the employee if written, a summary thereof when made orally, the notice of
decision and reasons therefor, and any
order affecting an action covered by
this section, together with any sup-
porting material, shall be maintained
by Personnel and shall be furnished to
the GAO Personnel Appeals Board upon
its request and to the employee af-
fected upon the employee’s request.

(e) Nonapplicability. This section does
not apply to—
(1) Employees who are serving a trial
period under an initial appointment or
who has not completed 1 year of cur-
rent continuous employment under
other than a temporary appointment
limited to 1 year or less.
(2) A suspension or removal of an em-
ployee in the interests of national se-
curity.
(3) A reduction in force.
(4) The reduction in grade of a super-
visor or manager who has not com-
pleted the probationary period.
(5) A reduction in grade or removal
for unacceptable performance under
part 4.
(6) An action ordered by the GAO
Personnel Appeals Board.

§ 7.7 Other appeals and grievances.
The personnel system shall provide
procedures for the processing of com-
plaints and grievances which are not
otherwise provided for.

§ 7.8 Services to employees.
The provisions of chapter 79 of title 5,
United States Code, and the Office of
Personnel Management implementing
regulations apply to Government Ac-
countability Office employees.

PART 8—INSURANCE AND
ANNUITIES


§ 8.1 Applicable law and regulations.
The provisions of subpart G, title 5,
United States Code and implementing
regulations for the Executive Branch
covering compensation for work inju-
ries, retirement, unemployment com-
pensation, life insurance, and health
insurance apply to Government Ac-
countability Office employees.
[45 FR 68380, Oct. 15, 1980, as amended at 47
FR 56979, Dec. 22, 1982]

PART 9—SENIOR EXECUTIVE
SERVICE


§ 9.1 GAO Senior Executive Service.
(a) The Comptroller General may
promulgate regulations establishing a
Government Accountability Office Sen-
ior Executive Service which meets the
requirements set forth in section 3131
of title 5, United States Code, which
provides—

§ 3131 The GAO Senior Executive Service
The Senior Executive Service shall be ad-
ministered so as to—
(1) Provide for a compensation system, in-
cluding salaries, benefits, and incentives,
designed to attract and retain highly com-
petent senior executives;
(2) Ensure that compensation, retention,
and tenure are contingent on executive suc-
cess which is measured on the basis of indi-
vidual and organizational performance (in-
cluding such factors as improvements in effi-
ciency, productivity, quality of work or serv-
ice, cost efficiency, and timeliness of per-
formance and success in meeting equal em-
ployment opportunity goals);
(3) Assure that senior executives are ac-
countable and responsible for the effective-
ness and productivity of employees under
them;
(4) Recognize exceptional accomplishment;
(5) Enable the head of an agency to reas-
sign senior executives to best accomplish the
agency’s mission;
(6) Provide for severance pay, early retire-
ment, and placement assistance for senior
executives who are removed from the Senior
Executive Service for nondisciplinary rea-
sons;
(7) Protect senior executives from arbi-
trary or capricious actions;
(8) Provide for program continuity in the
management of GAO programs;
(9) Maintain a merit personnel system free
of prohibited personnel practices;
(10) Ensure accountability for honest, eco-
nomical, and efficient Government;
(11) Ensure compliance with all applicable
personnel laws, rules, and regulations, in-
cluding those related to equal employment
opportunity, political activity, and conflicts
of interest;
Government Accountability Office

(12) Provide for the initial and continuing systematic development of highly competent senior executives;

(13) Provide for an executive system which is guided by the public interest and free from improper political interference; and

(14) Appoint career executives to fill Senior Executive Service positions to the extent practicable, consistent with the effective and efficient implementation of agency policies and responsibilities.

(b) Requirements for positions included in the GAO Senior Executive System. The GAO Senior Executive Service may include—

(1) The 100 positions authorized by 31 U.S.C. 732(c)(4);

(2) The position of the General Counsel authorized by 31 U.S.C. 731(c);

(3) The 5 positions authorized by 31 U.S.C. 731(d); and


PART 11—RECOGNITION OF ATTORNEYS AND OTHER REPRESENTATIVES

Sec.

11.1 Right to representation before the Government Accountability Office.

11.2 Practice by attorneys.

11.3 Authority to represent in payment cases.

11.4 Authority to represent in other cases.

11.5 Revocation of authority to represent.


§ 11.1 Right to representation before the Government Accountability Office.

Each person having a claim or other rights assertable in the Government Accountability Office may pursue such claim or right individually or through an attorney or other representative.

§ 11.2 Practice by attorneys.

Any person who is a member in good standing of the bar of the Supreme Court of the United States or of the highest court of any State, territory, or the District of Columbia, and is not under any order of any court suspending, enjoining, restraining, disbarring, or otherwise restricting him in the practice of law, may represent others before the Government Accountability Office.

§ 11.3 Authority to represent in payment cases.

In the prosecution of claims involving payments to be made by the United States, a proper power of attorney is required before an attorney or other representative may be recognized. A power of attorney from the principal may also be requested in other cases.

§ 11.4 Authority to represent in other cases.

When an attorney acting in a representative capacity appears in person or signs a document submitted to the Government Accountability Office in connection with a matter other than one involving a payment to be made by the United States, his personal appearance or signature shall constitute a representation that he is authorized and qualified to represent the particular party in whose behalf he acts. In the case of representatives other than attorneys, a simple written declaration from the principal will be accepted as evidence of the authority of the representative to act on behalf of the principal.

§ 11.5 Revocation of authority to represent.

Prior to the conclusion of action by the Government Accountability Office on a matter in which a principal is represented by another person whose authority to act is established under either §11.3 or §11.4, the principal may revoke the authority of his representative. Such revocation is not effective unless it is in writing and signed by the principal and until the written revocation is received by the Government Accountability Office. Upon notification of the death of the principal during the pendency of any matter involving representation of the principal by an attorney or other party, the Government Accountability Office will consider the representative’s authority to have been automatically revoked.