaths in matters before the Commission.

Statutory Notes and Related Subsidiaries

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.

§ 1307. Minutes

The Civil Service Commission shall keep minutes of its proceedings.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 402.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 633(3) (last 10 words).	Jan. 16, 1883, ch. 27, §2(3) (last 10 words), 22 Stat. 404.

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

Executive Documents

TRANSFER OF FUNCTIONS

Functions vested by statute in United States Civil Service Commission transferred to Director of Office of Personnel Management (except as otherwise specified) by Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of this title, effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of this title.

[§ 1308. Repealed. Pub. L. 105-362, title XIII, § 1302(b)(1), Nov. 10, 1998, 112 Stat. 3293]

Section, Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 402; Pub. L. 91-93, title I, §104, Oct. 20, 1969, 83 Stat. 138; Pub. L. 93-156, Nov. 21, 1973, 87 Stat. 623; Pub. L. 95-454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224; Pub. L. 96-54, §2(a)(3), Aug. 14, 1979, 93 Stat. 381; Pub. L. 96-470, title I, §121, Oct. 19, 1980, 94 Stat. 2241, required annual reports on operation of subchapter III of chapter 83 of this title and chapters 87 and 89 of this title.

CHAPTER 14—AGENCY CHIEF HUMAN CAPITAL OFFICERS

- Sec.
1401. Establishment of agency Chief Human Capital Officers.
1402. Authority and functions of agency Chief Human Capital Officers.

§ 1401. Establishment of agency Chief Human Capital Officers

The head of each agency referred to under paragraphs (1) and (2) of section 901(b) of title 31 shall appoint or designate a Chief Human Capital Officer, who shall—

- (1) advise and assist the head of the agency and other agency officials in carrying out the

agency's responsibilities for selecting, developing, training, and managing a high-quality, productive workforce in accordance with merit system principles;

(2) implement the rules and regulations of the President and the Office of Personnel Management and the laws governing the civil service within the agency; and

(3) carry out such functions as the primary duty of the Chief Human Capital Officer.

(Added Pub. L. 107-296, title XIII, §1302(a), Nov. 25, 2002, 116 Stat. 2287.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Chapter effective 180 days after Nov. 25, 2002, see section 1305 of Pub. L. 107-296, set out as an Effective Date of 2002 Amendment note under section 1103 of this title.

CHIEF HUMAN CAPITAL OFFICERS COUNCIL

Pub. L. 107-296, title XIII, §1303, Nov. 25, 2002, 116 Stat. 2288, as amended by Pub. L. 117-81, div. F, title LXVI, §6604, Dec. 27, 2021, 135 Stat. 2441, provided that:

“(a) ESTABLISHMENT.—There is established a Chief Human Capital Officers Council, consisting of—

“(1) the Director of the Office of Personnel Management, who shall act as chairperson of the Council;

“(2) the Deputy Director for Management of the Office of Management and Budget, who shall act as vice chairperson of the Council; and

“(3) the Chief Human Capital Officers of Executive departments and any other members who are designated by the Director of the Office of Personnel Management.

“(b) FUNCTIONS.—The Chief Human Capital Officers Council shall meet periodically to advise and coordinate the activities of the agencies of its members on such matters as modernization of human resources systems, improved quality of human resources information, and legislation affecting human resources operations and organizations.

“(c) EMPLOYEE LABOR ORGANIZATIONS AT MEETINGS.—The Chief Human Capital Officers Council shall ensure that representatives of Federal employee labor organizations are present at a minimum of 1 meeting of the Council each year. Such representatives shall not be members of the Council.

“(d) ANNUAL REPORTS.—

“(1) IN GENERAL.—Each year, the Chief Human Capital Officers Council shall submit to Congress a report that includes the following:

“(A) A description of the activities of the Council.

“(B) A description of employment barriers that prevent the agencies of its members from hiring qualified applicants, including those for digital talent positions, and recommendations for addressing the barriers that would allow such agencies to more effectively hire qualified applicants.

“(2) PUBLIC AVAILABILITY.—Not later than 30 days after the date on which the Council submits a report under paragraph (1), the Director of the Office of Personnel Management shall make the report publicly available on the website of the Office of Personnel Management.”

§ 1402. Authority and functions of agency Chief Human Capital Officers

(a) The functions of each Chief Human Capital Officer shall include—

(1) setting the workforce development strategy of the agency;

(2) assessing workforce characteristics and future needs based on the agency's mission and strategic plan;

(3) aligning the agency's human resources policies and programs with organization mission, strategic goals, and performance outcomes;

(4) developing and advocating a culture of continuous learning to attract and retain employees with superior abilities;

(5) identifying best practices and benchmarking studies,¹ and

(6) applying methods for measuring intellectual capital and identifying links of that capital to organizational performance and growth.

(b) In addition to the authority otherwise provided by this section, each agency Chief Human Capital Officer—

(1) shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material that—

(A) are the property of the agency or are available to the agency; and

(B) relate to programs and operations with respect to which that agency Chief Human Capital Officer has responsibilities under this chapter; and

(2) may request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this chapter from any Federal, State, or local governmental entity.

(Added Pub. L. 107-296, title XIII, §1302(a), Nov. 25, 2002, 116 Stat. 2288.)

CHAPTER 15—POLITICAL ACTIVITY OF CERTAIN STATE AND LOCAL EMPLOYEES

Sec.

1501.

Definitions.

1502.

Influencing elections; taking part in political campaigns; prohibitions; exceptions.

1503.

Nonpartisan candidacies permitted.

1504.

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1505.

Hearings; adjudications; notice of determinations.

1506.

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1507.

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1508.

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Editorial Notes

AMENDMENTS

1974—Pub. L. 93-443, title IV, §401(b)(2), Oct. 15, 1974, 88 Stat. 1290, substituted “candidacies” for “political activity” in item 1503.

§ 1501. Definitions

For the purpose of this chapter—

(1) “State” means a State or territory or possession of the United States;

(2) “State or local agency” means the executive branch of a State, municipality, or other political subdivision of a State, or an agency or department thereof, or the executive branch of the District of Columbia, or an agency or department thereof;

(3) “Federal agency” means an Executive agency or other agency of the United States, but does not include a member bank of the Federal Reserve System; and

¹ So in original. The comma probably should be a semicolon.