

## CODIFICATION

Another section 1592 was renumbered section 1596 of this title.

## AMENDMENTS

1992—Pub. L. 102-484 inserted “section” after “established under”.

1991—Pub. L. 102-190 inserted “(including funds in the Foreign National Employees Separation Pay Account, Defense, established under 1581 of this title)” and substituted “a contract, a treaty, or a memorandum of understanding with a foreign nation that provides for payment of separation pay” for “a contract performed in a foreign country”.

## EFFECTIVE DATE

Section 311(b)(3) of Pub. L. 101-189, as amended by Pub. L. 102-484, div. A, title XIII, § 1352(a), Oct. 23, 1992, 106 Stat. 2558, provided that:

“(A) Section 1592 of title 10, United States Code, as added by paragraph (1), shall take effect on the date of the enactment of this Act [Nov. 29, 1989].

“[(B) Repealed. Pub. L. 102-484, div. A, title XIII, § 1352(a), Oct. 23, 1992, 106 Stat. 2558.]”

## PROHIBITION ON PAYMENT OF SEVERANCE PAY TO CERTAIN FOREIGN NATIONALS IN THE PHILIPPINES

Section 1351 of Pub. L. 102-484 provided that:

“(a) PROHIBITION.—Funds available to the Department of Defense may not be used to pay severance pay to a foreign national employed by the Department of Defense in the Republic of the Philippines if the discontinuation of the employment of the foreign national is the result of the termination of basing rights of the United States military in the Republic of the Philippines.

“(b) PROHIBITION ON ALLOWANCE OF CERTAIN SEVERANCE PAY AS CONTRACT COSTS.—Funds available to the Department of Defense may not be used to pay the costs of severance pay paid by a contractor to a foreign national employed by the contractor under a defense service contract in the Philippines if the discontinuation of the employment of the foreign national is the result of the termination of basing rights of the United States military in the Philippines.”

**§ 1593. Uniform allowance: civilian employees**

(a) ALLOWANCE AUTHORIZED.—(1) The Secretary of Defense may pay an allowance to each civilian employee of the Department of Defense who is required by law or regulation to wear a prescribed uniform in the performance of official duties.

(2) In lieu of providing an allowance under paragraph (1), the Secretary may provide a uniform to a civilian employee referred to in such paragraph.

(3) This subsection shall not apply with respect to a civilian employee of the Defense Intelligence Agency who is entitled to an allowance under section 1622 of this title.

(b) AMOUNT OF ALLOWANCE.—Notwithstanding section 5901(a) of title 5, the amount of an allowance paid, and the cost of uniforms provided, under subsection (a) to a civilian employee may not exceed \$400 per year (or such higher maximum amount as the Secretary of Defense may by regulation prescribe).

(c) TREATMENT OF ALLOWANCE.—An allowance paid, or uniform provided, under subsection (a) shall be treated in the same manner as is provided in section 5901(c) of title 5 for an allowance paid under that section.

(d) USE OF APPROPRIATED FUNDS FOR ALLOWANCE.—Amounts appropriated annually to the

Department of Defense for the pay of civilian employees may be used for uniforms, or for allowance for uniforms, as authorized by this section and section 5901 of title 5.

(Added Pub. L. 101-189, div. A, title III, § 336(a)(1), Nov. 29, 1989, 103 Stat. 1419; amended Pub. L. 101-510, div. A, title XIV, § 1481(d)(3), Nov. 5, 1990, 104 Stat. 1706; Pub. L. 104-201, div. A, title XVI, § 1633(e)(1), Sept. 23, 1996, 110 Stat. 2752; Pub. L. 110-181, div. A, title XI, § 1113, Jan. 28, 2008, 122 Stat. 360.)

## PRIOR PROVISIONS

Provisions similar to those in subsec. (d) of this section were contained in Pub. L. 101-165, title IX, § 9010, Nov. 21, 1989, 103 Stat. 1131, which was set out as a note below, prior to repeal by Pub. L. 101-510, § 1481(d)(4)(B).

## AMENDMENTS

2008—Subsec. (b). Pub. L. 110-181 substituted “\$400 per year (or such higher maximum amount as the Secretary of Defense may by regulation prescribe)” for “\$400 per year.”

1996—Subsec. (a)(3). Pub. L. 104-201 substituted “section 1622” for “section 1606”.

1990—Subsec. (d). Pub. L. 101-510 added subsec. (d).

