

for payment to executive employees, including Members of Congress, entitled under existing law to approximately 12.9 percent increase in pay, to pay any such employee or official any sum in excess of 5.5 percent increase in existing pay, and such sum, if accepted, would be in lieu of the 12.9 percent due for such fiscal year. [For information regarding constitutionality of certain provisions of section 101(c) of Pub. L. 96-86 as applied to Federal judges, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Appendix 1, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.]

FISCAL YEAR 1979 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS

Pub. L. 95-429, title VI, §613, Oct. 10, 1978, 92 Stat. 1017, prohibited the use of funds appropriated for the fiscal year ending Sept. 30, 1979, to pay the salary or pay of any individual in any office or position in the legislative, executive, or judicial branch, or in the government of the District of Columbia, at a rate which exceeded the rate (or maximum rate, if higher) of salary or basic pay payable for such office or position for Sept. 30, 1978, if the rate of salary or basic pay for such office or position was either fixed at a rate equal to or greater than the rate of basic pay for level V of the Executive Schedule under section 5316 of this title or limited to a maximum rate equal to or greater than the rate of basic pay for such level V under section 5308 of this title or any other provision of law or congressional resolution.

Identical provisions were enacted by Pub. L. 95-391, title III, §304, Sept. 30, 1978, 92 Stat. 788.

1977 COMPARABILITY ADJUSTMENT NOT EFFECTIVE FOR CERTAIN POSITIONS

Pub. L. 95-66, July 11, 1977, 91 Stat. 270, nullified the first adjustment in pay which would have been made after July 11, 1977, under the following provisions of law: the second sentence of section 104 of Title 3, The President; par. (2) of section 4501 of Title 2, The Congress; section 461 of Title 28, Judiciary and Judicial Procedure; and section 5318 of this title.

FISCAL YEAR 1977 LIMITATION ON USE OF FUNDS FOR PAY ADJUSTMENTS FOR CERTAIN POSITIONS

Pub. L. 94-440, title II, Oct. 1, 1976, 90 Stat. 1446, prohibited the use of funds appropriated in any Act to pay the salary of an individual in a position or office referred to in section 356 of Title 2, The Congress, at a rate exceeding the salary rate for such position or office in effect on Sept. 30, 1976, except increases submitted by the President pursuant to sections 351 to 364 of Title 2.

SUBCHAPTER III—GENERAL SCHEDULE  
PAY RATES

§ 5331. Definitions; application

(a) For the purpose of this subchapter, “agency”, “employee”, “position”, “class”, and “grade” have the meanings given them by section 5102 of this title.

(b) This subchapter applies to employees and positions to which chapter 51 applies, other than Senior Executive Service positions, positions in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, and positions to which section 5376 applies.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 95-454, title IV, §408(b)(2), Oct. 13, 1978, 92 Stat. 1173; Pub. L. 100-325, §2(h)(3), May 30, 1988, 102 Stat. 582; Pub. L. 101-509, title V, §529 [title I, §102(c)], Nov. 5, 1990, 104 Stat. 1427, 1444.)

HISTORICAL AND REVISION NOTES

The section is added on authority of former sections 1081, 1082, 1084, and 1091, which are carried into section 5102.

Editorial Notes

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-509 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “This subchapter applies to employees and positions, other than Senior Executive Service positions and positions in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, to which chapter 51 of this title applies.”

1988—Subsec. (b). Pub. L. 100-325 inserted reference to positions in Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service.

1978—Subsec. (b). Pub. L. 95-454 inserted reference to Senior Executive Service positions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 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 a note under section 5301 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 9 months after Oct. 13, 1978, and congressional review of provisions of sections 401 through 412 of Pub. L. 95-454, see section 415 of Pub. L. 95-454, set out as an Effective Date note under section 3131 of this title.

REFERENCES IN OTHER LAWS TO CHAPTER 51 AND  
SUBCHAPTER III OF CHAPTER 53

References in laws to fix pay in accordance with this subchapter and chapter 51 of this title considered to include authority under section 5376 of this title, if applicable, but not to include any authority under section 5304 of this title or section 529 [title III, §302] of Pub. L. 101-509, set out as a note under section 5304 of this title, see section 529 [title I, §101(c)(2)] of Pub. L. 101-509, set out in a References in Other Laws to GS-16, 17, or 18 Pay Rates; Regulations note under section 5376 of this title.

§ 5332. The General Schedule

(a)(1) The General Schedule, the symbol for which is “GS”, is the basic pay schedule for positions to which this subchapter applies. Each employee to whom this subchapter applies is entitled to basic pay in accordance with the General Schedule.

(2) The General Schedule is a schedule of annual rates of basic pay, consisting of 15 grades, designated “GS-1” through “GS-15”, consecutively, with 10 rates of pay for each such grade. The rates of pay of the General Schedule are adjusted in accordance with section 5303.

(b) When payment is made on the basis of an hourly, daily, weekly, or biweekly rate, the rate is computed from the appropriate annual rate of basic pay named by subsection (a) of this section in accordance with the rules prescribed by section 5504(b) of this title.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 90-83, §1(18), Sept. 11, 1967, 81 Stat. 199; Pub. L. 90-206, title II, §202(a), Dec. 16, 1967, 81 Stat. 624; Pub. L. 95-454, title V, §503(e), Oct. 13, 1978, 92 Stat. 1184; Pub. L. 98-615, title II, §204(a)(1), Nov.

