

paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

(h) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be three years.

(i) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—(1) An individual occupying a position on the date of the enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

(j) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term “collective bargaining agreement” has the meaning given that term in section 7103(a)(8) of title 5.

(3) The term “excepted service” has the meaning given that term in section 2103 of title 5.

(4) The term “preference eligible” has the meaning given that term in section 2108(3) of title 5.

(5) The term “qualified position” means a position, designated by the Secretary for the purpose of this section, in which the individual occupying such position performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

(6) The term “Senior Executive Service” has the meaning given that term in section 2101a of title 5.

(Added Pub. L. 114-92, div. A, title XI, §1107(a), Nov. 25, 2015, 129 Stat. 1024.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsecs. (g)(1) and (i)(1), is the date of enactment of Pub. L. 114-92, which was approved Nov. 25, 2015.

CHAPTER 83—CIVILIAN DEFENSE INTELLIGENCE EMPLOYEES

Subchapter		Sec.
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PRIOR PROVISIONS

A prior chapter 85 of this title was repealed by Pub. L. 102-190, div. A, title X, §1061(a)(26)(C)(i), Dec. 5, 1991,

105 Stat. 1474, effective Oct. 1, 1993. Previously, the individual sections of that chapter, sections 1621 to 1624, were repealed by Pub. L. 101-510, div. A, title XII, §1207(c)(1), (3), (4), Nov. 5, 1990, 104 Stat. 1665.

AMENDMENTS

1996—Pub. L. 104-201, div. A, title XVI, §1632(a)(3), Sept. 23, 1996, 110 Stat. 2745, substituted “CIVILIAN DEFENSE INTELLIGENCE EMPLOYEES” for “DEFENSE INTELLIGENCE AGENCY AND CENTRAL IMAGERY OFFICE CIVILIAN PERSONNEL” as chapter heading and added subchapter analysis.

SUBCHAPTER I—DEFENSE-WIDE INTELLIGENCE PERSONNEL POLICY

Sec.	
1601.	Civilian intelligence personnel: general authority to establish excepted positions, appoint personnel, and fix rates of pay.
1602.	Basic pay.
1603.	Additional compensation, incentives, and allowances.
[1604.]	Repealed.]
1605.	Benefits for certain employees assigned outside the United States.
1606.	Defense Intelligence Senior Executive Service.
1607.	Intelligence Senior Level positions.
1608.	Time-limited appointments.
1609.	Termination of defense intelligence employees.
1610.	Reductions and other adjustments in force.
1611.	Postemployment assistance: certain terminated intelligence employees.
1612.	Merit system principles and civil service protections: applicability.
1613.	Miscellaneous provisions.
1614.	Definitions.

AMENDMENTS

1996—Pub. L. 104-201, div. A, title XVI, §1632(a)(3), Sept. 23, 1996, 110 Stat. 2745, added table of sections for subchapter and struck out former table of sections consisting of items 1601 “Defense Intelligence Senior Executive Service”, 1602 “Defense Intelligence Agency merit pay system”, 1603 “Limit on pay”, 1604 “Civilian personnel management”, 1605 “Benefits for certain employees of the Defense Intelligence Agency”, 1606 “Uniform allowance: civilian employees”, and 1608 “Financial assistance to certain employees in acquisition of critical skills”.

1994—Pub. L. 103-359, title V, §501(b)(1)(A), Oct. 14, 1994, 108 Stat. 3428, amended chapter heading generally, inserting “AND CENTRAL IMAGERY OFFICE”.

1989—Pub. L. 101-193, title V, §507(a)(2), Nov. 30, 1989, 103 Stat. 1710, added item 1608.

1987—Pub. L. 100-178, title VI, §601(b), Dec. 2, 1987, 101 Stat. 1015, added item 1606.

1985—Pub. L. 99-145, title XIII, §1302(a)(2), Nov. 8, 1985, 99 Stat. 737, redesignated item 192 of chapter 8 of this title as item 1605 and transferred it to this chapter.

1984—Pub. L. 98-618, title V, §501(b), Nov. 8, 1984, 98 Stat. 3302, added item 1604.

§ 1601. Civilian intelligence personnel: general authority to establish excepted positions, appoint personnel, and fix rates of pay

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

(1) establish, as positions in the excepted service, such defense intelligence positions in the Department of Defense as the Secretary determines necessary to carry out the intelligence functions of the Department, including—

(A) Intelligence Senior Level positions designated under section 1607 of this title; and