

this title shall not be included within any project under subsection (a) of this section unless there has been agency consultation regarding the project with the employees in the unit.

(h) The Office shall provide for an evaluation of the results of each demonstration project and its impact on improving public management.

(i) Upon request of the Director of the Office of Personnel Management, agencies shall cooperate with and assist the Office, to the extent practicable, in any evaluation undertaken under subsection (h) of this section and provide the Office with requested information and reports relating to the conducting of demonstration projects in their respective agencies.

(j) Each agency at which a demonstration project authorized by this section is ongoing shall submit an annual report to the Office of Personnel Management, the Office and<sup>1</sup> Management and Budget, the Committee on Homeland Security and Governmental Affairs of the United States Senate, and the Committee on Oversight and Government Reform of the United States House of Representatives that includes—

(1) the aggregate performance appraisal ratings and compensation costs for employees under a demonstration project;

(2) an assessment of the results of the demonstration project, including its impact on mission goals, employee recruitment, retention, and satisfaction, and which may include the results of the survey authorized under section 1128 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 5 U.S.C. 7101 note), commonly referred to as the Federal Employee Viewpoint Survey, and performance management for employees; and

(3) a comparison of the items listed in (1) and (2) with employees not covered by the demonstration project.

(Added Pub. L. 95-454, title VI, §601(a), Oct. 13, 1978, 92 Stat. 1186; amended Pub. L. 115-232, div. A, title XI, §1106, Aug. 13, 2018, 132 Stat. 2001.)

#### Editorial Notes

##### AMENDMENTS

2018—Subsec. (d)(2). Pub. L. 115-232, §1106(1), added par. (2) and struck out former par. (2) which read as follows: “Not more than 10 active demonstration projects may be in effect at any time.”

Subsec. (j). Pub. L. 115-232, §1106(2), added subsec. (j).

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on Oversight and Government Reform of House of Representatives changed to Committee on Oversight and Reform of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019.

##### EFFECTIVE DATE

Section effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as an Effective Date of 1978 Amendment note under section 1101 of this title.

##### AUTHORITY OF EXPORT-IMPORT BANK TO CONDUCT DEMONSTRATION PROGRAM

Pub. L. 104-97, §2, Jan. 11, 1996, 109 Stat. 984, provided that: “Notwithstanding section 4701(a)(1)(A) of title 5,

United States Code, the Export-Import Bank of the United States may conduct a demonstration project in accordance with section 4703 of such title.”

#### § 4704. Allocation of funds

Funds appropriated to the Office of Personnel Management for the purpose of this chapter may be allocated by the Office to any agency conducting demonstration projects or assisting the Office in conducting such projects. Funds so allocated shall remain available for such period as may be specified in appropriation Acts. No contract shall be entered into under this chapter unless the contract has been provided for in advance in appropriation Acts.

(Added Pub. L. 95-454, title VI, §601(a), Oct. 13, 1978, 92 Stat. 1188.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as an Effective Date of 1978 Amendment note under section 1101 of this title.

#### § 4705. Regulations

The Office of Personnel Management shall prescribe regulations to carry out the purpose of this chapter.

(Added Pub. L. 95-454, title VI, §601(a), Oct. 13, 1978, 92 Stat. 1188, §4706; renumbered §4705, Pub. L. 105-362, title XIII, §1302(b)(2)(B)(i), Nov. 10, 1998, 112 Stat. 3293.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 4705, added Pub. L. 95-454, title VI, §601(a), Oct. 13, 1978, 92 Stat. 1188, required annual report on research programs and demonstration projects, prior to repeal by Pub. L. 105-362, title XIII, §1302(b)(2)(B)(i), Nov. 10, 1998, 112 Stat. 3293.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as an Effective Date of 1978 Amendment note under section 1101 of this title.

#### [§ 4706. Renumbered § 4705]

### CHAPTER 48—AGENCY PERSONNEL DEMONSTRATION PROJECT

Sec.

4801. Nonapplicability of chapter 47.

4802. Securities and Exchange Commission.

#### § 4801. Nonapplicability of chapter 47

Chapter 47 shall not apply to this chapter.

(Added Pub. L. 107-123, §8(a), Jan. 16, 2002, 115 Stat. 2398.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Oct. 1, 2001, see section 11 of Pub. L. 107-123, set out as an Effective Date of 2002 Amendment note under section 78ee of Title 15, Commerce and Trade.

#### § 4802. Securities and Exchange Commission

(a) In this section, the term “Commission” means the Securities and Exchange Commission.

<sup>1</sup> So in original. Probably should be “of”.