8, 1984, 98 Stat. 3216; Pub. L. 102-378, §2(29), Oct. 2, 1992, 106 Stat. 1350; Pub. L. 103-89, §3(b)(1)(F), Sept. 30, 1993, 107 Stat. 982.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a) .....	5 U.S.C. 1113 (less (c)).	Oct. 28, 1949, ch. 782, §603 (less (d)), 63 Stat. 965. Oct. 24, 1951, ch. 554, §1(a), 65 Stat. 612. Sept. 1, 1954, ch. 1208, §109 (less (c)), 68 Stat. 1108. June 28, 1955, ch. 189, §2(a), 69 Stat. 172. June 20, 1958, Pub. L. 85-462, §2(a), 72 Stat. 203. July 1, 1960, Pub. L. 86-568, §112(a), 74 Stat. 298. Oct. 11, 1962, Pub. L. 87-793, §602(a), 76 Stat. 843. Aug. 14, 1964, Pub. L. 88-426, §102(a), 78 Stat. 400.
(b) .....	5 U.S.C. 1113(c).	Oct. 28, 1949, ch. 782, §603 (d), 63 Stat. 965. Sept. 1, 1954, ch. 1208, §109(c), 68 Stat. 1108.

In subsection (a), the words “the symbol for which is ‘GS’” are added on authority of former section 1111 which is carried into section 5104. So much as related to the Crafts, Protective, and Custodial Schedule is omitted as repealed effective not later than Sept. 11, 1955, by the Act of Sept. 1, 1954, §§109(b), 110(b), 68 Stat. 1108.

In subsection (b), reference to payment made on the basis of a “monthly” rate is omitted since section 5504(b), former section 944(c), no longer provides for converting a basic annual rate to a basic monthly rate.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5332(a) .....	5 App.: 1113(b).	Oct. 29, 1965, Pub. L. 89-301, §2(a), 79 Stat. 1111. July 18, 1966, Pub. L. 89-504, §102(a), 80 Stat. 288.

Editorial Notes

AMENDMENTS

1993—Subsec. (a)(1). Pub. L. 103-89 struck out “, except an employee covered by the performance management and recognition system established under chapter 54,” after “whom this subchapter applies”.

1992—Subsec. (a). Pub. L. 102-378 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The General Schedule, the symbol for which is ‘GS’, is the basic pay schedule for positions to which this subchapter applies. Each employee to whom this subchapter applies, except an employee covered by the performance management and recognition system established under chapter 54 of this title, is entitled to basic pay in accordance with the General Schedule.”

1984—Subsec. (a). Pub. L. 98-615 substituted “the performance management and recognition system established under chapter 54” for “the merit pay system established under section 5402”.

1978—Subsec. (a). Pub. L. 95-454 inserted in second sentence reference to an employee covered by the merit pay system established under section 5402 of this title.

1967—Subsec. (a). Pub. L. 90-206 increased the compensation in each step of each grade.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-89 effective Nov. 1, 1993, see section 3(c) of Pub. L. 103-89, set out as a note under section 3372 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 OF 1984 AMENDMENT

Pub. L. 98-615, title II, §205, Nov. 8, 1984, 98 Stat. 3217, provided that amendment by Pub. L. 98-615 was effective Oct. 1, 1984, and applicable with respect to pay periods commencing on or after that date, with certain exceptions and qualifications.

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.

EFFECTIVE DATE OF 1967 AMENDMENT

Pub. L. 90-206, title II, §220(a)(2), Dec. 16, 1967, 81 Stat. 639, provided, except as otherwise expressly provided, that: “Sections 202 [amending this section and enacting provisions set out as a note under this section], 203 [amending section 3301 of Title 39, The Postal Service], 204 [enacting section 3512A of Title 39, amending sections 3512, and 3513-3531 of Title 39, and enacting provisions set out as a note under section 3512A of Title 39], 205 [amending sections 3542-3544 of Title 39, and enacting provisions set out as notes under sections 3542, 3544, 3552, and 3560 of Title 39], 206 [amending sections 3560, 3573, and 3575 of Title 39, and enacting provisions set out as a note under section 3542 of Title 39], 208 [amending former section 4107 of Title 38, Veterans’ Benefits], 209 [amending sections 867 and 870 of Title 22, Foreign Relations and Intercourse, and enacting provisions set out as a note under section 867 of Title 22], 210 [enacting provisions set out as a note under section 590h of Title 16, Conservation], 211 [enacting provisions set out as a note under this section and section 548 of Title 28, Judiciary and Judicial Procedure], 213 (except subsections (d) and (e)) [enacting provisions set out as notes under sections 603, 604, and 753 of Title 28], 214 (except subsections (j), (k), (l), (n), and (o)) [enacting sections 60e-14, 61-2, 293c, and 4302 of Title 2, The Congress, amending section 1847 of Title 2, and enacting provisions set out as a note under section 8339 of this title], and 216 [enacting provisions set out as a note under section 60e-14 of Title 2] shall become effective as of the beginning of the first pay period which began on or after October 1, 1967.”

SHORT TITLE

Pub. L. 90-206, §1, Dec. 16, 1967, 81 Stat. 613, provided: “That this Act [see Tables for classification] may be cited as the ‘Postal Revenue and Federal Salary Act of 1967.’”

Pub. L. 90-206, title II, §201, Dec. 16, 1967, 81 Stat. 624, provided that: “This title [see Tables for classification] may be cited as the ‘Federal Salary Act of 1967.’”

