

## PRIOR PROVISIONS

A prior section 1599c, added Pub. L. 104-201, div. A, title XVI, §1615(a)(1), Sept. 23, 1996, 110 Stat. 2740; amended Pub. L. 105-85, div. A, title X, §1073(a)(31), Nov. 18, 1997, 111 Stat. 1902, related to treatment of a Department of Defense violation of veterans' preference requirements as a prohibited personnel practice, prior to repeal by Pub. L. 105-339, §6(c)(1)(A), Oct. 31, 1998, 112 Stat. 3188.

## AMENDMENTS

2013—Subsec. (a)(2)(A). Pub. L. 113-66, §1109(c)(1), substituted “section 3304 of title 5” for “sections 3304, 5333, and 5753 of title 5” in introductory provisions.

Subsec. (a)(2)(A)(i). Pub. L. 113-66, §1109(c)(2), substituted “the authority in such section” for “the authorities in such sections”.

Subsec. (b). Pub. L. 113-66, §1109(b), redesignated subsec. (c) as (b) and struck out former subsec. (b) which related to recruitment of personnel.

Subsec. (c). Pub. L. 113-66, §1109(b)(2), redesignated subsec. (c) as (b).

Pub. L. 113-66, §1109(a), substituted “December 31, 2020” for “December 31, 2015” in pars. (1) and (2).

2011—Subsec. (a)(2)(A)(i). Pub. L. 111-383, §1104(a)(1)(A), substituted “a shortage category occupation or critical need occupation” for “shortage category positions”.

Subsec. (a)(2)(A)(ii). Pub. L. 111-383, §1104(a)(1)(B), substituted “qualified persons directly in the competitive service” for “highly qualified persons directly”.

Subsec. (a)(2)(B). Pub. L. 111-383, §1075(b)(22), substituted “subchapter I” for “subchapter 1”.

Subsec. (a)(2)(C). Pub. L. 111-383, §1104(a)(2), added subpar. (C).

Subsec. (c)(1). Pub. L. 111-383, §1104(b)(1), inserted “under subsection (a)(1)” after “Secretary of Defense” and substituted “December 31, 2015” for “September 30, 2012”.

Subsec. (c)(2). Pub. L. 111-383, §1104(b)(2), substituted “December 31, 2015” for “September 30, 2012”.

2008—Pub. L. 110-181 amended section generally. Prior to amendment, section related to appointment in exempt service of certain health care professionals.

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).

## 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.)

## 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”.

## 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. Probationary period for employees**

(a) **IN GENERAL.**—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a