

**§ 733. Senior Executive Service**

(a) The Comptroller General may establish a General Accounting Office Senior Executive Service<sup>1</sup>—

(1) meeting the requirements of section 3131 of title 5;

(2) providing requirements for positions consistent with section 3132(a)(2) of title 5;

(3) providing rates of basic pay—

(A) not more than the maximum rate or less than the minimum rate for the Senior Executive Service under section 5382 of title 5; and

(B) adjusted annually by the Comptroller General after taking into consideration the factors listed under section 732(c)(3) of this title, except that an adjustment under this subparagraph shall not be applied in the case of any officer or employee whose performance is not at a satisfactory level, as determined by the Comptroller General for purposes of such adjustment;

(4) providing a performance appraisal system consistent with subchapter II of chapter 43 of title 5;

(5) allowing the Comptroller General to award ranks to officers and employees in the Office Senior Executive Service consistent with section 4507 of title 5;

(6) providing for removal consistent with section 3592 of title 5, and for removal or suspension consistent with section 7543 of title 5;

(7) allowing the Comptroller General to reassign an officer or employee in the Office Senior Executive Service to any senior-level position established under section 732a of this title, as the Comptroller General determines necessary and appropriate; and

(8) allowing the Comptroller General to pay performance awards to officers and employees of the Office Senior Executive Service consistent with section 5384 of title 5.

(b) Except as provided in subsection (a), the Comptroller General may apply any part of title 5 that applies to an applicant for or officer or employee in the Senior Executive Service under title 5 to the Office Senior Executive Service.

(c) The Office Senior Executive Service may include positions referred to in section 731(c), (e)(1), or (e)(2) of this title.

(d) Section 732(b)(6), (c), (d)(1)–(4), and (e) of this title does not apply to the Office Senior Executive Service.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 899; Pub. L. 98–326, §1(c), June 22, 1984, 98 Stat. 269; Pub. L. 106–303, §4(b), Oct. 13, 2000, 114 Stat. 1069; Pub. L. 108–271, §3(b), July 7, 2004, 118 Stat. 812; Pub. L. 110–323, §9(b)(2), Sept. 22, 2008, 122 Stat. 3548.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
733(a) .....	31:52–4(a)(1).	Feb. 15, 1980, Pub. L. 96–191, §5(a), 94 Stat. 31.
733(b) .....	31:52–4(a)(2).	
733(c) .....	31:52–4(a)(4).	
733(d) .....	31:52–4(a)(3).	

In subsection (a), before clause (1), the words “pro- mulgate regulations” are omitted as surplus. The

<sup>1</sup> See Change of Name note below.

words “(hereinafter referred to as the GAO Senior Executive Service)” are omitted because of the restatement. In clause (1), the words “for the Senior Executive Service” are omitted as surplus. In clause (2), the words “in the GAO Senior Executive Service . . . which are” are omitted as surplus. In clause (3), before subclause (A), the words “for the GAO Senior Executive Service” are omitted as surplus. In subclause (A), the word “es- tablished” is omitted as surplus. In clause (4), the words “for the GAO Senior Executive Service” are omitted as surplus. In clauses (5) and (7), the words “of- ficers and employees” are substituted for “members” for consistency in the revised title and with other titles of the United States Code. In clause (5), the words “the provisions applicable to the Office of Personnel Management and the President under” are omitted as surplus. In clause (7), the words “the provisions applicable to performance awards under” are omitted as surplus.

In subsection (b), the words “officer or employee” are substituted for “member” for consistency in the revised title and with other titles of the Code.

In subsection (d), the words “Employees in . . . the personnel system established under” are omitted as surplus.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110–323 struck out “(d),” after “731(c),”.

2004—Subsec. (a)(3)(B). Pub. L. 108–271 amended sub- par. (B) generally. Prior to amendment, subpar. (B) read as follows: “adjusted at the same time and to the same extent as rates in the Senior Executive Service under section 5382 of title 5 are adjusted;”.

2000—Subsec. (a)(7), (8). Pub. L. 106–303 added par. (7) and redesignated former par. (7) as (8).

1984—Subsec. (c). Pub. L. 98–326 inserted “(e)(1),” after “(d),”.

CHANGE OF NAME

General Accounting Office redesignated Government Accountability Office. See section 8 of Pub. L. 108–271, set out as a note under section 702 of this title.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by section 3 of Pub. L. 108–271 effective Oct. 1, 2005, and applicable in the case of any annual pay adjustment taking effect on or after Oct. 1, 2005, subject to authority of Comptroller General to change pay adjustments or delay the effective date for certain groups of officers and employees, see section 13 of Pub. L. 108–271, set out as a note under section 731 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–326 effective Oct. 1, 1984, see section 2 of Pub. L. 98–326, set out as a note under section 731 of this title.

**§ 734. Assignments and details to Congress**

The Comptroller General may assign or detail an officer or employee of the Government Ac- countability Office to full-time continuous duty with a committee of Congress for not more than one year.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 899; Pub. L. 98–367, title I, §8, July 17, 1984, 98 Stat. 475; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
734(a) .....	31:1175(a).	Oct. 26, 1970, Pub. L. 91–510, §235(a), 84 Stat. 1171.
734(b) .....	31:1175(c).	Oct. 26, 1970, Pub. L. 91–510, 84 Stat. 1140, §235(c); added Oct. 11, 1971, Pub. L. 92–136, §8, 85 Stat. 378.