1981—Pub. L. 97–35 substituted ''subchapter'' for ''chapter'' in provision preceding par. (1).

1978—Par. (2)(A). Pub. L. 95–454 inserted reference to an employee covered by merit pay system established under section 5402 of this title.

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 1984 AMENDMENT

Section 205 of Pub. L. 98–615 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 1981 AMENDMENT

Section 1703(c) of Pub. L. 97–35 provided that: ''The amendments made by this section [enacting subchapter II of this chapter, designating this section and sections 4502 to 4507 of this title as subchapter I, and amending this section and sections 4502, 4505, and 4506 of this title] shall take effect on October 1, 1981.''

EFFECTIVE DATE OF 1978 AMENDMENT

Section 504(a) of Pub. L. 95–454 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.

EX. ORD. NO. 12976. COMPENSATION PRACTICES OF GOVERNMENT CORPORATIONS

Ex. Ord. No. 12976, Oct. 5, 1995, 60 F.R. 52829, 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, and sections 1105, 1108, and 1111 of title 31, United States Code, it is hereby ordered as follows:

SECTION 1. *Statement of Presidential Principles*.

Government corporations subject to this order should not pay bonuses in excess of those authorized by sections 4501 through 4507 of title 5, United States Code, except as otherwise specifically provided by law.

SEC. 2. *Administration Review*. (a) Before taking action to approve any bonus in excess of those authorized in section 4502 of title 5, United States Code, each corporation subject to this section (as provided in section 6 of this order) shall submit information to the Director of the Office of Management and Budget (OMB) relating to such bonuses as provided in subsection (b). Such corporation shall refrain from approving any such bonus until the Director of OMB has had an opportunity to review the information provided by the corporation.

(b) The Director of OMB shall issue instructions to the corporations subject to this section specifying when information is to be submitted, and the content and form of such information.

SEC. 3. *Information Reporting Requirements*. (a) Government corporations subject to this order will provide information to the Director of OMB relating to the compensation practices for senior executives of such corporations as provided in subsection (c).

(b) Information submitted shall include the following with respect to senior executives of each corporation subject to this section:

(1) the compensation plan, procedures, and structure of such corporation;

(2) base salary levels, annual bonuses, and other compensation; and

(3) information supporting the senior executive compensation plan and levels.

(c) The Director of OMB shall issue instructions to the corporations subject to this section specifying when information is to be submitted, and the content and form of such information.

SEC. 4. *Review*. (a) OMB, in consultation with the Department of Labor, will review the information submitted pursuant to section 3, taking into consideration:

(1) consistency with statutory requirements;

(2) consistency with corporate mission;

(3) standards of Federal management and efficiency; and

(4) equivalent private sector compensation practices.

SEC. 5. *Public Dissemination Requirement*. Government corporations subject to this order shall make available through public dissemination the information submitted pursuant to section 3 of this order.

SEC. 6. *Coverage*. This order will apply to all mixed-ownership and wholly owned corporations listed in section 9101(2) and (3) of title 31, United States Code. Section 2 shall apply only to wholly owned corporations except such corporations that have specific authority to approve bonuses in excess of those authorized under sections 4501 through 4507 of title 5, United States Code.

SEC. 7. *Administration*. All corporations subject to this order shall provide any information in the manner and form, and at the time, requested pursuant to this order by the Director of OMB.

SEC. 8. This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any other person.

WILLIAM J. CLINTON.

§ 4502. General provisions

(a) Except as provided by subsection (b) of this section, a cash award under this subchapter may not exceed $10,000.

(b) When the head of an agency certifies to the Office of Personnel Management that the suggestion, invention, superior accomplishment, or other meritorious effort for which the award is proposed is highly exceptional and unusually outstanding, a cash award in excess of $10,000 but not in excess of $25,000 may be granted with the approval of the Office.

(c) A cash award under this subchapter is in addition to the regular pay of the recipient. Acceptance of a cash award under this subchapter constitutes an agreement that the use by the Government of an idea, method, or device for which the award is made does not form the basis of a further claim of any nature against the Government by the employee, his heirs, or assigns.

(d) A cash award to, and expense for the honorary recognition of, an employee may be paid from the fund or appropriation available to the activity primarily benefiting or the various activities benefiting. The head of the agency concerned determines the amount to be paid by each activity for an agency award under section 4503 of this title. The President determines the amount to be paid by each activity for a Presidential award under section 4504 of this title.

