

with such skills as are necessary for the performance of the functions required of a temporary organization.

(2) The period of an appointment under paragraph (1) may not exceed three years, except that under regulations prescribed by the Office of Personnel Management the period of appointment may be extended for up to an additional two years.

(3) The positions of employment in a temporary organization are in the excepted service of the civil service.

(c) **DETAIL AUTHORITY.**—Upon the request of the head of a temporary organization, the head of any department or agency of the Government may detail, on a nonreimbursable basis, any personnel of the department or agency to that organization to assist in carrying out its duties.

(d) **COMPENSATION.**—(1) The rate of basic pay for an employee appointed under subsection (b) shall be established under regulations prescribed by the Office of Personnel Management without regard to the provisions of chapter 51 and subchapter III of chapter 53 of this title.

(2) The rate of basic pay for the chairman, a member, an executive director, a staff director, or another executive level position of a temporary organization may not exceed the maximum rate of basic pay established for the Senior Executive Service under section 5382 of this title.

(3) Except as provided in paragraph (4), the rate of basic pay for other positions in a temporary organization may not exceed the maximum rate of basic pay for grade GS-15 of the General Schedule under section 5332 of this title.

(4) The rate of basic pay for a senior staff position of a temporary organization may, in a case determined by the head of the temporary organization as exceptional, exceed the maximum rate of basic pay authorized under paragraph (3), but may not exceed the maximum rate of basic pay authorized for an executive level position under paragraph (2).

(5) In this subsection, the term “basic pay” includes locality pay provided for under section 5304 of this title.

(e) **TRAVEL EXPENSES.**—An employee of a temporary organization, whether employed on a full-time or part-time basis, may be allowed travel and transportation expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of this title, while traveling away from the employee’s regular place of business in the performance of services for the temporary organization.

(f) **BENEFITS.**—An employee appointed under subsection (b) shall be afforded the same benefits and entitlements as are provided temporary employees under this title.

(g) **RETURN RIGHTS.**—An employee serving under a career or career conditional appointment or the equivalent in an agency who transfers to or converts to an appointment in a temporary organization with the consent of the head of the agency is entitled to be returned to the employee’s former position or a position of like seniority, status, and pay without grade or pay retention in the agency if the employee—

(1) is being separated from the temporary organization for reasons other than misconduct, neglect of duty, or malfeasance; and

(2) applies for return not later than 30 days before the earlier of—

(A) the date of the termination of the employment in the temporary organization; or

(B) the date of the termination of the temporary organization.

(h) **TEMPORARY AND INTERMITTENT SERVICES.**—The head of a temporary organization may procure for the organization temporary and intermittent services under section 3109(b) of this title.

(i) **ACCEPTANCE OF VOLUNTEER SERVICES.**—(1) The head of a temporary organization may accept volunteer services appropriate to the duties of the organization without regard to section 1342 of title 31.

(2) Donors of voluntary services accepted for a temporary organization under this subsection may include the following:

(A) Advisors.

(B) Experts.

(C) Members of the commission, committee, board, or other temporary organization, as the case may be.

(D) A person performing services in any other capacity determined appropriate by the head of the temporary organization.

(3) The head of the temporary organization—

(A) shall ensure that each person performing voluntary services accepted under this subsection is notified of the scope of the voluntary services accepted;

(B) shall supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) shall ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer’s services are accepted.

(4) A person providing volunteer services accepted under this subsection shall be considered an employee of the Federal Government in the performance of those services for the purposes of the following provisions of law:

(A) Chapter 81 of this title, relating to compensation for work-related injuries.

(B) Chapter 171 of title 28, relating to tort claims.

(C) Chapter 11 of title 18, relating to conflicts of interest.

(Added Pub. L. 106-398, §1 [[div. A], title XI, §1101(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-308.)

CHAPTER 33—EXAMINATION, SELECTION, AND PLACEMENT

SUBCHAPTER I—EXAMINATION, CERTIFICATION, AND APPOINTMENT

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3301.	Civil service; generally.
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3303.	Competitive service; recommendations of Senators or Representatives.
3304.	Competitive service; examinations.
3304a.	Competitive service; career appointment after 3 years’ temporary service.
3305.	Competitive service; examinations; when held.

