2004, 118 Stat. 2317; Pub. L. 115–73, title I, § 107(a)(2)(A), Oct. 26, 2017, 131 Stat. 1239; Pub. L. 115–91, div. A, title X, § 1097(b)(3)(A), Dec. 12, 2017, 131 Stat. 1617.)

### AMENDMENTS

2017—Subsec. (b)(2). Pub. L. 115–91 substituted ''section 2302(d)'' for ''section 2302(c)''.

Pub. L. 115–73 substituted ''section 2302(c)'' for ''section 2302(d)''.

2004—Subsec. (a)(2). Pub. L. 108–411 struck out subpar. (A) designation before ''A cash award under'' and struck out subpar. (B) which read as follows: ''For purposes of computing a percentage of a rate of basic pay under subparagraph (A), the rate of basic pay used shall be determined without taking into account any comparability payment under section 5304.''

1992—Subsec. (b)(2). Pub. L. 102–378, § 2(19)(A), inserted reference to chapter 71.

Subsec. (c). Pub. L. 102–378, § 2(19)(B), inserted ''of Personnel Management'' after ''Office''.

Subsecs. (d), (e). Pub. L. 102–378, § 2(19)(C), added subsecs. (d) and (e) and struck out former subsec. (d) which read as follows: ''At the request of the head of an Executive agency, the President may authorize the application of the preceding provisions of this section with respect to 1 or more categories of employees within such agency who would not otherwise be covered by this section (including authority under subsection (c) to prescribe any necessary regulations).''

### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108–411 effective on the first day of the first applicable pay period beginning on or after the 180th day after Oct. 30, 2004, with provisions relating to conversion rules, see section 301(d) of Pub. L. 108–411, set out as a note under section 5363 of this title.

### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102–378 effective May 4, 1991, see section 9(b)(4) of Pub. L. 102–378, set out as a note under section 6303 of this title.

### EFFECTIVE DATE

Section effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101–509, set out as an Effective Date of 1990 Amendment note under section 5301 of this title.

### DELEGATION OF FUNCTIONS

Authority of President under subsec. (e) of this section delegated to Director of Office of Personnel Management by Ex. Ord. No. 12828, § 1(2), Jan. 5, 1993, 58 F.R. 2965, set out as a note under section 3502 of this title.

### EX. ORD. NO. 13415. ASSIGNMENT OF CERTAIN PAY-RELATED FUNCTIONS

Ex. Ord. No. 13415, Dec. 1, 2006, 71 F.R. 70641, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. *Assignment of Functions.* The functions of the President under sections 4505a, 5305, and 5377 of title 5, United States Code, are assigned to the Director of the Office of Personnel Management.

SEC. 2. *Revocations.* (a) [Amended Ex. Ord. No. 12748, set out as a note under section 5301 of this title.]

(b) [Amended Ex. Ord. No. 12828, set out as a note under section 3502 of this title.]

SEC. 3. *General Provision.* This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its departments, agencies, entities, officers, employees, or agents, or any other person.

GEORGE W. BUSH.

## § 4506. Regulations

The Office of Personnel Management shall prescribe regulations and instructions under which the awards programs set forth by this subchapter shall be carried out.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 443; Pub. L. 95–454, title V, § 503(d), Oct. 13, 1978, 92 Stat. 1184; Pub. L. 97–35, title XVII, § 1703(b)(2), Aug. 13, 1981, 95 Stat. 756; Pub. L. 107–67, title VI, § 641(b), Nov. 12, 2001, 115 Stat. 555.)

### HISTORICAL AND REVISION NOTES

| Derivation | U.S. Code | Revised Statutes and Statutes at Large |
|---|---|---|
| ................. | 5 U.S.C. 2121 (1st 29 words). | Sept. 1, 1954, ch. 1208, § 302 (1st 29 words), 68 Stat. 1112. |

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

2001—Pub. L. 107–67 substituted ''the awards programs'' for ''the agency awards program''.

1981—Pub. L. 97–35 substituted ''subchapter'' for ''chapter''.

1978—Pub. L. 95–454 substituted ''Office of Personnel Management shall'' for ''Civil Service Commission may''.

### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107–67, title VI, § 641(d), Nov. 12, 2001, 115 Stat. 555, provided that: ''The amendments made by this section [enacting section 4507a of this title and amending this section] shall take effect for awards granted in 2003.''

### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–35 effective Oct. 1, 1981, see section 1703(c) of Pub. L. 97–35, set out as a note under section 4501 of this title.

### EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95–454, title V, § 504(a), Oct. 13, 1978, 92 Stat. 1184, provided that amendment by Pub. L. 95–454 was effective on first day of first applicable pay period which began on or after Oct. 1, 1981, except it could take effect with respect to any category or categories of positions before such day to extent prescribed by Director of Office of Personnel Management.

## § 4507. Awarding of ranks in the Senior Executive Service

(a) For the purpose of this section, ''agency'', ''senior executive'', and ''career appointee'' have the meanings set forth in section 3132(a) of this title.

(b) Each agency shall submit annually to the Office recommendations of career appointees in the agency to be awarded the rank of Meritorious Executive or Distinguished Executive. The recommendations may take into account the individual's performance over a period of years. The Office shall review such recommendations and provide to the President recommendations as to which of the agency recommended appointees should receive such rank.

(c) During any fiscal year, the President may, subject to subsection (d) of this section, award to any career appointee recommended by the Office the rank of—

(1) Meritorious Executive, for sustained accomplishment, or