

REFERENCES IN TEXT

Section 844 of the Homeland Security Act of 2002, referred to in subsec. (b), is classified to section 414 of Title 6, Domestic Security.

§ 10104. Recruitment bonuses

(a) **IN GENERAL.**—The Administrator may pay a bonus to an individual in order to recruit the individual for a position within the Agency that would otherwise be difficult to fill in the absence of such a bonus. Upon completion of the strategic human capital plan, such bonuses shall be paid in accordance with that plan.

(b) **BONUS AMOUNT.**—

(1) **IN GENERAL.**—The amount of a bonus under this section shall be determined by the Administrator, but may not exceed 25 percent of the annual rate of basic pay of the position involved.

(2) **FORM OF PAYMENT.**—A bonus under this section shall be paid in the form of a lump-sum payment and shall not be considered to be part of basic pay.

(c) **SERVICE AGREEMENTS.**—Payment of a bonus under this section shall be contingent upon the employee entering into a written service agreement with the Agency. The agreement shall include—

(1) the period of service the individual shall be required to complete in return for the bonus; and

(2) the conditions under which the agreement may be terminated before the agreed-upon service period has been completed, and the effect of the termination.

(d) **ELIGIBILITY.**—A bonus under this section may not be paid to an individual who is appointed to or holds—

(1) a position to which an individual is appointed by the President, by and with the advice and consent of the Senate;

(2) a position in the Senior Executive Service as a noncareer appointee (as defined in section 3132(a)); or

(3) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

(e) **TERMINATION.**—The authority to pay bonuses under this section shall terminate 5 years after the date of enactment of this chapter.

(f) **REPORTS.**—

(1) **IN GENERAL.**—The Agency shall submit to the appropriate committees of Congress, annually for each of the 5 years during which this section is in effect, a report on the operation of this section.

(2) **CONTENTS.**—Each report submitted under this subsection shall include, with respect to the period covered by such report, a description of how the authority to pay bonuses under this section was used by the Agency, including—

(A) the number and dollar amount of bonuses paid to individuals holding positions within each pay grade, pay level, or other pay classification; and

(B) a determination of the extent to which such bonuses furthered the purposes of this section.

(Added Pub. L. 109–295, title VI, § 621(a), Oct. 4, 2006, 120 Stat. 1414.)

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsec. (e), is the date of enactment of Pub. L. 109–295, which was approved Oct. 4, 2006.

§ 10105. Retention bonuses

(a) **AUTHORITY.**—The Administrator may pay, on a case-by-case basis, a bonus under this section to an employee of the Agency if—

(1) the unusually high or unique qualifications of the employee or a special need of the Agency for the employee's services makes it essential to retain the employee; and

(2) the Administrator determines that, in the absence of such a bonus, the employee would be likely to leave—

(A) the Federal service; or

(B) for a different position in the Federal service.

(b) **SERVICE AGREEMENT.**—Payment of a bonus under this section is contingent upon the employee entering into a written service agreement with the Agency to complete a period of service with the Agency. Such agreement shall include—

(1) the period of service the individual shall be required to complete in return for the bonus; and

(2) the conditions under which the agreement may be terminated before the agreed-upon service period has been completed, and the effect of the termination.

(c) **BONUS AMOUNT.**—

(1) **IN GENERAL.**—The amount of a bonus under this section shall be determined by the Administrator, but may not exceed 25 percent of the annual rate of basic pay of the position involved.

(2) **FORM OF PAYMENT.**—A bonus under this section shall be paid in the form of a lump-sum payment and shall not be considered to be part of basic pay.

(d) **LIMITATION.**—A bonus under this section—

(1) may not be based on any period of service which is the basis for a recruitment bonus under section 10104;

(2) may not be paid to an individual who is appointed to or holds—

(A) a position to which an individual is appointed by the President, by and with the advice and consent of the Senate;

(B) a position in the Senior Executive Service as a noncareer appointee (as defined in section 3132(a)); or

(C) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character; and

(3) upon completion of the strategic human capital plan, shall be paid in accordance with that plan.

(e) **TERMINATION OF AUTHORITY.**—The authority to grant bonuses under this section shall expire 5 years after the date of enactment of this chapter.

(f) **REPORTS.**—

(1) **IN GENERAL.**—The Office of Personnel Management shall submit to the appropriate committees of Congress, annually for each of the first 5 years during which this section is in effect, a report on the operation of this section.