## EFFECTIVE DATE OF 1996 AMENDMENT

Section 1635 of Pub. L. 104-201 provided that: “This subtitle [subtitle B (§§ 1631-1635) of title XVI of div. A of Pub. L. 104-201, enacting sections 1601 to 1603, 1606 to 1610, and 1612 to 1614 of this title, amending this section, sections 1596, 1605, 1611, and 1621 of this title, and sections 7103 and 7511 of Title 5, Government Organization and Employees, renumbering sections 1599, 1602, 1606, and 1608 of this title as sections 1611, 1621, 1622, and 1623 of this title, respectively, repealing sections 1590, 1601, 1603, and 1604 of this title and section 833 of Title 50, War and National Defense, enacting provisions set out as a note under section 1601 of this title, and repealing provisions set out as a note under section 402 of Title 50] and the amendments made by this subtitle shall take effect on October 1, 1996.”

## EFFECTIVE DATE

Section 336(c) of Pub. L. 101-189 provided that: “The amendments made by this section [enacting this section and amending section 1606 of this title] shall take effect on January 1, 1990.”

## AVAILABILITY OF FUNDS FOR PAY OF CIVILIAN EMPLOYEES FOR UNIFORMS

Pub. L. 101-165, title IX, § 9010, Nov. 21, 1989, 103 Stat. 1131, which made appropriations available to Department of Defense for pay of civilian employees for uniforms, or allowances therefor, as authorized by section 5901 of title 5, was repealed and restated in subsec. (d) of this section by Pub. L. 101-510, § 1481(d)(3), (4)(B).

**§ 1594. Reimbursement for financial institution charges incurred because of Government error in direct deposit of pay**

(a)(1) A civilian officer or employee of the Department of Defense who, in accordance with law or regulation, participates in a program for the automatic deposit of pay to a financial institution may be reimbursed for a covered late-deposit charge.

(2) A covered late-deposit charge for purposes of paragraph (1) is a charge (including an overdraft charge or a minimum balance charge) that is levied by a financial institution and that results from an administrative or mechanical error on the part of the Government that causes

the pay of the officer or employee concerned to be deposited late or in an incorrect manner or amount.

(b) Reimbursements under this section shall be made from appropriations available for the pay of the officer or employee concerned.

(c) The Secretaries concerned shall prescribe regulations to carry out this section, including regulations for the manner in which reimbursement under this section is to be made.

(d) In this section:

(1) The term “financial institution” means a bank, savings and loan association, or similar institution or a credit union chartered by the United States or a State.

(2) The term “pay” includes allowances.

(Added Pub. L. 101-189, div. A, title VI, § 664(b)(1), Nov. 29, 1989, 103 Stat. 1466; amended Pub. L. 101-510, div. A, title XIV, § 1484(k)(6), Nov. 5, 1990, 104 Stat. 1719; Pub. L. 102-25, title VII, § 701(e)(8)(A), Apr. 6, 1991, 105 Stat. 115; Pub. L. 105-261, div. A, title V, § 564(b), Oct. 17, 1998, 112 Stat. 2029.)

#### AMENDMENTS

1998—Subsec. (d)(1). Pub. L. 105-261 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “The term ‘financial institution’ has the meaning given the term ‘financial organization’ in section 3332(a) of title 31.”

1991—Pub. L. 102-25 struck out “mandatory” after “error in” in section catchline.

1990—Subsec. (d). Pub. L. 101-510 substituted “In this section” for “in this section”.

#### EFFECTIVE DATE

Section applicable with respect to pay and allowances deposited (or scheduled to be deposited) on or after first day of first month beginning after Nov. 29, 1989, see section 664(c) of Pub. L. 101-189, set out as an Effective Date of 1989 Amendment note under section 1053 of this title.

### § 1595. Civilian faculty members at certain Department of Defense schools: employment and compensation

(a) **AUTHORITY OF SECRETARY.**—The Secretary of Defense may employ as many civilians as professors, instructors, and lecturers at the institutions specified in subsection (c) as the Secretary considers necessary.

(b) **COMPENSATION OF FACULTY MEMBERS.**—The compensation of persons employed under this section shall be as prescribed by the Secretary.

(c) **COVERED INSTITUTIONS.**—This section applies with respect to the following institutions of the Department of Defense:

(1) The National Defense University.

(2) The Foreign Language Center of the Defense Language Institute.

(3) The English Language Center of the Defense Language Institute.

(4) The Western Hemisphere Institute for Security Cooperation.