ADJUSTMENT OF PAY RATES EFFECTIVE OCTOBER 1, 1972

Pub. L. 93-549, Dec. 26, 1974, 88 Stat. 1743, provided that no officer or employee of the United States shall have his or her pay reduced by reason of Ex. Ord. No. 11777, Apr. 12, 1974.

1970 INCREASE IN PAY RATES

Pub. L. 91-231, Apr. 15, 1970, 84 Stat. 195, known as the Federal Employees Salary Act of 1970, and effective on

the first day of the first pay period beginning on or after Dec. 27, 1969, provided for an increase in the rates of basic pay, basic compensation, and salaries contained in the General Schedule, the Postal Field Service Schedule and Rural Carrier Schedule, the schedule relating to certain positions within the Department of Medicine and Surgery of the Veterans' Administration, and the Foreign Service schedules, and also for employees of Agricultural Stabilization and Conservation County Committees, for certain employees of the Legislative and Judicial Branches, for United States Attorneys, and for other employees of the United States Government and the government of the District of Columbia whose rates of pay were fixed by administrative action and not otherwise increased.

INITIAL ADJUSTMENT OF 1967 PAY INCREASES

Pub. L. 90-206, title II, §§202(b), 220(a)(2), Dec. 16, 1967, 81 Stat. 625, 639, effective as of the beginning of the first pay period which began on or after Oct. 1, 1967, made various initial adjustments to the rates of basic pay of officers and employees referred to in the General Schedule set forth in the amendment to this section made by section 202(a) of Pub. L. 90-206.

1967 SALARY INCREASE FOR PERSONS WHOSE COMPENSATION RATES ARE FIXED BY ADMINISTRATIVE ACTION

Pub. L. 90-206, title II, §§211(b)-(d), 220(a)(2), Dec. 16, 1967, 81 Stat. 633, 639, effective as of the beginning of the first pay period which began on or after Oct. 1, 1967, authorized the increase of the rates of pay of certain officers and employees of the Federal Government and of the municipal government of the District of Columbia by amounts not to exceed the increases provided by title II of Pub. L. 90-206 for corresponding rates of pay in the appropriate schedule or scale of pay.

RETROACTIVE COMPENSATION UNDER 1967 PAY INCREASES

Pub. L. 90-206, title II, §218, Dec. 16, 1967, 81 Stat. 638, provided for retroactive pay under title II of Pub. L. 90-206 only in the case of an individual in the service of the United States, including service in the Armed Forces, or the municipal government of the District of Columbia on Dec. 16, 1967, subject to certain restrictions.

Executive Documents

EX. ORD. NO. 14061. ADJUSTMENTS OF CERTAIN RATES OF PAY

Ex. Ord. No. 14061, Dec. 22, 2021, 86 F.R. 73601, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Statutory Pay Systems.* The rates of basic pay or salaries of the statutory pay systems (as defined

in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303, are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

SEC. 2. *Senior Executive Service.* The ranges of rates of basic pay for senior executives in the Senior Executive Service, as established pursuant to 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

SEC. 3. *Certain Executive, Legislative, and Judicial Salaries.* The rates of basic pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312-5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 4501) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

SEC. 4. *Uniformed Services.* The rates of monthly basic pay (37 U.S.C. 203(a)) for members of the uniformed services, as adjusted under 37 U.S.C. 1009, and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)) are set forth on Schedule 8 attached hereto and made a part hereof.

SEC. 5. *Locality-Based Comparability Payments.*

(a) Pursuant to section 5304 of title 5, United States Code, and my authority to implement an alternative level of comparability payments under section 5304a of title 5, United States Code, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the Federal Register.

SEC. 6. *Administrative Law Judges.* Pursuant to section 5372 of title 5, United States Code, the rates of basic pay for administrative law judges are set forth on Schedule 10 attached hereto and made a part hereof.

SEC. 7. *Effective Dates.* Schedule 8 is effective January 1, 2022. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 2022.

SEC. 8. *Prior Order Superseded.* Executive Order 13970 of December 31, 2020, is superseded as of the effective dates specified in section 7 of this order.

J.R. BIDEN, JR.

SCHEDULE 1

General Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

	1	2	3	4	5	6	7	8	9	10
GS-1 .....	\$20,172	\$20,849	\$21,519	\$22,187	\$22,857	\$23,249	\$23,913	\$24,581	\$24,608	\$25,234
GS-2 .....	22,682	23,222	23,973	24,608	24,886	25,618	26,350	27,082	27,814	28,546
GS-3 .....	24,749	25,574	26,399	27,224	28,049	28,874	29,699	30,524	31,349	32,174
GS-4 .....	27,782	28,708	29,634	30,560	31,486	32,412	33,338	34,264	35,190	36,116
GS-5 .....	31,083	32,119	33,155	34,191	35,227	36,263	37,299	38,335	39,371	40,407
GS-6 .....	34,649	35,804	36,959	38,114	39,269	40,424	41,579	42,734	43,889	45,044
GS-7 .....	38,503	39,786	41,069	42,352	43,635	44,918	46,201	47,484	48,767	50,050
GS-8 .....	42,641	44,062	45,483	46,904	48,325	49,746	51,167	52,588	54,009	55,430
GS-9 .....	47,097	48,667	50,237	51,807	53,377	54,947	56,517	58,087	59,657	61,227
GS-10 .....	51,864	53,593	55,322	57,051	58,780	60,509	62,238	63,967	65,696	67,425
GS-11 .....	56,983	58,862	60,781	62,680	64,579	66,478	68,377	70,276	72,175	74,074
GS-12 .....	68,299	70,576	72,853	75,130	77,407	79,684	81,961	84,238	86,515	88,792
GS-13 .....	81,216	83,923	86,630	89,337	92,044	94,751	97,458	100,165	102,872	105,579
GS-14 .....	95,973	99,172	102,371	105,570	108,769	111,968	115,167	118,366	121,565	124,764
GS-15 .....	112,890	116,653	120,416	124,179	127,942	131,705	135,468	139,231	142,994	146,757

SCHEDULE 2

Foreign Service Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Table with 10 columns: Step, Class 1, Class 2, Class 3, Class 4, Class 5, Class 6, Class 7, Class 8, Class 9. Rows 1-14 showing pay scales.

