

than March 1, 1999, and annually thereafter, the Director of Central Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing the detail of intelligence community personnel pursuant to subsection (a) during the 12-month period ending on the date of the report. The report shall set forth the number of personnel detailed, the identity of parent and host agencies or elements, and an analysis of the benefits of the details.”

2001—Subsec. (b). Pub. L. 107-108 designated existing provisions as par. (1) and added par. (2).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Amendment by Pub. L. 108-458 effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108-458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

EFFECTIVE DATE

Pub. L. 105-107, title III, §303(d), Nov. 20, 1997, 111 Stat. 2252, provided that: “The amendment made by subsection (a) [enacting this section] shall apply to an employee on detail on or after January 1, 1997.”

§ 3049. Non-reimbursable detail of other personnel

An officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program from another element of the intelligence community or from another element of the United States Government on a non-reimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed three years. This section does not limit any other source of authority for reimbursable or non-reimbursable details. A non-reimbursable detail made under this section shall not be considered an augmentation of the appropriations of the receiving element of the intelligence community.

(July 26, 1947, ch. 343, title I, §113A, as added Pub. L. 111-259, title III, §302(a), Oct. 7, 2010, 124 Stat. 2658; amended Pub. L. 112-18, title III, §303(a), June 8, 2011, 125 Stat. 226; Pub. L. 112-277, title III, §303, Jan. 14, 2013, 126 Stat. 2471.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 404h-1 of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

AMENDMENTS

2013—Pub. L. 112-277 substituted “three years.” for “two years.” and inserted at end “A non-reimbursable detail made under this section shall not be considered

an augmentation of the appropriations of the receiving element of the intelligence community.”

2011—Pub. L. 112-18 amended section generally. Prior to amendment, text read as follows: “Except as provided in section 402c(g)(2) of this title and section 404h of this title, and notwithstanding any other provision of law, an officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program from another element of the intelligence community or from another element of the United States Government on a reimbursable or nonreimbursable basis, as jointly agreed to by the head of the receiving element and the head of the detailing element, for a period not to exceed 2 years.”

§ 3049a. Special pay authority for science, technology, engineering, or mathematics positions and positions requiring banking or financial services expertise

(a) Special rates of pay for positions requiring expertise in science, technology, engineering, or mathematics or in banking or financial services

(1) In general

Notwithstanding part III of title 5, the head of each element of the intelligence community may, for one or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics or in banking or financial services (including expertise relating to critical financial infrastructure operations, capital markets, banking compliance programs, or international investments)—

(A) establish higher minimum rates of pay; and

(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

(2) Limitation on number of recipients

For each element of the intelligence community, the number of individuals serving in a position in such element who receive a higher rate of pay established or increased under paragraph (1) may not, at any time during a given fiscal year, exceed 50 individuals or 5 percent of the total number of full-time equivalent positions authorized for such element for the preceding fiscal year, whichever is greater.

(3) Treatment

The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5305(j) of title 5.

(b) Special rates of pay for cyber positions

(1) In general

Notwithstanding subsection (c), the Director of the National Security Agency may establish a special rate of pay—

(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5 if the Director certifies to the Under Secretary of Defense for Intelligence and Security, in consultation with the Under Secretary of Defense for