

“(2) describing the manner in which that authority will be implemented.”
[Report submitted to Committees on Apr. 20, 1994.]

§ 302c-1. Special pay: accession and retention bonuses for psychologists

(a) ACCESSION BONUS.—

(1) ACCESSION BONUS AUTHORIZED.—A person described in paragraph (2) who executes a written agreement described in subsection (d) to accept a commission as an officer of the armed forces and remain on active duty for a period of not less than four consecutive years may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount, subject to subsection (c)(1), determined by the Secretary concerned.

(2) ELIGIBLE PERSONS.—A person described in paragraph (1) is any person who—

(A) is a graduate of an accredited school of psychology; and

(B) holds a valid State license to practice as a doctoral level psychologist.

(3) LIMITATION ON ELIGIBILITY.—A person may not be paid a bonus under this subsection if—

(A) the person, in exchange for an agreement to accept an appointment as an officer, received financial assistance from the Department of Defense to pursue a course of study in psychology; or

(B) the Secretary concerned determines that the person is not qualified to become and remain certified as a psychologist.

(b) MULTIYEAR RETENTION BONUS.—

(1) RETENTION BONUS AUTHORIZED.—An officer described in paragraph (2) who executes a written agreement described in subsection (d) to remain on active duty for up to four years after completion of any other active-duty service commitment may, upon acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

(2) ELIGIBLE OFFICERS.—An officer described in paragraph (1) is an officer of the armed forces who—

(A) is a psychologist of the armed forces;

(B) is in a pay grade below pay grade O-7;

(C) has at least eight years of creditable service (computed as described in section 302b(f) of this title) or has completed any active-duty service commitment incurred for psychology education and training;

(D) has completed initial residency training (or will complete such training before September 30 of the fiscal year in which the officer enters into the agreement under this subsection); and

(E) holds a valid State license to practice as a doctoral level psychologist.

(c) MAXIMUM AMOUNT OF BONUS.—

(1) ACCESSION BONUS.—The amount of an accession bonus under subsection (a) may not exceed \$400,000.

(2) RETENTION BONUS.—The amount of a retention bonus under subsection (b) may not exceed \$25,000 for each year of the agreement of the officer concerned.

(d) AGREEMENT.—The agreement referred to in subsections (a) and (b) shall provide that, consistent with the needs of the armed force concerned, the person or officer executing the agreement will be assigned to duty, for the period of obligated service covered by the agreement, as an officer of such armed force as a psychologist.

(e) REPAYMENT.—

(1) ACCESSION BONUS.—A person who, after signing an agreement under subsection (a), is not commissioned as an officer of the armed forces, does not become licensed as a psychologist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.

(2) RETENTION BONUS.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b) shall be subject to the repayment provisions of section 303a(e) of this title.

(f) TERMINATION OF AUTHORITY.—No agreement under subsection (a) or (b) may be entered into after December 31, 2012.

(Added Pub. L. 110-417, [div. A], title VI, § 620(b)(1), Oct. 14, 2008, 122 Stat. 4490; amended Pub. L. 111-84, div. A, title VI, § 612(b)(1), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, § 612(b)(1), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, § 612(b)(1), Dec. 31, 2011, 125 Stat. 1449.)

AMENDMENTS

2011—Subsec. (f). Pub. L. 112-81 substituted “December 31, 2012” for “December 31, 2011”.

Pub. L. 111-383 substituted “December 31, 2011” for “December 31, 2010”.

2009—Subsec. (f). Pub. L. 111-84 substituted “December 31, 2010” for “December 31, 2009”.

§ 302d. Special pay: accession bonus for registered nurses

(a) ACCESSION BONUS AUTHORIZED.—(1) A person who is a registered nurse and who, during the period beginning on November 29, 1989, and ending on December 31, 2012, executes a written agreement described in subsection (c) to accept a commission as an officer and remain on active duty for a period of not less than three years may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

(2) The amount of an accession bonus under paragraph (1) may not exceed \$30,000.

(b) LIMITATION ON ELIGIBILITY FOR BONUS.—A person may not be paid a bonus under subsection (a) if—

(1) the person, in exchange for an agreement to accept an appointment as an officer, received financial assistance from the Department of Defense to pursue a baccalaureate degree; or

(2) the Secretary concerned determines that the person is not qualified to become and remain licensed as a registered nurse.

