

is Pub. L. 93-376, Aug. 14, 1974, 88 Stat. 447, as amended, which is not classified to the Code.

The Office of the Chief Technology Officer Establishment Act of 1998, referred to in subsec. (c), is an act of the District of Columbia and is not classified to the Code.

#### EFFECTIVE DATE

Section effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as a note under section 3601 of Title 44, Public Printing and Documents.

### § 3706. Reporting requirement

(a) IN GENERAL.—The Office of Personnel Management shall, not later than April 30 and October 31 of each year, prepare and submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a semiannual report summarizing the operation of this chapter during the immediately preceding 6-month period ending on March 31 and September 30, respectively.

(b) CONTENT.—Each report shall include, with respect to the 6-month period to which such report relates—

(1) the total number of individuals assigned to, and the total number of individuals assigned from, each agency during such period;

(2) a brief description of each assignment included under paragraph (1), including—

(A) the name of the assigned individual, as well as the private sector organization and the agency (including the specific bureau or other agency component) to or from which such individual was assigned;

(B) the respective positions to and from which the individual was assigned, including the duties and responsibilities and the pay grade or level associated with each; and

(C) the duration and objectives of the individual's assignment; and

(3) such other information as the Office considers appropriate.

(c) PUBLICATION.—A copy of each report submitted under subsection (a)—

(1) shall be published in the Federal Register; and

(2) shall be made publicly available on the Internet.

(d) AGENCY COOPERATION.—On request of the Office, agencies shall furnish such information and reports as the Office may require in order to carry out this section.

(Added Pub. L. 107-347, title II, §209(c)(1), Dec. 17, 2002, 116 Stat. 2929.)

#### CHANGE OF NAME

Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

#### EFFECTIVE DATE

Section effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as a note under section 3601 of Title 44, Public Printing and Documents.

### § 3707. Regulations

The Director of the Office of Personnel Management shall prescribe regulations for the administration of this chapter.

(Added Pub. L. 107-347, title II, §209(c)(1), Dec. 17, 2002, 116 Stat. 2930.)

#### EFFECTIVE DATE

Section effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as a note under section 3601 of Title 44, Public Printing and Documents.

## Subpart C—Employee Performance

### CHAPTER 41—TRAINING

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#### AMENDMENTS

2004—Pub. L. 108-411, title II, §201(b)(2), Oct. 30, 2004, 118 Stat. 2312, added item 4121.

2003—Pub. L. 108-7, div. H, title I, §1010(b), Feb. 20, 2003, 117 Stat. 360, added item 4120.

2002—Pub. L. 107-296, title XIII, §1331(b), Nov. 25, 2002, 116 Stat. 2299, substituted “Academic degree training” for “Restriction on degree training” in item 4107.

1995—Pub. L. 104-66, title II, §2181(c)(2), Dec. 21, 1995, 109 Stat. 732, struck out item 4113 “Agency review of training needs; annual program reports”.

1994—Pub. L. 103-226, §2(b)(2), Mar. 30, 1994, 108 Stat. 112, struck out item 4106 “Non-Government facilities; amount of training limited”, substituted “Restriction on degree training” for “Non-Government facilities; restrictions” in item 4107, and struck out item 4114 “Non-Government facilities; review of training programs”.

1982—Pub. L. 97-346, §1(b), Oct. 15, 1982, 96 Stat. 1647, added item 4119.

### § 4101. Definitions

For the purpose of this chapter—

(1) “agency”, subject to section 4102 of this title, means—

(A) an Executive department;

(B) an independent establishment;

(C) a Government corporation subject to chapter 91 of title 31;

(D) the Library of Congress;

(E) the Government Publishing Office; and

(F) the government of the District of Columbia;

(2) “employee”, subject to section 4102 of this title, means—

(A) an individual employed in or under an agency; and

(B) a commissioned officer of the Environmental Science Services Administration;

(3) “Government” means the Government of the United States and the government of the District of Columbia;

(4) “training” means the process of providing for and making available to an employee, and placing or enrolling the employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which will improve individual and organizational performance and assist in achieving the agency’s mission and performance goals;

