

(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 Uni-

versity, 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”.

Subsec. (d). Pub. L. 102-190 inserted “the Institute for National Strategic Study,” after “Staff College,”.

EFFECT OF 1992 AMENDMENTS ON CURRENT EMPLOYEES

Pub. L. 102-484, div. A, title IX, §923(b), Oct. 23, 1992, 106 Stat. 2474, provided that: “In the case of a person who, on the day before the date of the enactment of this Act [Oct. 23, 1992], is employed as a professor, instructor, or lecturer at the Foreign Language Center of the Defense Language Institute, the Secretary of Defense shall afford the person an opportunity to elect to be paid under the compensation plan authorized by section 1595(b) of title 10, United States Code, or to continue to be paid under the General Schedule (with no reduction in pay) under section 5332 of title 5, United States Code.”

§ 1596. Foreign language proficiency: special pay for proficiency beneficial for intelligence interests

(a) The Secretary of Defense may pay special pay under this section to a civilian officer or employee of the Department of Defense who—

(1) has been certified as being proficient in a foreign language identified by the Secretary of Defense as being a language in which proficiency by civilian personnel of the Department is important for the effective collection, production, or dissemination of foreign intelligence information; and

(2) is serving in a position, or is subject to assignment to a position, in which proficiency in that language facilitates performance of officially assigned intelligence or intelligence-related duties.

(b) The annual rate of special pay under subsection (a) shall be determined by the Secretary of Defense.

(c) Special pay under this section may be paid in addition to any compensation authorized under section 1602 of this title for which an officer or employee is eligible.

(Added Pub. L. 101-193, title V, §501(a)(1), Nov. 30, 1989, 103 Stat. 1707, §1592; renumbered §1596, Pub. L. 101-510, div. A, title XIV, §1484(a), Nov. 5, 1990, 104 Stat. 1715; amended Pub. L. 104-201, div. A, title XVI, §1633(e)(2), Sept. 23, 1996, 110 Stat. 2752; Pub. L. 106-398, §1 [[div. A], title XI, §1131(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-317.)

AMENDMENTS

2000—Pub. L. 106-398 substituted “Foreign language proficiency: special pay for proficiency beneficial for intelligence interests” for “Foreign language proficiency: special pay” as section catchline.

1996—Subsec. (c). Pub. L. 104-201 substituted “section 1602” for “section 1604(b)”.

1990—Pub. L. 101-510 renumbered the second section 1592 of this title as this section.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as a note under section 1593 of this title.

EFFECTIVE DATE

Pub. L. 101-193, title V, §501(b), Nov. 30, 1989, 103 Stat. 1708, provided that: “Section 1592 [now 1596] of title 10, United States Code, as added by subsection (a), shall

take effect on the first day of the first pay period beginning on or after the later of—

“(1) October 1, 1989, or

“(2) the date of the enactment of this Act [Nov. 30, 1989].”

§ 1596a. Foreign language proficiency: special pay for proficiency beneficial for other national security interests

(a) AUTHORITY.—The Secretary of Defense may pay special pay under this section to an employee of the Department of Defense who—

(1) has been certified by the Secretary to be proficient in a foreign language identified by the Secretary as being a language in which proficiency by civilian personnel of the Department is necessary because of national security interests;

(2) is assigned duties requiring proficiency in that foreign language; and

(3) is not receiving special pay under section 1596 of this title.

(b) RATE.—The rate of special pay for an employee under this section shall be prescribed by the Secretary, but may not exceed five percent of the employee’s rate of basic pay.

(c) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Special pay under this section is in addition to any other pay or allowances to which the employee is entitled.

(d) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

(Added Pub. L. 106-398, §1 [[div. A], title XI, §1131(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-317; amended Pub. L. 108-375, div. A, title XI, §1102(a), Oct. 28, 2004, 118 Stat. 2072.)

AMENDMENTS

2004—Subsec. (a)(2). Pub. L. 108-375 struck out “during a contingency operation supported by the armed forces” after “foreign language”.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-375, div. A, title XI, §1102(b), Oct. 28, 2004, 118 Stat. 2072, provided that: “The amendment by this section [amending this section] shall take effect on the first day of the first month that begins after the date of the enactment of this Act [Oct. 28, 2004].”

§ 1596b. Foreign language proficiency: National Foreign Language Skills Registry

(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain a registry of persons who—

(A) have proficiency in one or more critical foreign languages;

(B) are willing to provide linguistic services to the United States in the interests of national security during war or a national emergency; and

(C) meet the eligibility requirements of subsection (b).

(2) The registry shall be known as the “National Foreign Language Skills Registry” (in this section referred to as the “Registry”).

(b) ELIGIBLE PERSONS.—To be eligible for listing on the Registry, a person—

(1) must be—

(A) a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))); or