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# 5 U.S. Code § 4507 - Awarding of ranks in the Senior Executive Service

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**(a)** For the purpose of this section, “agency”, “senior executive”, and “career appointee” have the meanings set forth in section 3132(a) of this title.

**(b)** Each agency shall submit annually to the Office recommendations of career appointees in the agency to be awarded the rank of Meritorious Executive or Distinguished Executive. The recommendations may take into account the individual’s performance over a period of years. The Office shall review such recommendations and provide to the President recommendations as to which of the agency recommended appointees should receive such rank.

**(c)** During any fiscal year, the President may, subject to subsection (d) of this section, award to any career appointee recommended by the Office the rank of—

**(1)** Meritorious Executive, for sustained accomplishment, or

**(2)** Distinguished Executive, for sustained extraordinary accomplishment.

A career appointee awarded a rank under paragraph (1) or (2) of this subsection shall not be entitled to be awarded that rank during the following 4 fiscal years.

**(d)** During any fiscal year—

**(1)** the number of career appointees awarded the rank of Meritorious Executive may not exceed 5 percent of the Senior Executive Service; and

**(2)** the number of career appointees awarded the rank of Distinguished Executive may not exceed 1 percent of the Senior Executive Service.

**(e)**

**(1)** Receipt by a career appointee of the rank of Meritorious Executive entitles such individual to a lump-sum payment of an amount equal to 20 percent of annual basic pay, which shall be in addition to the basic pay paid under section 5382 of this title or any award paid under section 5384 of this title.

**(2)** Receipt by a career appointee of the rank of Distinguished Executive entitles the individual to a lump-sum payment of an amount equal to 35 percent of annual basic pay, which shall be in addition to the basic pay paid under section 5382 of this title or any award paid under section 5384 of this title.

(Added Pub. L. 95-454, title IV, § 406(a), Oct. 13, 1978, 92 Stat. 1170; amended Pub. L. 105-277, div. A, § 101(h) [title VI, § 631(a), (b)], Oct. 21, 1998, 112 Stat. 2681-480, 2681-523.)