(5) “Government facility” means property owned or substantially controlled by the Government and the services of any civilian and military personnel of the Government; and

(6) “non-Government facility” means—

(A) the government of a State or of a territory or possession of the United States including the Commonwealth of Puerto Rico, and an interstate governmental organization, or a unit, subdivision, or instrumentality of any of the foregoing;

(B) a foreign government or international organization, or instrumentality of either, which is designated by the President as eligible to provide training under this chapter;

(C) a medical, scientific, technical, educational, research, or professional institution, foundation, or organization;

(D) a business, commercial, or industrial firm, corporation, partnership, proprietorship, or other organization;

(E) individuals other than civilian or military personnel of the Government; and

(F) the services and property of any of the foregoing furnishing the training.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 432; Pub. L. 90-206, title II, §224(a), Dec. 16, 1967, 81 Stat. 642; Pub. L. 97-258, §3(a)(8), Sept. 13, 1982, 96 Stat. 1063; Pub. L. 103-226, §2(a)(1), Mar. 30, 1994, 108 Stat. 111; Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 2302.	July 7, 1958, Pub. L. 85-507, § 3, 72 Stat. 328.

In paragraph (1), the word “agency” is substituted for “department”. Reference to the “General Accounting Office” is omitted as included in “independent establishment” because of the definition in section 104.

In paragraph (2)(B), the words “in the Department of Commerce” are omitted as unnecessary.

In paragraph (6)(C), the word “agency” is omitted as unnecessary and to avoid confusion with the word “agency” defined by paragraph (1).

In paragraph (6)(E), the words “individuals other than civilian or military personnel of the Government” are substituted for “an individual not a civilian or military officer or employee of the Government of the United States or of the municipal government of the District of Columbia” to conform to paragraph (5).

The definition of “Commission” in former section 2302(4) is omitted as unnecessary as the title “Civil

Service Commission” is fully set out the first time it is used in each section of this chapter.

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

1994—Par. (4). Pub. L. 103-226 substituted “fields which will improve individual and organizational performance and assist in achieving the agency’s mission and performance goals;” for “fields which are or will be directly related to the performance by the employee of official duties for the Government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of the employee in the performance of official duties;”.

1982—Par. (1)(C). Pub. L. 97-258 substituted “chapter 91” for “sections 846-852 or 856-859”.

1967—Par. (2)(B). Pub. L. 90-206 substituted “Environmental Science Services Administration” for “Coast and Geodetic Survey”.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in par. (1)(E) 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 1967 AMENDMENT

Amendment by Pub. L. 90-206 effective Dec. 16, 1967, see section 220(a)(1) of Pub. L. 90-206, set out as an Effective Date note under section 3110 of this title.

TRANSFER OF FUNCTIONS

For transfer of Environmental Science Services Administration to National Oceanic and Atmospheric Administration, see Transfer of Functions note set out under section 5541 of this title.

DELEGATION OF FUNCTIONS

Functions of President under subsec. (6)(B) of this section delegated to head of each agency concerned, see section 402 of Ex. Ord. No. 11348, Apr. 20, 1967, 32 F.R. 6335, set out as a note under section 4103 of this title.

§ 4102. Exceptions; Presidential authority

(a)(1) This chapter does not apply to—

(A) a corporation supervised by the Farm Credit Administration if private interests elect or appoint a member of the board of directors;

(B) the Tennessee Valley Authority; or

(C) an individual (except a commissioned officer of the National Oceanic and Atmospheric Administration) who is a member of a uniformed service during a period in which he is entitled to pay under section 204 of title 37.

(2) This chapter (except sections 4110 and 4111) does not apply to—

(A) the Foreign Service of the United States; or

(B) an individual appointed by the President, unless the individual is specifically designated by the President for training under this chapter.

(b) The President, at any time in the public interest, may—

(1) except an agency or part thereof, or an employee or group or class of employees therein, from this chapter or a provision thereof (except this section); and

(2) withdraw an exception made under this subsection.