SCHEDULE 3

Veterans Health Administration Schedules, Department of Veterans Affairs

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Schedule for the Office of the Under Secretary for Health (38 U.S.C. 7306) and Directors of Medical Centers and Veterans Integrated Service Networks (38 U.S.C. 7401(4))<sup>1</sup>

Table with 3 columns: Position, Minimum, Maximum. Rows for Physician, Podiatrist, and Dentist Base and Longevity Pay Schedule<sup>3</sup>, and Expanded-Function Dental Auxiliary Schedule<sup>4</sup>.

<sup>1</sup>This schedule does not apply to the Director of Nursing Service or any incumbents who are physicians or dentists.

<sup>2</sup>Pursuant to 38 U.S.C. 7404(a)(3)(B), for positions that are covered by a certified performance appraisal system, the maximum rate of basic pay may not exceed the rate of basic pay payable for level II of the Executive Schedule. For positions that are not covered by a certified performance appraisal system, the maximum rate of basic pay may not exceed the rate of basic pay payable for level III of the Executive Schedule.

<sup>3</sup>Pursuant to 38 U.S.C. 7431, Veterans Health Administration physicians, podiatrists, and dentists paid under the Physician, Podiatrist, and Dentist Base and Longevity Pay schedule may also be paid market pay and performance pay.

<sup>4</sup>Pursuant to section 301(a) of Public Law 102-40 [38 U.S.C. 7451 note], these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b), as in effect on August 14, 1990, with subsequent adjustments.

SCHEDULE 4

Senior Executive Service

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Table with 3 columns: Position, Minimum, Maximum. Rows for Agencies with a Certified SES Performance Appraisal System and Agencies without a Certified SES Performance Appraisal System.

SCHEDULE 5

Executive Schedule

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Table with 3 columns: Level, Minimum, Maximum. Rows Level I through Level V.

SCHEDULE 6

Vice President and Members of Congress

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Table with 2 columns: Position, Pay. Rows Vice President, Senators, Members of the House of Representatives, Delegates to the House of Representatives, Resident Commissioner from Puerto Rico, President pro tempore of the Senate, Majority leader and minority leader of the Senate, Majority leader and minority leader of the House of Representatives, Speaker of the House of Representatives.

SCHEDULE 7

Judicial Salaries

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Table with 2 columns: Position, Pay. Rows Chief Justice of the United States, Associate Justices of the Supreme Court, Circuit Judges, District Judges, Judges of the Court of International Trade.

SCHEDULE 8

Pay of the Uniformed Services

(Effective January 1, 2022)

PART I—MONTHLY BASIC PAY

Years of Service (computed under 37 U.S.C. 205)

Commissioned Officers

Table with 6 columns: Pay Grade, 2 or less, Over 2, Over 3, Over 4, Over 6. Rows O-10<sup>1</sup> through O-1<sup>3</sup> for Commissioned Officers and O-10<sup>1</sup> through O-9 for another set.

SCHEDULE 8—Continued
Pay of the Uniformed Services

Table with 6 columns: Pay Grade, 2 or less, Over 2, Over 3, Over 4, Over 6. Rows include O-8 through O-13 and O-10 through O-13.

1 Basic pay is limited to the rate of basic pay for level II of the Executive Schedule in effect during calendar year 2022, which is \$16,974.90 per month for officers at pay grades O-7 through O-10.

2 Basic pay is limited to the rate of basic pay for level V of the Executive Schedule in effect during calendar year 2022, which is \$13,775.10 per month, for officers at pay grades O-6 and below.

3 Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

Commissioned Officers With Over 4 Years Active Duty Service as an Enlisted Member or Warrant Officer 4

Table with 5 columns: Pay Grade, Over 4, Over 6, Over 8, Over 10. Rows include O-3E through O-1E and O-3E through O-1E.

4 Reservists with at least 1,460 points as an enlisted member, a warrant officer, or a warrant officer and an enlisted member which are creditable toward reserve retirement also qualify for these rates.

Warrant Officers

Table with 6 columns: Pay Grade, 2 or less, Over 2, Over 3, Over 4, Over 6. Rows include W-5 through W-1 and W-5 through W-1.

Warrant Officers—Continued

Table with 6 columns: Pay Grade, 2 or less, Over 2, Over 3, Over 4, Over 6. Rows include W-5 through W-1 and W-5 through W-1.

Enlisted Members

Table with 6 columns: Pay Grade, 2 or less, Over 2, Over 3, Over 4, Over 6. Rows include E-9 through E-13 and E-9 through E-13.

1 For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, Senior Enlisted Advisor of the Space Force, Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, or Senior Enlisted Advisor to the Chief of the National Guard Bureau, basic pay for this grade is \$9,355.50 per month, regardless of cumulative years of service under 37 U.S.C. 205.