(e) The Office of Personnel Management may by regulation permit agencies to grant employees time off from duty, without loss of pay or charge to leave, as an award in recognition of superior accomplishment or other personal effort that contributes to the quality, efficiency, or economy of Government operations.

(f) The Secretary of Defense may grant a cash award under subsection (b) of this section with-

out regard to the requirements for certification and approval provided in that subsection.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 442; Pub. L. 95–454, title V, § 503(b), (c), Oct. 13, 1978, 92 Stat. 1183; Pub. L. 97–35, title XVII, § 1703(b)(2), Aug. 13, 1981, 95 Stat. 756; Pub. L. 101–509, title V, § 529 [title II, § 201], Nov. 5, 1990, 104 Stat. 1427, 1455; Pub. L. 103–89, § 3(b)(1)(D), Sept. 30, 1993, 107 Stat. 981; Pub. L. 106–398, § 1 [[div. A], title XI, § 1132], Oct. 30, 2000, 114 Stat. 1654, 1654A–318.)

HISTORICAL AND REVISION NOTES

Derivation	*U.S. Code*	*Revised Statutes and Statutes at Large*
.....	5 U.S.C. 2123(d), (e), (g).	Sept. 1, 1954, ch. 1208, § 304(d), (e), (g), 68 Stat. 1113.

In subsections (a) and (b), the words ''cash award'' are substituted for ''monetary award'' and ''such award'' to conform to the remainder of the chapter.

In subsection (c), the word ''Government'' is substituted for ''Government of the United States or the government of the District of Columbia'' in view of the definition of ''Government'' in section 4501.

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

2000—Subsec. (f). Pub. L. 106–398 added subsec. (f).

1993—Subsec. (e). Pub. L. 103–89 struck out par. (2) designation and struck out par. (1) which read as follows: ''Notwithstanding section 4501(2), for the purpose of this subsection, 'employee' includes an employee covered by the performance management and recognition system established under chapter 54.''

1990—Subsec. (e). Pub. L. 101–509 added subsec. (e).

1981—Subsecs. (a), (c). Pub. L. 97–35 substituted ''subchapter'' for ''chapter''.

1978—Subsec. (a). Pub. L. 95–454, § 503(b), substituted ''$10,000'' for ''$5,000''.

Subsec. (b). Pub. L. 95–454, § 503(c), substituted ''Office of Personnel Management'' for ''Civil Service Commission'', ''$10,000'' for ''$5,000'', and ''Office'' for ''Commission''.

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 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 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

Section 504(a) of Pub. L. 95–454 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.

DELEGATION OF FUNCTIONS

Functions of President under former section 2123(e) [now subsec. (d)] of this section delegated to Director of Office of Personnel Management, see section 2 of Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739, set out as a note under section 301 of Title 3, The President.

§ 4503. Agency awards

The head of an agency may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who—

(1) by his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations or achieves a significant reduction in paperwork; or

(2) performs a special act or service in the public interest in connection with or related to his official employment.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 443; Pub. L. 95–454, title V, § 502(a), Oct. 13, 1978, 92 Stat. 1183.)

HISTORICAL AND REVISION NOTES

Derivation	*U.S. Code*	*Revised Statutes and Statutes at Large*
.....	5 U.S.C. 2123(a).	Sept. 1, 1954, ch. 1208, § 304(a), 68 Stat. 1113.

The word ''employee'' is substituted for ''civilian officers and employees of the Government'' in view of the definition of ''employee'' in section 4501.

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

1978—Par. (1). Pub. L. 95–454 inserted ''or achieves a significant reduction in paperwork''.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 504(a) of Pub. L. 95–454 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.

§ 4504. Presidential awards

The President may pay a cash award to, and incur necessary expense for the honorary recognition of, an employee who—

(1) by his suggestion, invention, superior accomplishment, or other personal effort contributes to the efficiency, economy, or other improvement of Government operations or achieves a significant reduction in paperwork; or

(2) performs an exceptionally meritorious special act or service in the public interest in connection with or related to his official employment.

A Presidential award may be in addition to an agency award under section 4503 of this title.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 443; Pub. L. 95–454, title V, § 502(b), Oct. 13, 1978, 92 Stat. 1183.)

HISTORICAL AND REVISION NOTES

Derivation	*U.S. Code*	*Revised Statutes and Statutes at Large*
.....	5 U.S.C. 2123(b).	Sept. 1, 1954, ch. 1208, § 304(b), 68 Stat. 1113.