

graph (1) shall be consistent with the provisions of this subchapter outside of this section and with any regulations issued by the Office of Personnel Management implementing this subchapter.

(d) The Office shall provide the head of an excepted agency with such advice and assistance as the head of such agency may request in order to carry out the purposes of this section.

(Added Pub. L. 100-566, §2(a), Oct. 31, 1988, 102 Stat. 2838; amended Pub. L. 103-359, title V, §501(i), Oct. 14, 1994, 108 Stat. 3429; Pub. L. 104-201, div. A, title XI, §1122(a), Sept. 23, 1996, 110 Stat. 2687; Pub. L. 107-306, title III, §322, Nov. 27, 2002, 116 Stat. 2391; Pub. L. 110-417, [div. A], title IX, §931(a)(1), Oct. 14, 2008, 122 Stat. 4575.)

AMENDMENTS

2008—Subsec. (a)(1)(E), (2)(E). Pub. L. 110-417 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” wherever appearing.

2002—Subsec. (b). Pub. L. 107-306, §322(a)(1), (2), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “Notwithstanding any other provision of this subchapter, neither an excepted agency nor any individual employed in or under an excepted agency may be included in a leave transfer program established under any of the preceding provisions of this subchapter.”

Subsec. (b)(2). Pub. L. 107-306, §322(b)(1), substituted “under this subsection” for “under this section” in introductory provisions.

Subsec. (c). Pub. L. 107-306, §322(a)(3), added subsec. (c). Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 107-306, §322(b)(2), struck out “of Personnel Management” after “The Office”.

1996—Subsec. (a)(1)(E). Pub. L. 104-201, §1122(a)(1), substituted “National Imagery and Mapping Agency” for “Central Imagery Office”.

Subsec. (a)(2)(E). Pub. L. 104-201, §1122(a)(2), substituted “National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency” for “Central Imagery Office, the Director of the Central Imagery Office”.

1994—Subsec. (a)(1)(E), (F). Pub. L. 103-359, §501(i)(1), added subpar. (E) and redesignated former subpar. (E) as (F).

Subsec. (a)(2)(E), (F). Pub. L. 103-359, §501(i)(2), added subpar. (E), redesignated former subpar. (E) as (F), and substituted “paragraph (1)(F)” for “paragraph (1)(E)” in two places in subpar. (F).

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1124 of Pub. L. 104-201, set out as a note under section 193 of Title 10, Armed Forces.

§ 6340. Inapplicability of certain provisions

Except to the extent that the Office of Personnel Management may prescribe regulations, nothing in section 7351 shall apply with respect

to a solicitation, donation, or acceptance of leave under this subchapter.

(Added Pub. L. 100-566, §2(a), Oct. 31, 1988, 102 Stat. 2838.)

SUBCHAPTER IV—VOLUNTARY LEAVE BANK PROGRAM

§ 6361. Definitions

For the purpose of this subchapter the term—

(1) “employee” means an employee as defined by section 6301(2), but shall exclude any individual employed by the government of the District of Columbia;

(2) “executive agency” means any executive agency or any administrative unit thereof;

(3) “leave bank” means a leave bank established under section 6363;

(4) “leave contributor” means an employee who contributes leave to an agency leave bank under section 6365;

(5) “leave recipient” means an employee whose application under section 6367 to receive contributions of leave from a leave bank is approved; and

(6) “medical emergency” means a medical condition of an employee or a family member of such employee that is likely to require the prolonged absence of such employee from duty and to result in a substantial loss of income to such employee because of the unavailability of paid leave (disregarding any advanced leave).

(Added Pub. L. 100-566, §2(a), Oct. 31, 1988, 102 Stat. 2839; amended Pub. L. 103-103, §3(a), Oct. 8, 1993, 107 Stat. 1022.)

AMENDMENTS

1993—Par. (6). Pub. L. 103-103 inserted before period at end “(disregarding any advanced leave)”.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-103 effective as of the 120th day after Oct. 8, 1993, or such earlier date as the Office of Personnel Management may by regulation prescribe, see section 6 of Pub. L. 103-103, set out as a note under section 6331 of this title.

LEAVE BANK FOR JUDICIAL BRANCH EMPLOYEES OF FEDERAL GOVERNMENT IN RESERVES WHO WERE ACTIVATED DURING PERSIAN GULF WAR

Pub. L. 102-58, §3, June 18, 1991, 105 Stat. 299, provided that:

“(a) JUDICIAL BRANCH EMPLOYEES.—The Director of the Administrative Office of the United States Courts shall establish a leave bank program under which—

“(1) an employee of the Judicial Branch may (during a period specified by the Director of the Administrative Office) donate any unused annual leave from the employee’s annual leave account to a leave bank established by the Director;

“(2) the total amount of annual leave that has been donated under paragraph (1) shall be divided equally among the annual leave accounts of all employees who have been members of the Armed Forces serving on active duty during the Persian Gulf conflict pursuant to an order issued under section 672(a) [now 12301(a)], 672(g) [now 12301(g)], 673 [now 12302], 673b [now 12304], 674 [now 12306], 675 [now 12307], or 688 of title 10, United States Code, and who return to employment with the Judicial Branch; and

“(3) such Persian Gulf conflict participants who have returned to Judicial Branch employment may use such annual leave, after it is credited to their leave accounts, in the same manner as any other annual leave to their credit.