2 Applies to personnel who have served 4 months or more on active duty.

<sup>3</sup>Applies to personnel who have served less than 4 months on active duty.

PART II—RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by 37 U.S.C. 203(c) is \$1,217.10.

SCHEDULE 9

Locality-Based Comparability Payments

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

Locality Pay Area <sup>1</sup>	Rate
Alaska .....	30.42%
Albany-Schenectady, NY-MA .....	18.68%
Albuquerque-Santa Fe-Las Vegas, NM .....	17.14%
Atlanta-Athens-Clarke County-Sandy Springs, GA-AL .....	22.63%
Austin-Round Rock, TX .....	18.80%
Birmingham-Hoover-Talladega, AL .....	16.81%
Boston-Worcester-Providence, MA-RI-NH-ME .....	30.09%
Buffalo-Cheektowaga, NY .....	20.78%
Burlington-South Burlington, VT .....	17.62%
Charlotte-Concord, NC-SC .....	18.06%
Chicago-Naperville, IL-IN-WI .....	29.18%
Cincinnati-Wilmington-Maysville, OH-KY-IN .....	20.94%
Cleveland-Akron-Canton, OH .....	21.25%
Colorado Springs, CO .....	18.42%
Columbus-Marion-Zanesville, OH .....	20.69%
Corpus Christi-Kingsville-Alice, TX .....	16.82%
Dallas-Fort Worth, TX-OK .....	25.68%
Davenport-Moline, IA-IL .....	17.58%
Dayton-Springfield-Sidney, OH .....	19.93%
Denver-Aurora, CO .....	28.10%
Des Moines-Ames-West Des Moines, IA .....	16.52%
Detroit-Warren-Ann Arbor, MI .....	27.86%
Harrisburg-Lebanon, PA .....	17.90%
Hartford-West Hartford, CT-MA .....	30.20%
Hawaii .....	20.40%
Houston-The Woodlands, TX .....	33.96%
Huntsville-Decatur-Albertville, AL .....	20.45%
Indianapolis-Carmel-Muncie, IN .....	17.26%
Kansas City-Overland Park-Kansas City, MO-KS .....	17.67%
Laredo, TX .....	19.85%
Las Vegas-Henderson, NV-AZ .....	18.25%
Los Angeles-Long Beach, CA .....	33.61%
Miami-Fort Lauderdale-Port St. Lucie, FL .....	23.80%
Milwaukee-Racine-Waukesha, WI .....	21.32%
Minneapolis-St. Paul, MN-WI .....	25.49%
New York-Newark, NY-NJ-CT-PA .....	35.06%
Omaha-Council Bluffs-Fremont, NE-IA .....	16.93%
Palm Bay-Melbourne-Titusville, FL .....	17.01%
Philadelphia-Reading-Camden, PA-NJ-DE-MD .....	26.95%
Phoenix-Mesa-Scottsdale, AZ .....	20.84%
Pittsburgh-New Castle-Weirton, PA-OH-WV .....	19.90%
Portland-Vancouver-Salem, OR-WA .....	24.34%
Raleigh-Durham-Chapel Hill, NC .....	20.94%
Richmond, VA .....	20.64%
Sacramento-Roseville, CA-NV .....	27.30%
San Antonio-New Braunfels-Pearsall, TX .....	17.39%
San Diego-Carlsbad, CA .....	30.87%
San Jose-San Francisco-Oakland, CA .....	42.74%
Seattle-Tacoma, WA .....	28.28%
St. Louis-St. Charles-Farmington, MO-IL .....	18.35%
Tucson-Nogales, AZ .....	17.77%
Virginia Beach-Norfolk, VA-NC .....	17.18%
Washington-Baltimore-Arlington, DC-MD-VA-WV-PA ..	31.53%
Rest of U.S. ....	16.20%

<sup>1</sup>Locality Pay Areas are defined in 5 CFR 531.603.

SCHEDULE 10

Administrative Law Judges

(Effective on the first day of the first applicable pay period beginning on or after January 1, 2022)

AL-3/A .....	\$117,600
AL-3/B .....	126,600
AL-3/C .....	135,700
AL-3/D .....	144,900
AL-3/E .....	154,100
AL-3/F .....	162,900
AL-2 .....	171,900
AL-1 .....	176,300

PRIOR ADJUSTMENTS OF CERTAIN RATES OF PAY WERE CONTAINED IN THE FOLLOWING:

Ex. Ord. No. 13970, Dec. 31, 2020, 86 F.R. 421, effective Jan. 1, 2021, superseded by Ex. Ord. No. 14061.

Ex. Ord. No. 13901, Dec. 26, 2019, 84 F.R. 72213, effective Jan. 1, 2020, superseded by Ex. Ord. No. 13970.

Ex. Ord. No. 13866, Mar. 28, 2019, 84 F.R. 12853, effective Jan. 1, 2019, superseded by Ex. Ord. No. 13901.

Ex. Ord. No. 13856, Dec. 28, 2018, 84 F.R. 65, effective Jan. 1, 2019, superseded by Ex. Ord. No. 13866.

Ex. Ord. No. 13819, Dec. 22, 2017, 82 F.R. 61431, effective Jan. 1, 2018, superseded by Ex. Ord. No. 13856.

Ex. Ord. No. 13756, Dec. 27, 2016, 81 F.R. 97099, effective Jan. 1, 2017, superseded by Ex. Ord. No. 13819.

Ex. Ord. No. 13715, Dec. 18, 2015, 80 F.R. 80195, effective Jan. 1, 2016, superseded by Ex. Ord. No. 13756.

