

establishment to the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, and the Office of Administration. Any such office to which an employee has been detailed for service to such office shall reimburse the detailing department, agency, or establishment for the pay of each employee thereof—

(1) who is so detailed, and

(2) who is performing services which have been or would otherwise be performed by an employee of such office,

for any period occurring during any fiscal year after 180 calendar days after the employee is detailed in such year.

(Added Pub. L. 95-570, §3(a), Nov. 2, 1978, 92 Stat. 2449.)

#### EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

#### AUTHORITY WITH RESPECT TO DETAILED EMPLOYEES

Pub. L. 107-67, title VI, §637, Nov. 12, 2001, 115 Stat. 553, provided that: "During fiscal year 2002 and thereafter, the head of an entity named in 3 U.S.C. 112 may, with respect to civilian personnel of any branch of the Federal Government performing duties in such entity, exercise authority comparable to the authority that may by law (including chapter 57 and sections 8344 and 8468 of title 5, United States Code) be exercised with respect to the employees of an Executive agency (as defined in 5 U.S.C. 105) by the head of such Executive agency, and the authority granted by this section shall be in addition to any other authority available in law."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 113 of this title.

### § 113. Personnel report

(a) The President shall transmit to each House of the Congress, and make available to the public, reports containing information described in subsection (b) for each fiscal year beginning on or after the effective date of this section. Each such report shall be transmitted no later than 60 days after the close of the fiscal year covered by such report and shall contain a statement of such information for such year.

(b) Each report required under subsection (a) shall contain—

(1) the number of employees who are paid at a rate of basic pay equal to or greater than the rate of basic pay then currently paid for level V of the Executive Schedule of section 5316 of title 5 and who are employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, or the Office of Administration, and the aggregate amount paid to such employees;

(2) the number of employees employed in such offices who are paid at a rate of basic pay which is equal to or greater than the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5 but which is less than the rate then currently paid for level V of the Executive Schedule of section 5316 of title V<sup>1</sup> and the aggregate amount paid to such employees;

(3) the number of employees employed in such offices who are paid at a rate of basic pay which is less than the minimum rate then currently paid for GS-16 of the General Schedule of section 5332 of title V<sup>1</sup>, and the aggregate amount paid to such employees;

(4) the number of individuals detailed under section 112 of this title for more than 30 days to each such office, the number of days in excess of 30 each individual was detailed, and the aggregate amount of reimbursement made as provided by the provisions of section 112 of this title; and

(5) the number of individuals whose services as experts or consultants are procured under this chapter for service in any such office, the total number of days employed, and the aggregate amount paid to procure such services.

The information required under this subsection to be in any report shall be shown both in the aggregate and by office involved.

(Added Pub. L. 95-570, §3(a), Nov. 2, 1978, 92 Stat. 2449.)

#### REFERENCES IN TEXT

For the effective date of this section, referred to in subsec. (a), see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

#### EFFECTIVE DATE

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which the report required by subsec. (a) of this section is listed on page 21), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

#### 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.

#### REPORT ON WHITE HOUSE OFFICE PERSONNEL

Pub. L. 103-270, §6, June 30, 1994, 108 Stat. 737, provided that:

"(a) SUBMISSION OF REPORT.—On July 1 of each year, the President shall submit a report described in subsection (b) to the Committee on Governmental Affairs of the Senate and the Committee on Government Operations of the House of Representatives.

"(b) CONTENTS.—A report under subsection (a) shall, except as provided in subsection (c), include—

"(1) a list of each individual—

"(A) employed by the White House Office; or

"(B) detailed to the White House Office; and

"(2) with regard to each individual described in paragraph (1), the individual's—

"(A) name;

"(B) position and title; and

"(C) annual rate of pay.

"(c) EXCLUSION FROM REPORT.—If the President determines that disclosure of any item of information de-

<sup>1</sup> So in original. Probably should be title "5".

scribed in subsection (b) with respect to any particular individual would not be in the interest of the national defense or foreign policy of the United States—

“(1) a report under subsection (a) shall—

“(A) exclude such information with respect to that individual; and

“(B) include a statement of the number of individuals with respect to whom such information has been excluded; and

“(2) at the request of the Committee on Governmental Affairs of the Senate or the Committee on Government Operations of the House of Representatives, the information that was excluded from the report shall be made available for inspection by such committee.”

