

(Pub. L. 100-458, title I, §119, Oct. 1, 1988, 102 Stat. 2176; Pub. L. 101-163, title III, §320, Nov. 21, 1989, 103 Stat. 1068; Pub. L. 101-520, title III, §313(c), Nov. 5, 1990, 104 Stat. 2282.)

#### AMENDMENTS

1990—Subsec. (a)(6) to (11). Pub. L. 101-520 struck out “and” at end of par. (6), added pars. (7) to (11), and struck out former par. (7) which read as follows: “To make other necessary expenditures including official reception and representation expenses.”

1989—Subsec. (a)(7). Pub. L. 101-163 substituted “To make other necessary expenditures including official reception and representation expenses” for “make other necessary expenditures”.

#### REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1105, 1106 of this title.

### § 1109. Authorization for appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this chapter.

(Pub. L. 100-458, title I, §120, Oct. 1, 1988, 102 Stat. 2176.)

### § 1110. Appropriations

There is appropriated to the fund the sum of \$7,500,000 to carry out this chapter.

(Pub. L. 100-458, title I, §121, Oct. 1, 1988, 102 Stat. 2176.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1105 of this title.

## CHAPTER 23—GOVERNMENT EMPLOYEE RIGHTS

Sec.	
1201.	Short title; purpose; definition. (a) Short title. (b) Purpose. (c) “Violation” defined.
1202.	Discriminatory practices prohibited. (a) Practices. (b) Remedies.
1203 to 1218.	Repealed.
1219.	Coverage of Presidential appointees. (a) In general. (b) Presidential appointee.
1220.	Coverage of previously exempt State employees. (a) Application. (b) Enforcement by administrative action. (c) Judicial review. (d) Standard of review. (e) Attorney’s fees.
1221 to 1224.	Repealed.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1435 of this title.

### § 1201. Short title; purpose; definition

#### (a) Short title

This chapter may be cited as the “Government Employee Rights Act of 1991”.

#### (b) Purpose

The purpose of this chapter is to provide procedures to protect the rights of certain government<sup>1</sup> employees, with respect to their public employment, to be free of discrimination on the basis of race, color, religion, sex, national origin, age, or disability.

#### (c) “Violation” defined

For purposes of this chapter, the term “violation” means a practice that violates section 1202(a) of this title.

(Pub. L. 102-166, title III, §301, Nov. 21, 1991, 105 Stat. 1088; Pub. L. 103-283, title III, §312(f)(1), July 22, 1994, 108 Stat. 1446; Pub. L. 104-1, title V, §504(a)(1), Jan. 23, 1995, 109 Stat. 40.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title III of Pub. L. 102-166, Nov. 21, 1991, 105 Stat. 1088, which is classified generally to this chapter. For complete classification of title III to the Code, see Tables.

#### AMENDMENTS

1995—Pub. L. 104-1 amended section generally, substituting “rights of certain government employees” for “right of Senate and other government employees” in subsec. (b) and striking out definitions of “Senate employee” and “head of employing office” in subsec. (c).

1994—Subsec. (c)(1)(B) to (D). Pub. L. 103-283, which directed the amendment of subsec. (c) by striking out subpar. (B), redesignating subpars. (C) and (D) as (B) and (C), respectively, and striking out “or (B)” after “described in subparagraph (A)” in subpars. (B) and (C), was executed by making the amendment to subsec. (c)(1) to reflect the probable intent of Congress. Prior to amendment, subpar. (B) read as follows: “any employee of the Architect of the Capitol who is assigned to the Senate Restaurants or to the Superintendent of the Senate Office Buildings;”.

#### EFFECTIVE DATE

Chapter effective Nov. 21, 1991, except as otherwise provided, see section 402 of Pub. L. 102-166, set out as an Effective Date of 1991 Amendment note under section 1981 of Title 42, The Public Health and Welfare.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 607 of this title.

### § 1202. Discriminatory practices prohibited

#### (a) Practices

All personnel actions affecting the Presidential appointees described in section 1219 of this title or the State employees described in section 1220 of this title shall be made free from any discrimination based on—

- (1) race, color, religion, sex, or national origin, within the meaning of section 2000e-16 of title 42;
- (2) age, within the meaning of section 633a of title 29; or
- (3) disability, within the meaning of section 791 of title 29 and sections 12112 to 12114 of title 42.

#### (b) Remedies

The remedies referred to in sections 1219(a)(1) and 1220(a) of this title—

- (1) may include, in the case of a determination that a violation of subsection (a)(1) or

<sup>1</sup> So in original. Probably should be capitalized.