Ex. Ord. No. 13686, Dec. 19, 2014, 79 F.R. 77361, effective Jan. 1, 2015, superseded by Ex. Ord. No. 13715.

Ex. Ord. No. 13655, Dec. 23, 2013, 78 F.R. 80451, effective Jan. 1, 2014, superseded by Ex. Ord. No. 13686.

Ex. Ord. No. 13641, Apr. 5, 2013, 78 F.R. 21503, effective Jan. 1, 2013, superseded by Ex. Ord. No. 13655.

Ex. Ord. No. 13635, Dec. 27, 2012, 78 F.R. 649, effective Jan. 1, 2013, superseded by Ex. Ord. No. 13641.

Ex. Ord. No. 13594, Dec. 19, 2011, 76 F.R. 80191, effective Jan. 1, 2012, superseded by Ex. Ord. No. 13635.

Ex. Ord. No. 13561, Dec. 22, 2010, 75 F.R. 81817, effective Jan. 1, 2011, superseded by Ex. Ord. No. 13594.

Ex. Ord. No. 13525, Dec. 23, 2009, 74 F.R. 69231, effective Jan. 1, 2010, superseded by Ex. Ord. No. 13561.

Ex. Ord. No. 13483, Dec. 18, 2008, 73 F.R. 78587, effective Jan. 1, 2009, superseded by Ex. Ord. No. 13525.

Ex. Ord. No. 13454, Jan. 4, 2008, 73 F.R. 1481, effective Jan. 1, 2008, superseded by Ex. Ord. No. 13483.

Ex. Ord. No. 13420, Dec. 21, 2006, 71 F.R. 77571, effective Jan. 1, 2007, superseded by Ex. Ord. No. 13454.

Ex. Ord. No. 13393, Dec. 22, 2005, 70 F.R. 76655, effective Jan. 1, 2006, superseded by Ex. Ord. No. 13420.

Ex. Ord. No. 13368, Dec. 30, 2004, 70 F.R. 1147, effective Jan. 1, 2005, superseded by Ex. Ord. No. 13393.

Ex. Ord. No. 13332, Mar. 3, 2004, 69 F.R. 10891, effective Jan. 1, 2004, superseded by Ex. Ord. No. 13368.

Ex. Ord. No. 13322, Dec. 30, 2003, 69 F.R. 231, effective Jan. 1, 2004, superseded by Ex. Ord. No. 13332.

Ex. Ord. No. 13282, Dec. 31, 2002, 68 F.R. 1133, as amended by Ex. Ord. No. 13291, Mar. 21, 2003, 68 F.R. 14525, effective Jan. 1, 2003, superseded by Ex. Ord. No. 13322.

Ex. Ord. No. 13249, Dec. 28, 2001, 67 F.R. 639, effective Jan. 1, 2002, superseded by Ex. Ord. No. 13282, as amended.

Ex. Ord. No. 13182, Dec. 23, 2000, 65 F.R. 82879, 66 F.R. 10057, effective Jan. 1, 2001, superseded by Ex. Ord. No. 13249.

Ex. Ord. No. 13144, Dec. 21, 1999, 64 F.R. 72237, effective Jan. 1, 2000, superseded by Ex. Ord. No. 13182.

Ex. Ord. No. 13106, Dec. 7, 1998, 63 F.R. 68151, effective Jan. 1, 1999, substantially superseded by Ex. Ord. No. 13144.

Ex. Ord. No. 13071, Dec. 29, 1997, 62 F.R. 68521, effective Jan. 1, 1998, superseded by Ex. Ord. No. 13106.

Ex. Ord. No. 13033, Dec. 27, 1996, 61 F.R. 68987, effective Jan. 1, 1997, superseded by Ex. Ord. No. 13071.

Ex. Ord. No. 12990, Feb. 29, 1996, 61 F.R. 8467, effective Jan. 1, 1996, superseded by Ex. Ord. No. 13033.

Ex. Ord. No. 12984, Dec. 28, 1995, 61 F.R. 237, as amended by Ex. Ord. No. 12990, §3, Feb. 29, 1996, 61 F.R. 8467, effective Jan. 1, 1996, superseded by Ex. Ord. No. 13033.

Ex. Ord. No. 12944, Dec. 28, 1994, 60 F.R. 309, effective Jan. 1, 1995, superseded by Ex. Ord. No. 12984, as amended.

Ex. Ord. No. 12886, Dec. 23, 1993, 58 F.R. 68709, effective Jan. 1, 1994, superseded by Ex. Ord. No. 12944.

Ex. Ord. No. 12826, Dec. 30, 1992, 57 F.R. 62909, as amended by Ex. Ord. No. 12886, §3, Dec. 23, 1993, 58 F.R. 68709, effective Jan. 1, 1993, superseded by Ex. Ord. No. 12944.

Ex. Ord. No. 12786, Dec. 26, 1991, 56 F.R. 67453, effective Jan. 1, 1992, superseded by Ex. Ord. No. 12826, as amended.

Ex. Ord. No. 12736, Dec. 12, 1990, 55 F.R. 51385, effective Jan. 1, 1991, superseded by Ex. Ord. No. 12786.

Ex. Ord. No. 12698, Dec. 23, 1989, 54 F.R. 53473, effective Jan. 1 and 31, 1990, superseded by Ex. Ord. No. 12736.

Ex. Ord. No. 12663, Jan. 6, 1989, 54 F.R. 791, effective Jan. 1, 1989, superseded by Ex. Ord. No. 12698.

