

## EFFECTIVE DATE

Section effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as a note under section 5341 of this title.

**§ 5348. Crews of vessels**

(a) Except as provided by subsection (b) of this section, the pay of officers and members of crews of vessels excepted from chapter 51 of this title by section 5102(c)(8) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry.

(b) Vessel employees in an area where inadequate maritime industry practice exists and vessel employees of the Corps of Engineers shall have their pay fixed and adjusted under the provisions of this subchapter other than this section, as appropriate.

(Pub. L. 89-544, Sept. 6, 1966, 80 Stat. 471, §5348, formerly §5342; renumbered and amended Pub. L. 92-392, §1(a), Aug. 19, 1972, 86 Stat. 572; Pub. L. 96-70, title III, §3302(e)(1), Sept. 27, 1979, 93 Stat. 498; Pub. L. 104-201, div. C, title XXXV, §3548(a)(3)(C), Sept. 23, 1996, 110 Stat. 2868.)

## AMENDMENTS

1996—Subsec. (a). Pub. L. 104-201, §3548(a)(3)(C)(iii), substituted “subsection (b)” for “subsections (b) and (c)”.

Subsecs. (b), (c). Pub. L. 104-201, §3548(a)(3)(C)(i), (ii), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “Vessel employees of the Panama Canal Commission may be paid in accordance with the wage practices of the maritime industry.”

1979—Subsec. (b). Pub. L. 96-70 substituted “Commission” for “Company”.

1972—Subsec. (a). Pub. L. 92-392 inserted reference to subsection (c) of this section.

Subsec. (c). Pub. L. 92-392 added subsec. (c).

## EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

## EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as an Effective Date note under section 5341 of this title.

## LIMITATION ON PAY ADJUSTMENTS

For provisions limiting the adjustment of salary or basic pay of employees covered by this section, see provisions set out as notes under section 5343 of this title.

**§ 5349. Prevailing rate employees; legislative, judicial, Bureau of Engraving and Printing, and government of the District of Columbia**

(a) The pay of employees, described under section 5102(c)(7) of this title, in the Library of Congress, the Botanic Garden, the Government Publishing Office, the Government Accountability Office, the Office of the Architect of the Capitol, the Bureau of Engraving and Printing, and the government of the District of Columbia, shall be fixed and adjusted from time to time as nearly

as is consistent with the public interest in accordance with prevailing rates and in accordance with such provisions of this subchapter, including the provisions of section 5344, relating to retroactive pay, and subchapter VI of this chapter, relating to grade and pay retention, as the pay-fixing authority of each such agency may determine. Subject to section 213(f) of title 29, the rates may not be less than the appropriate rates provided for by section 206(a)(1) of title 29. If the pay-fixing authority concerned determines that the provisions of subchapter VI of this chapter should apply to any employee under his jurisdiction, then the employee concerned shall be deemed to have satisfied the requirements of section 5361(1) of this title if the tenure of his appointment is substantially equivalent to the tenure of any appointment referred to in such paragraph.

(b) Subsection (a) of this section does not modify or otherwise affect section 5102(d) of this title, section 305 of title 44, and section 5141 of title 31.

(Added Pub. L. 92-392, §1(a), Aug. 19, 1972, 86 Stat. 572; amended Pub. L. 95-454, title VIII, §801(a)(3)(H), Oct. 13, 1978, 92 Stat. 1222; Pub. L. 97-258, §3(a)(11), Sept. 13, 1982, 96 Stat. 1063; Pub. L. 100-426, title III, §301, Sept. 9, 1988, 102 Stat. 1602; Pub. L. 101-474, §5(j), Oct. 30, 1990, 104 Stat. 1100; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537.)

## PRIOR PROVISIONS

Provisions similar to those comprising subsec. (a) of this section were contained in Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 471; Pub. L. 90-83, §1(97), Sept. 11, 1967, 81 Stat. 220 (formerly classified to section 5341(a) of this title) prior to the general amendment of this subchapter by section 1(a) of Pub. L. 92-392.

## AMENDMENTS

2004—Subsec. (a). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1990—Subsec. (a). Pub. L. 101-474 struck out “the Administrative Office of the United States Courts,” before “the Library of Congress”.

1988—Subsec. (a). Pub. L. 100-426 inserted reference to General Accounting Office.

1982—Subsec. (b). Pub. L. 97-258 substituted “section 5141” for “section 180”.

1978—Subsec. (a). Pub. L. 95-454 substituted “subchapter VI of this chapter, relating to grade and pay retention,” for “section 5345, relating to retention of pay,” “subchapter VI of this chapter” for “section 5345 of this title”, and “section 5361(1)” for “paragraph (2) of section 5345(a)”.

## CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in subsec. (a) on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of Title 44, Public Printing and Documents.

## EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective on first day of first applicable pay period beginning on or after 90th day after Oct. 13, 1978, see section 801(a)(4) of Pub. L. 95-454, set out as an Effective Date note under section 5361 of this title.

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