[Committee on Government Operations of House of Representatives treated as referring to Committee on Government Reform and Oversight of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note under section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.]

[Section 6 of Pub. L. 103-270, set out above, effective Jan. 1, 1995, see section 7(i) of Pub. L. 103-270, set out as an Effective Date of 1994 Amendment; Transition Provisions note under section 591 of Title 28, Judiciary and Judicial Procedure.]

**§ 114. General pay limitation**

Notwithstanding any provision of law, other than the provisions of this chapter, no employee of the White House Office, the Executive Residence at the White House, the Domestic Policy Staff, or the Office of Administration, nor any employee under the Vice President appointed under section 106 of this title, may be paid at a rate of basic pay in excess of the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5.

(Added Pub. L. 95-570, § 3(a), Nov. 2, 1978, 92 Stat. 2450.)

**EFFECTIVE DATE**

Section applicable to any fiscal year beginning on or after Oct. 1, 1978, see section 6(a) of Pub. L. 95-570, set out as an Effective Date of 1978 Amendment note under section 102 of this title.

**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 section 107 of this title.

**§ 115. Veterans' preference**

(a) Subject to subsection (b), appointments under sections 105, 106, and 107 shall be made in accordance with section 2108, and sections 3309 through 3312, of title 5.

(b) Subsection (a) shall not apply to any appointment to a position the rate of basic pay for which is at least equal to the minimum rate established for positions in the Senior Executive Service under section 5382 of title 5 and the duties of which are comparable to those described

in section 3132(a)(2) of such title or to any other position if, with respect to such position, the President makes certification—

(1) that such position is—

(A) a confidential or policy-making position; or

(B) a position for which political affiliation or political philosophy is otherwise an important qualification; and

(2) that any individual selected for such position is expected to vacate the position at or before the end of the President's term (or terms) of office.

Each individual appointed to a position described in the preceding sentence as to which the expectation described in paragraph (2) applies shall be notified as to such expectation, in writing, at the time of appointment to such position.

(Added Pub. L. 105-339, § 4(b)(1), Oct. 31, 1998, 112 Stat. 3185.)

**CHAPTER 3—PROTECTION OF THE PRESIDENT; UNITED STATES SECRET SERVICE UNIFORMED DIVISION**

Sec. [201. 202. 203. 204. 205. <sup>1</sup> 206. 207. 208. 209.	Repealed.] United States Secret Service Uniformed Division; establishment, control, and supervision; privileges, powers, and duties. Personnel, appointment, and vacancies. Grades, salaries, and transfers of appointees. Appointment in accordance with civil-service laws. Privileges of civil-service appointees. Participation in police and firemen's relief fund. Reimbursement of State and local governments. Appropriation to carry out provisions.
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**AMENDMENTS**

1977—Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371, substituted “United States Secret Service Uniformed Division” for “Executive Protective Service” in chapter heading and in item 202.

1975—Pub. L. 94-196, § 1(d)(2), Dec. 31, 1975, 89 Stat. 1110, added item 208 and renumbered former item 208 as 209.

1970—Pub. L. 91-217, § 1(2), Mar. 19, 1970, 84 Stat. 74, substituted “Executive Protective Service” for “White House Police” in chapter heading and in item 202.

1951—Act July 16, 1951, ch. 226, § 5(b), 65 Stat. 122, struck out item 201 “Protection of President and family authorized”.

**[§ 201. Repealed. July 16, 1951, ch. 226, § 5(a), 65 Stat. 122]**

Section, act June 25, 1948, ch. 644, 62 Stat. 680, related to protection of President and family. See section 3056 of Title 18, Crimes and Criminal Procedure.

**§ 202. United States Secret Service Uniformed Division; establishment, control, and supervision; privileges, powers, and duties**

There is hereby created and established a permanent police force, to be known as the “United States Secret Service Uniformed Division”. Subject to the supervision of the Secretary of Homeland Security, the United States Secret

<sup>1</sup> Section repealed without amending analysis.