Ex. Ord. No. 12622, Dec. 31, 1987, 53 F.R. 222, effective Jan. 1, 1988, superseded by Ex. Ord. No. 12663.

Ex. Ord. No. 12578, Dec. 31, 1986, 52 F.R. 505, effective Jan. 1, 1987, superseded by Ex. Ord. No. 12622.

Ex. Ord. No. 12496, Dec. 28, 1984, 50 F.R. 211, as amended by Ex. Ord. No. 12540, Dec. 30, 1985, 51 F.R. 577, effective Jan. 1, 1985, superseded by Ex. Ord. No. 12578.

Ex. Ord. No. 12456, Dec. 30, 1983, 49 F.R. 347, as amended by Ex. Ord. No. 12477, May 23, 1984, 49 F.R. 22041; Ex. Ord. No. 12487, Sept. 14, 1984, 49 F.R. 36493, effective Jan. 1, 1984, superseded by Ex. Ord. No. 12496, as amended.

Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, effective Oct. 1, 1982, superseded by Ex. Ord. No. 12456, as amended.

Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, effective Oct. 1, 1981, superseded by Ex. Ord. No. 12387.

Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, effective Oct. 1, 1980, superseded by Ex. Ord. No. 12330.

Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 58671, as amended by Ex. Ord. No. 12200, Mar. 12, 1980, 44 F.R. 16443, effective Oct. 1, 1979, superseded by Ex. Ord. No. 12248.

Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, effective Oct. 1, 1978, superseded by Ex. Ord. No. 12165, as amended.

Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, effective Oct. 1, 1977, superseded by Ex. Ord. No. 12087.

Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43899, as amended by Ex. Ord. No. 11943, Oct. 25, 1976, 41 F.R. 47213, effective Oct. 1, 1976, superseded by Ex. Ord. No. 12010.

Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091, effective Oct. 1, 1975, superseded by Ex. Ord. No. 11941, as amended.

Ex. Ord. No. 11811, Oct. 7, 1974, 39 F.R. 36302, effective Oct. 1, 1974, superseded by Ex. Ord. No. 11883.

Ex. Ord. No. 11739, Oct. 3, 1973, 38 F.R. 27581, effective Oct. 1, 1973, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11691, Dec. 15, 1972, 37 F.R. 27607, as amended by Ex. Ord. No. 11777, Apr. 12, 1974, 39 F.R. 13519, effective Oct. 1, 1972, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11637, Dec. 22, 1971, 36 F.R. 24911, effective Jan. 1, 1972, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11576, Jan. 8, 1971, 36 F.R. 347, effective Jan. 1, 1971, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11524, Apr. 15, 1970, 35 F.R. 6247, effective first pay period on or after Dec. 27, 1969, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11474, June 16, 1969, 34 F.R. 9605, effective July 1, 1969, superseded by Ex. Ord. No. 11811.

Ex. Ord. No. 11413, June 11, 1968, 33 F.R. 8641, effective July 1, 1968, superseded by Ex. Ord. No. 11811.

#### FREEZING FEDERAL EMPLOYEE PAY SCHEDULES AND RATES THAT ARE SET BY ADMINISTRATIVE DISCRETION

Memorandum of President of the United States, Dec. 22, 2010, 75 F.R. 81829, provided:

Memorandum for the Heads of Executive Departments and Agencies

On November 29, 2010, I proposed a two-year freeze in the pay of civilian Federal employees as the first of a number of difficult actions required to put our Nation on a sound fiscal footing. As I said then, Federal workers are not just a line in a budget. They are public servants who, like their private sector counterparts, may be struggling in these difficult economic times.

Despite the sacrifices that I knew a pay freeze would entail for our dedicated civil servants, I concluded that a two-year freeze in the upward statutory adjustment of pay schedules is a necessary first step in our effort to address the challenge of our fiscal reality. The Congress responded to my proposal by including such a freeze in the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (H.R. 3082) [Pub. L. 111-322], which I signed into law today (the "Act"). The Act freezes statutory pay adjustments for all executive branch pay schedules for a two-year period. It also generally prohibits executive departments and agencies from providing any base salary increases at all to senior executives or senior level employees, including performance-based increases.

While this legislation will prevent adjustments in executive branch pay schedules that are made by statute, some laws allow such adjustments to be made by agency heads as an exercise of administrative discretion. In order to ensure consistent treatment of executive branch employees and to promote the fiscal purposes of my original proposal, agency heads who have such discretion should not provide any upward adjustments in Federal employees' pay schedules or rates during the two-year period covered by the statutory pay freeze.

Accordingly, you should suspend any increases to any pay systems or pay schedules covering executive branch employees that could otherwise take effect as a result of an exercise of administrative discretion during the period beginning on January 1, 2011, and ending on December 31, 2012. You also should forgo any general increases (including general increases for a geographic area, such as locality pay) in covered employees' rates of pay that could otherwise take effect as a result of the exercise of administrative discretion during the same period. To the extent that an agency pay system provides performance-based increases in lieu of general increases, funds allocated for those performance-based increases should be correspondingly reduced to reflect the freezing of the employees' base pay schedule.

