§ 9503. Streamlined critical pay authority

(a) Notwithstanding section 9502, and without regard to the provisions of this title governing appointments in the competitive service or the Senior Executive Service and chapters 51 and 53 (relating to classification and pay rates), the Secretary of the Treasury may, before July 23, 2013, establish, fix the compensation of, and appoint individuals to, designated critical administrative, technical, and professional positions needed to carry out the functions of the Internal Revenue Service, if—

(1) the positions—
   (A) require expertise of an extremely high level in an administrative, technical, or professional field; and
   (B) are critical to the Internal Revenue Service’s successful accomplishment of an important mission;
(2) exercise of the authority is necessary to recruit or retain an individual exceptionally well qualified for the position;
(3) the number of such positions does not exceed 40 at any one time;
(4) designation of such positions are approved by the Secretary of the Treasury;
(5) the terms of such appointments are limited to no more than 4 years;
(6) appointees to such positions were not Internal Revenue Service employees prior to June 1, 1998;
(7) total annual compensation for any appointee to such positions does not exceed the highest total annual compensation payable at the rate determined under section 104 of title 3; and
(8) all such positions are excluded from the collective bargaining unit.

(b) Individuals appointed under this section shall not be considered to be employees for purposes of subchapter II of chapter 75.


References in Text
The provisions of this title governing appointments in the competitive service, referred to in subsec. (a), are classified generally to section 3301 et seq. of this title.

Amendments