

ANIZATION

GOVERNMENT ORGANIZATION 5 § 5401

EXECUTIVE ORDER NO. 12248

Ex.Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, formerly set out in part as a note under this section, which provided for adjustment of pay rates effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1981, was superseded by Ex.Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, set out as a note under section 5332 of this title.

EXECUTIVE ORDER NO. 12165

Ex.Ord.No.12165, Oct. 9, 1979, 44 F.R. 58671, as amended by Ex.Ord.No.12200, Mar. 12, 1980, 44 F.R. 16443, set out as a note under this section, which provided Oct. 1, 1979, was superseded by Ex.Ord. No.12248, Oct. 16, 1980, 45 F.R. 69199, set out as a note under section 5332 of this title.

Cross References

Appropriations for increases in pay of officers and employees of Department of Treasury carrying out international affairs duties and powers, see section 325 of Title 31, Money and Finance.

Rates of basic pay for General Accounting Office Senior Executive Service, see section 733 of Title 31, Money and Finance.

§ 5383. Setting individual senior executive pay

[See main volume for text of (a)]

(b) In no event may the aggregate amount paid to a senior executive during any fiscal year under sections 4507, 5382, 5384, and 5948 of this title exceed the annual rate payable for positions at level I of the Executive Schedule in effect at the end of such fiscal year.

[See main volume for text of (c) and (d)]

As amended Pub.L. 96-166, § 3, Dec. 29, 1979, 93 Stat. 1273.

1979 Amendment. Subsec. (b). Pub.L. 96-166 added reference to section 5948.

Legislative History. For legislative history and purpose of Pub.L. 96-166, see

1979 U.S.Code Cong. and Adm.News, p. 2588.

§ 5384. Performance awards in the Senior Executive Service

Maximum Number of Performance Awards. Section 306(c) of S.2939, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, which was incorporated by reference in Pub.L. 97-276, § 101(e), Oct. 2, 1982, 96 Stat. 1189, to be effective as if enacted into law, provided that: "None of the funds appropriated by this Act or any other Act shall be used by any agency to pay performance awards in fiscal year 1983 under section 5384 of title 5, United States Code [this section], or any comparable personnel system established on or after October 13, 1978, to more than 20 percentum of the number of Senior Executive Service or comparable personnel system positions in such agency: Provided, That an agency with less than five Senior Executive Service employees or equivalent positions may grant one such performance award."

"Similar provisions were contained in following prior Appropriation Act: 1981—Pub.L. 97-51, § 101(c), Oct. 1, 1981, 95 Stat. 959, which incorporated by reference S.2939, Ninety-seventh Congress, 2nd Session, as reported Sept. 22, 1982, to be effective as if enacted into law, for fiscal year 1982. 1980—Pub.L. 96-536, § 101(c), Dec. 16, 1980, 94 Stat. 3167 [which incorporated by reference H.R. 7593, 96th Congress, passed by the House of Representatives on July 21, 1980] for fiscal year 1981, and Pub.L. 96-369, § 101(c), Oct. 1, 1980, 94 Stat. 1352; Pub.L. 96-304, Title III, § 303, July 8, 1980, 94 Stat. 927.

Cross References

Performance awards to officers and employees of General Accounting Office Senior Executive Service, see section 733 of Title 31, Money and Finance.

CHAPTER 54—MERIT PAY AND CASH AWARDS

§ 5401. Purpose

[See main volume for text of (a)]

(b)(1) Except as provided in paragraphs (2) and (3) of this subsection, this chapter shall apply to any supervisor or management official (as defined in paragraphs (10) and (11) of section 7103 of this title, respectively) who is in a position which is in GS-13, 14, or 15 of the General Schedule described in section 5104 of this title.

[See main volume for text of (2)]

(The effect of sec. 101(e) of Public Law 97-276 (the continuing resolution approved October 2, 1982) is to limit the use of the funds so appropriated so that they are not available to pay salaries at a rate which exceeds the rate payable for level IV of the Executive Schedule on September 30, 1982.)

y rates effective Oct. 1, 1981, was seded by Ex. Ord. No. 12387, Oct. 8, 47 F.R. 44981, set out as a note unct ion 5332 of this title.