This memorandum shall be carried out to the extent permitted by law and consistent with executive departments' and agencies' legal authorities. This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Director of the Office of Personnel Management shall issue guidance on implementing this memorandum, and is also hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

#### FEDERAL EMPLOYEE PAY SCHEDULES AND RATES THAT ARE SET BY ADMINISTRATIVE DISCRETION

Memorandum of President of the United States, Dec. 21, 2012, 78 F.R. 647, provided:

Memorandum for the Heads of Executive Departments and Agencies

On December 22, 2010, I issued a memorandum stating that the heads of executive departments and agencies should suspend any increases to any pay systems or pay schedules covering executive branch employees, and should forgo any general increases in covered employees' rates of pay, that could otherwise take effect as a result of the exercise of administrative discretion during the period beginning on January 1, 2011, and ending on December 31, 2012. In light of section 114 of the Continuing Appropriations Resolution, 2013 (Public Law 112-175), I am hereby instructing the heads of executive departments and agencies that they should continue to adhere to this policy through March 27, 2013, the date after which statutory pay adjustments may be made pursuant to section 114 of Public Law 112-175.

This memorandum shall be carried out to the extent permitted by law and consistent with executive departments' and agencies' legal authorities. This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Director of the Office of Personnel Management shall issue any necessary guidance on implementing this memorandum, and is also hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

Memorandum of President of the United States, Apr. 5, 2013, 78 F.R. 21213, provided:

Memorandum for the Heads of Executive Departments and Agencies

Section 1112 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), re-

flects the Congress's decision to continue to deny statutory adjustments to any pay systems or pay schedules covering executive branch employees. In light of the Congress's action, I am instructing heads of executive departments and agencies to continue through December 31, 2013, to adhere to the policy set forth in my memoranda of December 22, 2010, and December 21, 2012, regarding general increases in pay schedules and employees' rates of pay that might otherwise take effect as a result of the exercise of administrative discretion.

This memorandum shall be carried out to the extent permitted by law and consistent with executive departments' and agencies' legal authorities. This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Director of the Office of Personnel Management shall issue any necessary guidance on implementing this memorandum, and is also hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

**§ 5333. Minimum rate for new appointments**

New appointments shall be made at the minimum rate of the appropriate grade. However, under regulations prescribed by the Office of Personnel Management which provide for such considerations as the existing pay or unusually high or unique qualifications of the candidate, or a special need of the Government for his services, the head of an agency may appoint, with the approval of the Office in each specific case, an individual to a position at such a rate above the minimum rate of the appropriate grade as the Office may authorize for this purpose. The approval of the Office in each specific case is not required with respect to an appointment made by the Librarian of Congress.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 467; Pub. L. 90-83, §1(19), Sept. 11, 1967, 81 Stat. 199; Pub. L. 95-454, title IX, §906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224; Pub. L. 96-54, §2(a)(26)(A), Aug. 14, 1979, 93 Stat. 382; Pub. L. 101-509, title V, §529 [title I, §106, title II, §211(b)(1)], Nov. 5, 1990, 104 Stat. 1427, 1449, 1461.)

HISTORICAL AND REVISION NOTES  
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a) .....	5 U.S.C. 1131.	Oct. 28, 1949, ch. 782, §801, 63 Stat. 969. Aug. 14, 1964, Pub. L. 88-426, §103(a), 78 Stat. 401.
(b) .....	5 U.S.C. 1133.	Oct. 28, 1949, ch. 782, §803, 63 Stat. 970. Sept. 1, 1954, ch. 1208, §104, 68 Stat. 1106. Oct. 11, 1962, Pub. L. 87-793, §604(c), 76 Stat. 848.

In subsection (b), the word "scheduled" is omitted since section 603 of the Act of Oct. 11, 1962, Pub. L. 87-793, 76 Stat. 847, eliminated the necessity of referring to rates as scheduled or longevity.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5333(a) .....	5 App.: 1131.	July 18, 1966, Pub. L. 89-504, §103, 80 Stat. 289.

**Editorial Notes**

AMENDMENTS

1990—Pub. L. 101-509 struck out “; higher rates for supervisors of prevailing rate employees” after “appointments” in section catchline, struck out “(a)” before “New appointments shall”, struck out “in GS-11 or above” after “individual to a position”, and struck out subsec. (b) which read as follows: “Under regulations prescribed by the Office of Personnel Management, an employee in a position to which this subchapter applies, who regularly has responsibility for supervision (including supervision over the technical aspects of the work concerned) over employees whose pay is fixed and adjusted from time to time by wage boards or similar administrative authority as nearly as is consistent with the public interest in accordance with prevailing rates, may be paid at one of the rates for his grade which is above the highest rate of basic pay being paid to any such prevailing-rate employee regularly supervised, or at the maximum rate for his grade, as provided by the regulations.”

1979—Pub. L. 96-54 substituted “prevailing rate” for “wage-board” in section catchline.

1978—Subsecs. (a), (b). Pub. L. 95-454 substituted “Office of Personnel Management” and “Office” for “Civil Service Commission” and “Commission”, respectively, wherever appearing.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 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 a note under section 5301 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-54 effective July 12, 1979, see section 2(b) of Pub. L. 96-54, set out as a note under section 305 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

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

**§ 5334. Rate on change of position or type of appointment; regulations**

(a) The rate of basic pay to which an employee is entitled is governed by regulations prescribed by the Office of Personnel Management in conformity with this subchapter and chapter 51 of this title when—

- (1) he is transferred from a position in the legislative, judicial, or executive branch to which this subchapter does not apply;
- (2) he is transferred from a position in the legislative, judicial, or executive branch to which this subchapter applies to another such position;
- (3) he is demoted to a position in a lower grade;
- (4) he is reinstated, reappointed, or reemployed in a position to which this subchapter applies following service in any position in the legislative, judicial, or executive branch;