(c) AGREEMENT.—The agreement referred to in subsection (a) shall provide that, consistent

with the needs of the uniformed service concerned, the person executing the agreement will be assigned to duty, for the period of obligated service covered by the agreement, as an officer of the Nurse Corps of the Army or Navy, an officer of the Air Force designated as a nurse, or an officer designated as a nurse in the commissioned corps of the Public Health Service.

(d) REPAYMENT.—An officer who does not become and remain licensed as a registered nurse during the period for which the payment is made, or who does not complete the period of active duty specified in the agreement entered into under subsection (a), shall be subject to the repayment provisions of section 303a(e) of this title.

(Added Pub. L. 101-189, div. A, title VII, § 705(a)(1), Nov. 29, 1989, 103 Stat. 1471; amended Pub. L. 101-510, div. A, title VI, § 613(a), title XIV, § 1484(d)(2), Nov. 5, 1990, 104 Stat. 1577, 1716; Pub. L. 102-484, div. A, title VI, § 612(g), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 611(b), Nov. 30, 1993, 107 Stat. 1679; Pub. L. 103-337, div. A, title VI, § 612(b), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, § 612(b), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, § 612(b), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, § 612(b), Nov. 18, 1997, 111 Stat. 1786; Pub. L. 105-261, div. A, title VI, § 612(b), Oct. 17, 1998, 112 Stat. 2039; Pub. L. 106-65, div. A, title VI, § 612(b), Oct. 5, 1999, 113 Stat. 650; Pub. L. 106-398, § 1 [[div. A], title VI, § 622(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, § 612(b), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-314, div. A, title VI, §§ 612(c), 615(e), Dec. 2, 2002, 116 Stat. 2567, 2568; Pub. L. 108-136, div. A, title VI, § 612(c), Nov. 24, 2003, 117 Stat. 1501; Pub. L. 108-375, div. A, title VI, §§ 612(c), 616(a), Oct. 28, 2004, 118 Stat. 1947, 1948; Pub. L. 109-163, div. A, title VI, §§ 622(c), 687(b)(7), Jan. 6, 2006, 119 Stat. 3294, 3328; Pub. L. 109-364, div. A, title VI, § 612(c), Oct. 17, 2006, 120 Stat. 2248; Pub. L. 110-181, div. A, title VI, § 612(c), Jan. 28, 2008, 122 Stat. 148; Pub. L. 110-417, [div. A], title VI, § 612(c), Oct. 14, 2008, 122 Stat. 4484; Pub. L. 111-84, div. A, title VI, § 612(b)(2), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, § 612(b)(2), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, § 612(b)(2), Dec. 31, 2011, 125 Stat. 1449.)

AMENDMENTS

2011—Subsec. (a)(1). Pub. L. 112-81 substituted “December 31, 2012” for “December 31, 2011”.

Pub. L. 111-383 substituted “December 31, 2011” for “December 31, 2010”.

2009—Subsec. (a)(1). Pub. L. 111-84 substituted “December 31, 2010” for “December 31, 2009”.

2008—Subsec. (a)(1). Pub. L. 110-417 substituted “December 31, 2009” for “December 31, 2008”.

Pub. L. 110-181 substituted “December 31, 2008” for “December 31, 2007”.

2006—Subsec. (a)(1). Pub. L. 109-364 substituted “December 31, 2007” for “December 31, 2006”.

Pub. L. 109-163, § 622(c), substituted “December 31, 2006” for “December 31, 2005”.

Subsec. (d). Pub. L. 109-163, § 687(b)(7), amended heading and text of subsec. (d) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to refunds re-

quired when officer fails to become and remain licensed as a registered nurse or fails to complete total period of active duty.

2004—Subsec. (a)(1). Pub. L. 108-375, § 616(a), substituted “three years” for “four years”.

Pub. L. 108-375, § 612(c), substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (a)(1). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (a)(1). Pub. L. 107-314, § 612(c), substituted “December 31, 2003” for “December 31, 2002”.

Subsec. (a)(2). Pub. L. 107-314, § 615(e), substituted “\$30,000” for “\$5,000”.