- Sec.
[3306. Repealed.]
3307. Competitive service; maximum-age entrance requirements; exceptions.
3308. Competitive service; examinations; educational requirements prohibited; exceptions.
3309. Preference eligibles; examinations; additional points for.
3310. Preference eligibles; examinations; guards, elevator operators, messengers, and custodians.
3311. Preference eligibles; examinations; crediting experience.
3312. Preference eligibles; physical qualifications; waiver.
3313. Competitive service; registers of eligibles.
3314. Registers; preference eligibles who resigned.
3315. Registers; preference eligibles furloughed or separated.
[3315a. Repealed.]
3316. Preference eligibles; reinstatement.
3317. Competitive service; certification from registers.
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3319. Alternative ranking and selection procedures.
3320. Excepted service; government of the District of Columbia; selection.
3321. Competitive service; probationary period.
3322. Voluntary separation before resolution of personnel investigation.
3323. Automatic separations; reappointment; reemployment of annuitants.
3324. Appointments to positions classified above GS-15.
3325. Appointments to scientific and professional positions.
3326. Appointments of retired members of the armed forces to positions in the Department of Defense.
3327. Civil service employment information.
3328. Selective Service registration.
3329. Appointments of military reserve technicians to positions in the competitive service.
3330. Government-wide list of vacant positions.
3330a. Preference eligibles; administrative redress.
3330b. Preference eligibles; judicial redress.
3330c. Preference eligibles; remedy.
3330d. Appointment of certain military spouses.
3330e. Review of official personnel file of former Federal employees before rehiring.

SUBCHAPTER II—OATH OF OFFICE

3331. Oath of office.
3332. Officer affidavit; no consideration paid for appointment.
3333. Employee affidavit; loyalty and striking against the Government.

SUBCHAPTER III—DETAILS, VACANCIES, AND APPOINTMENTS

3341. Details; within Executive or military departments.
[3342. Repealed.]
3343. Details; to international organizations.
3344. Details; administrative law judges.
3345. Acting officer.
3346. Time limitation.
3347. Exclusivity.
3348. Vacant office.
3349. Reporting of vacancies.
3349a. Presidential inaugural transitions.
3349b. Holdover provisions relating to certain independent establishments.¹
3349c. Exclusion of certain officers.
3349d. Notification of intent to nominate during certain recesses or adjournments.

¹ So in original. Does not conform to section catchline.

SUBCHAPTER IV—TRANSFERS

3351. Preference eligibles; transfer; physical qualifications; waiver.
3352. Preference in transfers for employees making certain disclosures.

SUBCHAPTER V—PROMOTION

3361. Promotion; competitive service; examination.
3362. Promotion; effect of incentive award.
3363. Preference eligibles; promotion; physical qualifications; waiver.
[3364. Repealed.]

SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

3371. Definitions.
3372. General provisions.
3373. Assignments of employees to State or local governments.¹
3374. Assignments of employees from State or local governments.
3375. Travel expenses.
3376. Regulations.

SUBCHAPTER VII—AIR TRAFFIC CONTROLLERS

3381. Training.
3382. Involuntary separation for retirement.
3383. Determinations; review procedures.
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3385. Effect on other authority.

SUBCHAPTER VIII—APPOINTMENT, REASSIGNMENT, TRANSFER, AND DEVELOPMENT IN THE SENIOR EXECUTIVE SERVICE

3391. Definitions.
3392. General appointment provisions.
3393. Career appointments.
[3393a. Repealed.]
3394. Noncareer and limited appointments.
3395. Reassignment and transfer within the Senior Executive Service.
3396. Development for and within the Senior Executive Service.
3397. Regulations.

AMENDMENTS

2016—Pub. L. 114-328, div. A, title XI, §§ 1136(c), 1140(c), Dec. 23, 2016, 130 Stat. 2460, 2471, which directed the amendment of the table of sections of subchapter I of chapter 33 by adding item 3330e at end and inserting item 3322 after item 3321, respectively, was executed to the table of sections for this chapter, to reflect the probable intent of Congress.

2013—Pub. L. 112-239, div. A, title V, § 566(c), Jan. 2, 2013, 126 Stat. 1751, added item 3330d.

2002—Pub. L. 107-296, title XIII, §§ 1312(b), 1321(a)(1)(C), Nov. 25, 2002, 116 Stat. 2291, 2296, added item 3319 and struck out item 3393a “Recertification”.

1998—Pub. L. 105-339, § 3(b), Oct. 31, 1998, 112 Stat. 3184, added items 3330a to 3330c.

Pub. L. 105-277, div. C, title I, § 151(c)(1), Oct. 21, 1998, 112 Stat. 2681-616, substituted “DETAILS, VACANCIES, AND APPOINTMENTS” for “DETAILS” in heading for subchapter III, “Acting officer” for “Details; to office of head of Executive agency or military department” in item 3345, “Time limitation” for “Details; to subordinate offices” in item 3346, “Exclusivity” for “Details; Presidential authority” in item 3347, “Vacant office” for “Details; limited in time” in item 3348, and “Reporting of vacancies” for “Details; to fill vacancies; restrictions” in item 3349 and added items 3349a to 3349d.

1996—Pub. L. 104-197, title III, § 315(b)(1), Sept. 16, 1996, 110 Stat. 2416, substituted “Competitive service; recommendations of Senators or Representatives” for “Political recommendations” in item 3303.

Pub. L. 104-106, div. A, title X, § 1037(b)(2), Feb. 10, 1996, 110 Stat. 432, which directed substitution of “3330. Government-wide list of vacant positions” for the item relating to section 3329, as added by section 4431(b) of