

**PART II—CIVIL SERVICE FUNCTIONS AND RESPONSIBILITIES**

Chap.	Sec.
<b>11. Office of Personnel Management ....</b>	<b>1101</b>
<b>12. Merit Systems Protection Board, Office of Special Counsel, and Employee Right of Action .....</b>	<b>1201</b>
<b>13. Special Authority .....</b>	<b>1301</b>
<b>14. Agency Chief Human Capital Officers .....</b>	<b>1401</b>
<b>15. Political Activity of Certain State and Local Employees .....</b>	<b>1501</b>

AMENDMENTS

2002—Pub. L. 107-296, title XIII, §1302(b), Nov. 25, 2002, 116 Stat. 2288, added item for chapter 14.

1992—Pub. L. 102-378, §2(1), Oct. 2, 1992, 106 Stat. 1346, substituted “Employee” for “Individual” in item for chapter 12.

1989—Pub. L. 101-12, §3(b)(1), Apr. 10, 1989, 103 Stat. 31, substituted “, Office of Special Counsel, and Individual Right of Action” for “and Special Counsel” in item for chapter 12.

1978—Pub. L. 95-454, title II, §201(c)(1), Oct. 13, 1978, 92 Stat. 1121, substituted “CIVIL SERVICE FUNCTIONS AND RESPONSIBILITIES” for “THE UNITED STATES CIVIL SERVICE COMMISSION” in heading for Part II.

Pub. L. 95-454, title II, §201(c)(2), Oct. 13, 1978, 92 Stat. 1121, substituted “Office of Personnel Management” for “Organization” in item for chapter 11.

Pub. L. 95-454, title II, §202(d), Oct. 13, 1978, 92 Stat. 1131, added item for chapter 12.

**CHAPTER 11—OFFICE OF PERSONNEL MANAGEMENT**

Sec.	
1101.	Office of Personnel Management.
1102.	Director; Deputy Director; Associate Directors.
1103.	Functions of the Director.
1104.	Delegation of authority for personnel management.
1105.	Administrative procedure.

AMENDMENTS

1978—Pub. L. 95-454, title II, §201(a), Oct. 13, 1978, 92 Stat. 1119, substituted in chapter heading “OFFICE OF PERSONNEL MANAGEMENT” for “ORGANIZATION”, in item 1101 “Office of Personnel Management” for “Appointment of Commissioners”, in item 1102 “Director; Deputy Director; Associate Directors” for “Term of office; filling vacancies; removal”, in item 1103 “Functions of the Director” for “Chairman; Vice Chairman; Executive Director”, in item 1104 “Delegation of authority for personnel management” for “Functions of Chairman”, and in item 1105 “Administrative procedure” for “Boards of examiners”.

**§ 1101. Office of Personnel Management**

The Office of Personnel Management is an independent establishment in the executive branch. The Office shall have an official seal, which shall be judicially noticed, and shall have its principal office in the District of Columbia, and may have field offices in other appropriate locations.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 398; Pub. L. 95-454, title II, §201(a), Oct. 13, 1978, 92 Stat. 1119.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 632 (1st par.).	Jan. 16, 1883, ch. 27, §1 (1st par.), 22 Stat. 403.

The words “official place under the United States” are changed to “another office or position in the Government” of the “United States” to conform to the present legislative use of “office” and “position”.

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

AMENDMENTS

1978—Pub. L. 95-454 substituted “Office of Personnel Management” for “Appointment of Commissioners” in section catchline, and in text provisions relating to the establishment, etc., of the Office of Personnel Management for provisions relating to the appointment of members to the United States Civil Service Commission.

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-454, title IX, §907, Oct. 13, 1978, 92 Stat. 1227, provided that: “Except as otherwise expressly provided in this Act, the provisions of this Act [see Tables for classification] shall take effect 90 days after the date of the enactment of this Act [Oct. 13, 1978].”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-378, §1(a), Oct. 2, 1992, 106 Stat. 1346, provided that: “This Act [see Tables for classification] may be cited as the ‘Technical and Miscellaneous Civil Service Amendments Act of 1992.’”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-224, §1, Mar. 2, 1984, 98 Stat. 47, provided that: “This Act [amending sections 1304, 3323, 4108, 4109, 7104, and 7122 of this title] may be cited as the ‘Civil Service Miscellaneous Amendments Act of 1983.’”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-454, §1, Oct. 13, 1978, 92 Stat. 1111, provided that: “This Act [see Tables for classification] may be cited as the ‘Civil Service Reform Act of 1978.’”

SAVINGS PROVISION

Pub. L. 95-454, title IX, §902, Oct. 13, 1978, 92 Stat. 1223, provided that:

“(a) Except as otherwise provided in this Act [see Tables for classification], all executive orders, rules, and regulations affecting the Federal service shall continue in effect, according to their terms, until modified, terminated, superseded, or repealed by the President, the Office of Personnel Management, the Merit Systems Protection Board, the Equal Employment Opportunity Commission, or the Federal Labor Relations Authority with respect to matters within their respective jurisdictions.

“(b) No provision of this Act [see Tables for classification] shall affect any administrative proceedings pending at the time such provision takes effect. Orders shall be issued in such proceedings and appeals shall be taken therefrom as if this Act had not been enacted.

“(c) No suit, action, or other proceeding lawfully commenced by or against the Director of the Office of Personnel Management or the members of the Merit Systems Protection Board, or officers or employees thereof, in their official capacity or in relation to the discharge of their official duties, as in effect immediately before the effective date of this Act [see Effective Date of 1978 Amendment note above], shall abate by reason of the enactment of this Act [see Tables for classification]. Determinations with respect to any