2001—Subsec. (a)(1). Pub. L. 107-107 substituted “December 31, 2002” for “December 31, 2001”.

2000—Subsec. (a)(1). Pub. L. 106-398 substituted “December 31, 2001” for “December 31, 2000”.

1999—Subsec. (a)(1). Pub. L. 106-65 substituted “December 31, 2000” for “December 31, 1999”.

1998—Subsec. (a)(1). Pub. L. 105-261 substituted “December 31, 1999” for “September 30, 1999”.

1997—Subsec. (a)(1). Pub. L. 105-85 substituted “September 30, 1999” for “September 30, 1998”.

1996—Subsec. (a)(1). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106 substituted “September 30, 1997” for “September 30, 1996”.

1994—Subsec. (a)(1). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (a)(1). Pub. L. 103-160 substituted “September 30, 1995” for “September 30, 1993”.

1992—Subsec. (a). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1990—Subsec. (a)(1). Pub. L. 101-510, §§ 613(a), 1484(d)(2)(A), substituted “November 29, 1989,” for “the date of the enactment of the National Defense Authorization Act for Fiscal Years 1990 and 1991” and “September 30, 1992” for “September 30, 1991”.

Subsec. (d)(4). Pub. L. 101-510, § 1484(d)(2)(B), substituted “November 29, 1989” for “the date of the enactment of the National Defense Authorization Act for Fiscal Years 1990 and 1991”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-181 effective as of Dec. 31, 2007, and subject to various special provisions, see section 610 of Pub. L. 110-181, set out as a Correction of Lapsed Authorities for Payment of Bonuses, Special Pays, and Similar Benefits for Members of the Uniformed Services note under section 2130a of Title 10, Armed Forces.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-375, div. A, title VI, § 616(b), Oct. 28, 2004, 118 Stat. 1948, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to agreements entered into under section 302d of title 37, United States Code, on or after the date of the enactment of this Act [Oct. 28, 2004].”

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(b) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of Title 10, Armed Forces.

APPLICATION OF INCREASE

In case of amendment by section 615 of Pub. L. 107-314 to increase maximum amount of special pay or bonus that may be paid during any 12-month period, the amended limitation is applicable to 12-month periods beginning after Sept. 30, 2002, see section 615(i) of Pub. L. 107-314, set out as a note under section 301d of this title.

COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1993, to Nov. 30, 1993, for

payment of accession bonus authorized under this section, see section 611(d) of Pub. L. 103-160, set out as a note under section 2130a of Title 10, Armed Forces.

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

§ 302e. Special pay: nurse anesthetists

(a) SPECIAL PAY AUTHORIZED.—(1) An officer described in subsection (b)(1) who, during the period beginning on November 29, 1989, and ending on December 31, 2012, executes a written agreement to remain on active duty for a period of one year or more may, upon the acceptance of the agreement by the Secretary concerned, be paid incentive special pay in an amount not to exceed \$50,000 for any 12-month period.

(2) The Secretary concerned shall determine the amount of incentive special pay to be paid to an officer under paragraph (1). In determining that amount, the Secretary concerned shall consider the period of obligated service provided for in the agreement under that paragraph.

(b) COVERED OFFICERS.—(1) An officer referred to in subsection (a) is an officer of a uniformed service who—

(A) is an officer of the Nurse Corps of the Army or Navy, an officer of the Air Force designated as a nurse, or an officer designated as a nurse in the commissioned corps of the Public Health Service;

(B) is a qualified certified registered nurse anesthetist; and

(C) is on active duty under a call or order to active duty for a period of not less than one year.

(2) The Secretary of Defense may extend the special pay authorized under subsection (a) to officers of the armed forces who serve in a nursing specialty (other than as nurse anesthetists) that—

(A) is designated by the Secretary of the military department concerned as critical to meet requirements (whether such specialty is designated as critical to meet wartime or peacetime requirements); and

(B) requires postbaccalaureate education and training.

