

Subsec. (a). Pub. L. 110-417, §1107(a), designated existing provisions as par. (1) and added par. (2).

Subsec. (c). Pub. L. 110-417, §1107(b), designated existing provisions as par. (1), substituted “September 30, 2012” for “September 30, 2010”, and added par. (2).

Statutory Notes and Related Subsidiaries

WAGE RATE ADJUSTMENT FOR CERTAIN HEALTH CARE OCCUPATIONS

Pub. L. 112-10, div. A, title VIII, §8086, Apr. 15, 2011, 125 Stat. 76, provided that: “Notwithstanding any other provision of law or regulation, during the current fiscal year and hereafter, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.”

§ 1599d. Financial management positions: authority to prescribe professional certification and credential standards

(a) AUTHORITY TO PRESCRIBE PROFESSIONAL CERTIFICATION AND CREDENTIAL STANDARDS.—The Secretary of Defense may prescribe professional certification and credential standards for financial management positions within the Department of Defense, including requirements for formal education and requirements for certifications that individuals have met predetermined qualifications set by an agency of Government or by an industry or professional group. Any such professional certification or credential standard shall be prescribed as a Department regulation.

(b) WAIVER.—The Secretary may waive any standard prescribed under subsection (a) whenever the Secretary determines such a waiver to be appropriate.

(c) APPLICABILITY.—(1) Except as provided in paragraph (2), the Secretary may, in the Secretary’s discretion—

(A) require that a standard prescribed under subsection (a) apply immediately to all personnel holding financial management positions designated by the Secretary; or

(B) delay the imposition of such a standard for a reasonable period to permit persons holding financial management positions so designated time to comply.

(2) A formal education requirement prescribed under subsection (a) shall not apply to any person employed by the Department in a financial management position before the standard is prescribed.

(d) DISCHARGE OF AUTHORITY.—The Secretary shall prescribe any professional certification or credential standards under subsection (a) through the Under Secretary of Defense (Comptroller), in consultation with the Under Secretary of Defense for Personnel and Readiness.

(e) REPORTS.—Not later than one year after the effective date of any regulations prescribed under subsection (a), or any significant modification of such regulations, the Secretary shall, in conjunction with the Director of the Office of Personnel Management, submit to Congress a report setting forth the plans of the Secretary to provide training to appropriate Department personnel to meet any new professional certification or credential standard under such regulations or modification.

(f) FINANCIAL MANAGEMENT POSITION DEFINED.—In this section, the term “financial management position” means a position or group of positions (including civilian and military positions), as designated by the Secretary for purposes of this section, that perform, supervise, or manage work of a fiscal, financial management, accounting, auditing, cost, or budgetary nature, or that require the performance of financial management-related work.

(Added Pub. L. 107-314, div. A, title XI, §1104(a)(1), Dec. 2, 2002, 116 Stat. 2661; amended Pub. L. 110-417, [div. A], title XI, §1110, Oct. 14, 2008, 122 Stat. 4619; Pub. L. 112-81, div. A, title X, §1051(a), Dec. 31, 2011, 125 Stat. 1581.)

Editorial Notes

AMENDMENTS

2011—Pub. L. 112-81 amended section generally. Prior to amendment, section related to the authority to prescribe certification and credential standards for professional accounting positions.

2008—Subsec. (e). Pub. L. 110-417 substituted “0505, 0510, 0511, or equivalent” for “GS-510, GS-511, and GS-505”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 107-314, div. A, title XI, §1104(b), Dec. 2, 2002, 116 Stat. 2661, provided that: “Standards established pursuant to section 1599d of title 10, United States Code, as added by subsection (a), may take effect no sooner than 120 days after the date of the enactment of this Act [Dec. 2, 2002].”

§ 1599e. Repealed. Pub. L. 117-81, div. A, title XI, §1106(a)(1), Dec. 27, 2021, 135 Stat. 1950]

Section, added Pub. L. 114-92, div. A, title XI, §1105(a)(1), Nov. 25, 2015, 129 Stat. 1023, related to probationary period for employees.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 117-81, div. A, title XI, §1106(a)(1), Dec. 27, 2021, 135 Stat. 1950, provided that the repeal of this section is effective Dec. 31, 2022. Conforming amendments by section 1106 of Pub. L. 117-81 (amending sections 3321, 3393, 7501, 7511, and 7541 of Title 5, Government Organization and Employees) were executed as if effective at the same time as the repeal, to reflect the probable intent of Congress.

APPLICATION

Pub. L. 117-81, div. A, title XI, §1106(a)(2), Dec. 27, 2021, 135 Stat. 1950, provided that: “The modification of probationary periods for covered employees (as that term is defined in such section 1599e [meaning 10 U.S.C. 1599e] as in effect on the date immediately preceding the date of enactment of this Act [Dec. 27, 2021]) by operation of the amendment made by paragraph (1) [repealing this section] shall only apply to an individual appointed as such an employee on or after the effective date specified in paragraph (1) [see Effective Date of Repeal note above].”

§ 1599f. United States Cyber Command recruitment and retention

(a) GENERAL AUTHORITY.—(1) The Secretary of Defense may—

(A) establish, as positions in the excepted service, such qualified positions in the Depart-