

performance report submitted under section 1116 of title 31, United States Code.

“(2) IMPLEMENTATION REPORT.—

“(A) IN GENERAL.—Before implementing the plan developed under paragraph (1), the Securities and Exchange Commission shall submit a report to the Committee on Governmental Affairs [now Committee on Homeland Security and Governmental Affairs] and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Government Reform [now Committee on Oversight and Reform] and the Committee on Financial Services of the House of Representatives, and the Office of Personnel Management on the details of the plan.

“(B) CONTENT.—The report under this paragraph shall include—

“(i) evidence and supporting documentation justifying the plan; and

“(ii) budgeting projections on costs and benefits resulting from the plan.”

Subpart D—Pay and Allowances

CHAPTER 51—CLASSIFICATION

Sec.	Purpose.
5101.	Purpose.
5102.	Definitions; application.
5103.	Determination of applicability.
5104.	Basis for grading positions.
5105.	Standards for classification of positions.
5106.	Basis for classifying positions.
5107.	Classification of positions.
5108.	Classification of positions above GS–15.
5109.	Positions classified by statute.
5110.	Review of classification of positions.
5111.	Revocation and restoration of authority to classify positions.
5112.	General authority of the Office of Personnel Management.
5113.	Classification records.
[5114.	Repealed.]
5115.	Regulations.

Editorial Notes

AMENDMENTS

1992—Pub. L. 102–378, § 2(22), Oct. 2, 1992, 106 Stat. 1348, substituted “above GS–15” for “at GS–16, 17, and 18” in item 5108.

1986—Pub. L. 99–386, title I, § 110(b), Aug. 22, 1986, 100 Stat. 822, struck out item 5114 “Reports; positions in GS–16, 17, and 18”.

1978—Pub. L. 95–454, title IX, § 906(a)(17), Oct. 13, 1978, 92 Stat. 1226, substituted “Office of Personnel Management” for “Civil Service Commission” in item 5112.

§ 5101. Purpose

It is the purpose of this chapter to provide a plan for classification of positions whereby—

(1) in determining the rate of basic pay which an employee will receive—

(A) the principle of equal pay for substantially equal work will be followed; and

(B) variations in rates of basic pay paid to different employees will be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed and to the contributions of employees to efficiency and economy in the service; and

(2) individual positions will, in accordance with their duties, responsibilities, and qualification requirements, be so grouped and identified by classes and grades, as defined by section 5102 of this title, and the various classes

will be so described in published standards, as provided by section 5105 of this title, that the resulting position-classification system can be used in all phases of personnel administration.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 443.)

HISTORICAL AND REVISION NOTES

Derivation	U.S. Code	Revised Statutes and Statutes at Large
.....	5 U.S.C. 1071.	Oct. 28, 1949, ch. 782, § 101, 63 Stat. 954.

The words “and for rates of basic compensation” are omitted as inapplicable to this chapter since the provisions of former chapter 21 relating to rates of basic compensation are carried into subchapter III of chapter 53. The word “officer” is omitted as included in “employee” is defined in section 5102.

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

Statutory Notes and Related Subsidiaries

OCCUPATIONAL SERIES FOR DIGITAL CAREER FIELDS

Pub. L. 117–81, div. A, title XI, § 1118, Dec. 27, 2021, 135 Stat. 1956, provided that: “Not later than 270 days after the date of the enactment of this Act [Dec. 27, 2021], the Director of the Office of Personnel Management shall, pursuant to chapter 51 of title 5, United States Code, establish or update one or more occupational series covering Federal Government positions in the fields of software development, software engineering, data science, and data management.”

REFERENCES IN OTHER LAWS TO CHAPTER 51 AND SUBCHAPTER III OF CHAPTER 53

References in laws to fix pay in accordance with this chapter and subchapter III of chapter 53 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.

§ 5102. Definitions; application

(a) For the purpose of this chapter—

(1) “agency” means—

(A) an Executive agency;

(B) the Library of Congress;

(C) the Botanic Garden;

(D) the Government Publishing Office;

(E) the Office of the Architect of the Capitol; and

(F) the government of the District of Columbia;

but does not include—

(i) a Government controlled corporation;

(ii) the Tennessee Valley Authority;

(iii) the Virgin Islands Corporation;

(iv) the Atomic Energy Commission;

(v) the Central Intelligence Agency;

(vi) the National Security Agency, Department of Defense;

(vii) the Government Accountability Office;

(viii) the Office of the Director of National Intelligence;

(ix) the Defense Intelligence Agency, Department of Defense; or