(d) **APPLICATION TO FACULTY MEMBERS AT NDU.**—In the case of the National Defense University, this section applies with respect to persons selected by the Secretary for employment as professors, instructors, and lecturers at the National Defense University after February 27, 1990.

(Added Pub. L. 101-189, div. A, title XI, § 1124(a)(1), Nov. 29, 1989, 103 Stat. 1558; amended Pub. L. 102-25, title VII, § 701(h)(1), Apr. 6, 1991, 105 Stat. 115; Pub. L. 102-190, div. A, title IX, § 911, Dec. 5, 1991, 105 Stat. 1452; Pub. L. 102-484, div. A, title IX, § 923(a)(1), (2)(A), Oct. 23, 1992, 106 Stat. 2474; Pub. L. 103-160, div. A, title IX, § 923(a)(1), Nov. 30, 1993, 107 Stat. 1731; Pub. L. 104-201, div. A, title XVI, § 1607, Sept. 23, 1996, 110 Stat. 2737; Pub. L. 105-85, div. A, title IX, §§ 921(c), 922(b), Nov. 18, 1997, 111 Stat. 1863; Pub. L. 108-136, div. A, title XI, § 1115, Nov. 24, 2003, 117 Stat. 1636; Pub. L. 109-364, div. A, title IX, § 904(b)(1), Oct. 17, 2006, 120 Stat. 2353.)

#### AMENDMENTS

2006—Subsec. (c)(3) to (6). Pub. L. 109-364, § 904(b)(1)(A), redesignated pars. (4) and (6) as (3) and (4), respectively, and struck out former pars. (3) and (5) which related to the George C. Marshall European Center for Security Studies and the Asia-Pacific Center for Security Studies, respectively.

Subsec. (e). Pub. L. 109-364, § 904(b)(1)(B), struck out heading and text of subsec. (e). Text read as follows: “In addition to the persons specified in subsection (a), this section also applies with respect to the Director and the Deputy Director of the following:

“(1) The George C. Marshall European Center for Security Studies.

“(2) The Asia-Pacific Center for Security Studies.

“(3) The Center for Hemispheric Defense Studies.”

2003—Subsec. (c)(6). Pub. L. 108-136 added par. (6).

1997—Subsec. (d). Pub. L. 105-85, § 921(c), struck out “(1)” before “In the case of” and struck out par. (2) which read as follows: “For purposes of this section, the National Defense University includes the National War College, the Armed Forces Staff College, the Institute for National Strategic Study, and the Industrial College of the Armed Forces.”

Subsecs. (e), (f). Pub. L. 105-85, § 922(b), added subsec. (e) and struck out former subsecs. (e) and (f) which read as follows:

“(e) **APPLICATION TO DIRECTOR AND DEPUTY DIRECTOR AT GEORGE C. MARSHALL CENTER.**—In the case of the George C. Marshall European Center for Security Studies, this section also applies with respect to the Director and the Deputy Director.

“(f) **APPLICATION TO DIRECTOR AND DEPUTY DIRECTOR AT ASIA-PACIFIC CENTER FOR SECURITY STUDIES.**—In the case of the Asia-Pacific Center for Security Studies, this section also applies with respect to the Director and the Deputy Director.”

1996—Subsec. (c)(4), (5). Pub. L. 104-201, § 1607(a), added pars. (4) and (5).

Subsec. (f). Pub. L. 104-201, § 1607(b), added subsec. (f). 1993—Pub. L. 103-160 substituted “Civilian faculty members at certain Department of Defense schools: employment and compensation” for “National Defense University: Foreign Language Center of the Defense Language Institute: civilian faculty members” as section catchline and amended text generally, substituting subsecs. (a) to (e) for former subsecs. (a) to (d) relating to similar subject matter but not including coverage of the George C. Marshall European Center for Security Studies.

1992—Pub. L. 102-484, § 923(a)(2)(A), substituted “University; Foreign Language Center of the Defense Language Institute” for “University:” in section catchline.

Subsec. (a). Pub. L. 102-484, § 923(a)(1)(A), inserted “and the Foreign Language Center of the Defense Language Institute” after “National Defense University”.

Subsec. (c). Pub. L. 102-484, § 923(a)(1)(B), substituted “In the case of the National Defense University, this section” for “This section”.

1991—Subsec. (c). Pub. L. 102-25 substituted “after February 27, 1990” for “after the end of the 90-day period beginning on the date of the enactment of this section”.