(2) **CONTENTS.**—Each report submitted under this subsection shall include, with respect to the period covered by such report, a description of how the authority to pay bonuses under this section was used by the Agency, including, with respect to each such agency—

(A) the number and dollar amount of bonuses paid to individuals holding positions within each pay grade, pay level, or other pay classification; and

(B) a determination of the extent to which such bonuses furthered the purposes of this section.

(Added Pub. L. 109-295, title VI, § 621(a), Oct. 4, 2006, 120 Stat. 1414.)

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsec. (e), is the date of enactment of Pub. L. 109-295, which was approved Oct. 4, 2006.

§ 10106. Quarterly report on vacancy rate in employee positions

(a) **INITIAL REPORT.**—

(1) **IN GENERAL.**—Not later than 3 months after the date of enactment of this chapter, the Administrator shall develop and submit to the appropriate committees of Congress a report on the vacancies in employee positions of the Agency.

(2) **CONTENTS.**—The report under this subsection shall include—

(A) vacancies of each category of employee position;

(B) the number of applicants for each vacancy for which public notice has been given;

(C) the length of time that each vacancy has been pending;

(D) hiring-cycle time for each vacancy that has been filled; and

(E) a plan for reducing the hiring-cycle time and reducing the current and anticipated vacancies with highly-qualified personnel.

(b) **QUARTERLY UPDATES.**—Not later than 3 months after submission of the initial report, and every 3 months thereafter until 5 years after the date of enactment of this chapter, the Administrator shall submit to the appropriate committees of Congress an update of the report under subsection (a), including an assessment by the Administrator of the progress of the Agency in filling vacant employee positions of the Agency.

(Added Pub. L. 109-295, title VI, § 621(a), Oct. 4, 2006, 120 Stat. 1416.)

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsecs. (a)(1) and (b), is the date of enactment of Pub. L. 109-295, which was approved Oct. 4, 2006.

CHAPTER 102—UNITED STATES SECRET SERVICE UNIFORMED DIVISION PERSONNEL

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§ 10201. Definitions

In this chapter—

(1) the term “member” means an employee of the United States Secret Service Uniformed Division having the authorities described under section 3056A(b) of title 18;

(2) the term “Secretary” means the Secretary of the Department of Homeland Security; and

(3) the term “United States Secret Service Uniformed Division” has the meaning given that term under section 3056A of title 18.

(Added Pub. L. 111-282, § 2(a), Oct. 15, 2010, 124 Stat. 3033.)

EFFECTIVE DATE

Section effective on first day of first pay period which begins after Oct. 15, 2010, see section 5 of Pub. L. 111-282, set out as an Effective Date of 2010 Amendment note under section 5102 of this title.

PURPOSE

Pub. L. 111-282, § 1(b), Oct. 15, 2010, 124 Stat. 3033, provided that: “The purpose of this Act [see Short Title of 2010 Amendment note set out under section 101 of this title] is to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code.”

MISCELLANEOUS PROVISIONS

Pub. L. 111-282, § 3, Oct. 15, 2010, 124 Stat. 3038, provided that:

“(a) **CONVERSION TO NEW SALARY SCHEDULE.**—

“(1) **IN GENERAL.**—

“(A) **RATES OF PAY FIXED.**—Effective the first day of the first pay period which begins after the date of the enactment of this Act [Oct. 15, 2010], the Secretary shall fix the rates of basic pay for members of the United States Secret Service Uniformed Division, as defined under section 10201 of title 5, United States Code, (as added by section 2(a)) in accordance with the provisions of this subsection.

“(B) **RATE BASED ON CREDITABLE SERVICE.**—

“(i) **IN GENERAL.**—Each member shall be placed in and receive basic pay at the corresponding scheduled rate under chapter 102 of title 5, United States Code, as added by section 2(a) (after any adjustment under paragraph (3) of this subsection) in accordance with the member’s total years of creditable service, as provided in the table in this clause. If the scheduled rate of basic pay for the step to which the member would be assigned in accordance with this paragraph is lower than the member’s rate of basic pay immediately before the date of enactment of this paragraph, the member shall be placed in and receive basic pay at the next higher service step, subject to the provisions of clause (iv). If the member’s rate of pay exceeds the highest step of the rank,