

(2) Amounts appropriated under this section shall remain available for 2 fiscal years.

(Added Pub. L. 108-201, §3(a), Feb. 24, 2004, 118 Stat. 468; amended Pub. L. 109-155, title VII, §703(a), Dec. 30, 2005, 119 Stat. 2936.)

#### REFERENCES IN TEXT

Sections 101(a) and 472 of the Higher Education Act of 1965, referred to in subsec. (i), are classified to sections 1001(a) and 1087*ll*, respectively, of Title 20, Education.

#### AMENDMENTS

2005—Subsec. (a)(2). Pub. L. 109-155, §703(a)(1), substituted “Act (42 U.S.C. 1885a or 1885b).” for “Act.”

Subsec. (c). Pub. L. 109-155, §703(a)(2), substituted “require to carry out this section.” for “require.”

Subsec. (f)(1). Pub. L. 109-155, §703(a)(3), struck out at end “Under no circumstances shall the total period of obligated service be more than 4 years.”

Subsec. (g)(2). Pub. L. 109-155, §703(a)(4), substituted a period for a comma at end of subpar. (B) and struck out concluding provisions which read: “multiplied by 3.”

### § 9810. Distinguished scholar appointment authority

(a) In this section—

(1) the term “professional position” means a position that is classified to an occupational series identified by the Office of Personnel Management as a position that—

(A) requires education and training in the principles, concepts, and theories of the occupation that typically can be gained only through completion of a specified curriculum at a recognized college or university; and

(B) is covered by the Group Coverage Qualification Standard for Professional and Scientific Positions; and

(2) the term “research position” means a position in a professional series that primarily involves scientific inquiry or investigation, or research-type exploratory development of a creative or scientific nature, where the knowledge required to perform the work successfully is acquired typically and primarily through graduate study.

(b) The Administration may appoint, without regard to the provisions of section 3304(b) and sections 3309 through 3318, but subject to subsection (c), candidates directly to General Schedule professional, competitive service positions in the Administration for which public notice has been given (in accordance with regulations of the Office of Personnel Management), if—

(1) with respect to a position at the GS-7 level, the individual—

(A) received, within 2 years before the effective date of the appointment, from an accredited institution authorized to grant baccalaureate degrees, a baccalaureate degree in a field of study for which possession of that degree in conjunction with academic achievements meets the qualification standards as prescribed by the Office of Personnel Management for the position to which the individual is being appointed; and

(B) achieved a cumulative grade point average of 3.0 or higher on a 4.0 scale and a grade point average of 3.5 or higher for

courses in the field of study required to qualify for the position;

(2) with respect to a position at the GS-9 level, the individual—

(A) received, within 2 years before the effective date of the appointment, from an accredited institution authorized to grant graduate degrees, a graduate degree in a field of study for which possession of that degree meets the qualification standards at this grade level as prescribed by the Office of Personnel Management for the position to which the individual is being appointed; and

(B) achieved a cumulative grade point average of 3.5 or higher on a 4.0 scale in graduate coursework in the field of study required for the position;

(3) with respect to a position at the GS-11 level, the individual—

(A) received, within 2 years before the effective date of the appointment, from an accredited institution authorized to grant graduate degrees, a graduate degree in a field of study for which possession of that degree meets the qualification standards at this grade level as prescribed by the Office of Personnel Management for the position to which the individual is being appointed; and

(B) achieved a cumulative grade point average of 3.5 or higher on a 4.0 scale in graduate coursework in the field of study required for the position; or

(4) with respect to a research position at the GS-12 level, the individual—

(A) received, within 2 years before the effective date of the appointment, from an accredited institution authorized to grant graduate degrees, a graduate degree in a field of study for which possession of that degree meets the qualification standards at this grade level as prescribed by the Office of Personnel Management for the position to which the individual is being appointed; and

(B) achieved a cumulative grade point average of 3.5 or higher on a 4.0 scale in graduate coursework in the field of study required for the position.

(c) In making any selections under this section, preference eligibles who meet the criteria for distinguished scholar appointments shall be considered ahead of nonpreference eligibles.

(d) An appointment made under this authority shall be a career-conditional appointment in the competitive civil service.

(Added Pub. L. 108-201, §3(a), Feb. 24, 2004, 118 Stat. 470.)

#### REFERENCES IN TEXT

The General Schedule, referred to in subsec. (b), is set out under section 5332 of this title.

### § 9811. Travel and transportation expenses of certain new appointees

(a) In this section, the term “new appointee” means—

(1) a person newly appointed or reinstated to Federal service to the Administration to—

(A) a career or career-conditional appointment or an excepted service appointment to a continuing position;