(c) TERMINATION OF AGREEMENT.—Under regulations prescribed by the Secretary of Defense, with respect to the Army, Navy, and Air Force, and the Secretary of Health and Human Services, with respect to the Public Health Service, the Secretary concerned may terminate an agreement entered into under subsection (a). Upon termination of an agreement, the entitlement of the officer to special pay under this section and the agreed upon commitment to active duty of the officer shall end. If such entitlement is terminated, the officer concerned shall be subject to the repayment provisions of section 303a(e) of this title.

(d) PAYMENT.—Special pay payable to an officer under subsection (a) shall be paid annually at the beginning of the 12-month period for which the officer is to receive that payment.

(e) REPAYMENT.—An officer who does not complete the period of active duty specified in the

agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.

(Added Pub. L. 101-189, div. A, title VII, § 706(a)(1), Nov. 29, 1989, 103 Stat. 1472; amended Pub. L. 101-510, div. A, title VI, §§ 613(b), 614(a), (b), 618(c)(1), title XIV, § 1484(d)(3), Nov. 5, 1990, 104 Stat. 1577, 1578, 1579, 1716; Pub. L. 102-25, title VII, § 702(a)(2)(B), (b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 102-484, div. A, title VI, § 612(i), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 611(c), Nov. 30, 1993, 107 Stat. 1679; Pub. L. 103-337, div. A, title VI, § 612(c), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, § 612(c), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, § 612(c), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, § 612(c), Nov. 18, 1997, 111 Stat. 1786; Pub. L. 105-261, div. A, title VI, § 612(c), Oct. 17, 1998, 112 Stat. 2039; Pub. L. 106-65, div. A, title VI, § 612(c), Oct. 5, 1999, 113 Stat. 650; Pub. L. 106-398, § 1 [div. A], title VI, §§ 622(c), 626(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151, 1654A-153; Pub. L. 107-107, div. A, title VI, § 612(c), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-314, div. A, title VI, §§ 612(d), 615(f), Dec. 2, 2002, 116 Stat. 2567, 2569; Pub. L. 108-136, div. A, title VI, § 612(d), Nov. 24, 2003, 117 Stat. 1501; Pub. L. 108-375, div. A, title VI, § 612(d), Oct. 28, 2004, 118 Stat. 1947; Pub. L. 109-163, div. A, title VI, §§ 622(d), 687(b)(8), Jan. 6, 2006, 119 Stat. 3294, 3328; Pub. L. 109-364, div. A, title VI, § 612(d), Oct. 17, 2006, 120 Stat. 2248; Pub. L. 110-181, div. A, title VI, § 612(d), Jan. 28, 2008, 122 Stat. 148; Pub. L. 110-417, [div. A], title VI, § 612(d), Oct. 14, 2008, 122 Stat. 4484; Pub. L. 111-84, div. A, title VI, § 612(b)(3), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, § 612(b)(3), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, § 612(b)(3), Dec. 31, 2011, 125 Stat. 1449.)

AMENDMENTS

2011—Subsec. (a)(1). Pub. L. 112-81 substituted “December 31, 2012” for “December 31, 2011”.

Pub. L. 111-383 substituted “December 31, 2011” for “December 31, 2010”.

2009—Subsec. (a)(1). Pub. L. 111-84 substituted “December 31, 2010” for “December 31, 2009”.

2008—Subsec. (a)(1). Pub. L. 110-417 substituted “December 31, 2009” for “December 31, 2008”.

Pub. L. 110-181 substituted “December 31, 2008” for “December 31, 2007”.

2006—Subsec. (a)(1). Pub. L. 109-364 substituted “December 31, 2007” for “December 31, 2006”.

Pub. L. 109-163, § 622(d), substituted “December 31, 2006” for “December 31, 2005”.

Subsec. (c). Pub. L. 109-163, § 687(b)(8)(A), substituted “If such entitlement is terminated, the officer concerned shall be subject to the repayment provisions of section 303a(e) of this title.” for “The officer may be required to refund that part of the special pay corresponding to the unserved period of active duty.”

Subsec. (e). Pub. L. 109-163, § 687(b)(8)(B), amended heading and text of subsec. (e) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to refunds required when officer fails to complete total period of active duty.

2004—Subsec. (a)(1). Pub. L. 108-375 substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (a)(1). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (a)(1). Pub. L. 107-314, § 615(f), substituted “\$50,000” for “\$15,000”.