

stituted “; or” for period at end, and added a new subpar. (B).

Subsec. (d)(2) to (4). Pub. L. 109-163, § 605(a)(2)–(4), substituted “member under paragraph (1)(A)” for “member under paragraph (1)” in first sentence of par. (2), added par. (3), designated second sentence of par. (2) as (4), and in par. (4) substituted “this subsection” for “this paragraph”.

1999—Subsec. (d). Pub. L. 106-65, § 662, added subsec. (d).

EFFECTIVE DATE

Section and amendment by Pub. L. 106-65 effective 180 days after Oct. 30, 2000, unless postponed, see section 663 of Pub. L. 106-65, as amended, set out as a note under section 8440e of Title 5, Government Organization and Employees.

PILOT PROGRAM ON CONTRIBUTIONS TO THRIFT SAVINGS PLAN FOR INITIAL ENLISTEES IN THE ARMY

Pub. L. 109-163, div. A, title VI, § 606, Jan. 6, 2006, 119 Stat. 3287, as amended by Pub. L. 109-364, div. A, title VI, § 608, title X, § 1071(e)(3), Oct. 17, 2006, 120 Stat. 2247, 2401, provided that:

“(a) PILOT PROGRAM REQUIRED.—During the period beginning on January 6, 2006, and ending on December 31, 2008, the Secretary of the Army shall use the authority provided by section 211(d)(1)(B) of title 37, United States Code, as amended by section 605, to carry out within the Army a pilot program in order to assess the extent to which contributions by the Secretary to the Thrift Savings Fund on behalf of members of the Army described in subsection (b) would—

“(1) assist the Army in recruiting efforts; and

“(2) assist such members in establishing habits of financial responsibility during their initial enlistment in the Armed Forces.

“(b) COVERED MEMBERS.—To be eligible to participate in the pilot program under subsection (a), a member of the Army must be serving under an initial enlistment for a period of not less than two years.

“(c) CONTRIBUTIONS TO THRIFT SAVINGS FUND.—

“(1) IN GENERAL.—The Secretary of the Army may make contributions to the Thrift Savings Fund on behalf of any participant in the pilot program under subsection (a) for any pay period during the period of the pilot program.

“(2) LIMITATIONS.—The amount of any contributions made with respect to a member under paragraph (1) shall be subject to the provisions of section 8432(c) of title 5, United States Code.

“(d) REPORT.—

“(1) IN GENERAL.—Not later than February 1, 2008, the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report on the pilot program under subsection (a).

“(2) ELEMENTS.—The report shall include the following:

“(A) A description of the pilot program, including the number of members of the Army who participated in the pilot program and the contributions made by the Army to the Thrift Savings Fund on behalf of such members during the period of the pilot program.

“(B) An assessment, based on the pilot program and taking into account the views of officers and senior enlisted personnel of the Army, and of field recruiters, of the extent to which contributions by the military departments to the Thrift Savings Fund on behalf of members of the Armed Forces similar to the participants in the pilot program—

“(i) would enhance the recruiting efforts of the Armed Forces; and

“(ii) would assist such members in establishing habits of financial responsibility during their initial enlistment in the Armed Forces.”

§ 212. Advancement of basic pay: members deployed in combat zone for more than one year

(a) ELIGIBILITY; AMOUNT ADVANCED.—If a member of the armed forces is assigned to duty in an area for which special pay under section 310 of this title is available and the assignment is pursuant to orders specifying an assignment of one year or more (or the assignment is extended beyond one year), the member may request, during the period of the assignment, the advanced payment of not more than three months of the basic pay of the member.

(b) CONSIDERATION OF REQUEST.—A request by a member described in subsection (a) for the advanced payment of a single month of basic pay shall be granted. The Secretary concerned may grant a member's request for a second or third month of advanced basic pay during the assignment upon a showing of financial hardship.

(c) RECOUPMENT OF ADVANCED PAY.—The Secretary concerned shall recoup an advance made on the basic pay of a member under this section in equal installments over a one-year period beginning as provided in subsection (d). If the member is serving on active duty for any month during the recoupment period, the amount of the installment for the month shall be deducted from the basic pay of the member for that month. The estate of a deceased member shall not be required to repay any portion of the advanced pay paid to the member and not repaid before the death of the member.

(d) COMMENCEMENT OF RECOUPMENT.—The recoupment period for an advancement of basic pay to a member under this section shall commence on the first day of the first month beginning on or after the date on which the member receives the advanced pay.

(Added Pub. L. 108-375, div. A, title VI, § 606(a), Oct. 28, 2004, 118 Stat. 1945.)

CHAPTER 5—SPECIAL AND INCENTIVE PAYS

SUBCHAPTER I—EXISTING SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES

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301.	Incentive pay: hazardous duty.
301a.	Incentive pay: aviation career.
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301c.	Incentive pay: submarine duty.
301d.	Multiyear retention bonus: medical officers of the armed forces.
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302h. Special pay: accession bonus for dental officers.
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302j. Special pay: accession bonus for pharmacy officers.
302k. Special pay: accession bonus for medical officers in critically short wartime specialties.
302l. Special pay: accession bonus for dental specialist officers in critically short wartime specialties.
303. Special pay: veterinarians.
303a. Special pay: general provisions.
303b. Waiver of board certification requirements.
304. Special pay: diving duty.
305. Special pay: hardship duty pay.
305a. Special pay: career sea pay.
305b. Special pay: service as member of Weapons of Mass Destruction Civil Support Team.
306. Special pay: officers holding positions of unusual responsibility and of critical nature.
306a. Special pay: members assigned to international military headquarters.
307. Special pay: special duty assignment pay for enlisted members.
307a. Special pay: assignment incentive pay.
308. Special pay: reenlistment bonus.
[308a. Repealed.]
308b. Special pay: reenlistment bonus for members of the Selected Reserve.
308c. Special pay: bonus for affiliation or enlistment in the Selected Reserve.
308d. Special pay: members of the Selected Reserve assigned to certain high priority units.
[308e, 308f. Repealed.]
308g. Special pay: bonus for enlistment in elements of the Ready Reserve other than the Selected Reserve.
308h. Special pay: bonus for reenlistment, enlistment, or voluntary extension of enlistment in elements of the Ready Reserve other than the Selected Reserve.
308i. Special pay: prior service enlistment bonus.
308j. Special pay: affiliation bonus for officers in the Selected Reserve.
309. Special pay: enlistment bonus.
310. Special pay: duty subject to hostile fire or imminent danger.
[311. Repealed.]
312. Special pay: nuclear-qualified officers extending period of active service.
[312a. Repealed.]
312b. Special pay: nuclear career accession bonus.
312c. Special pay: nuclear career annual incentive bonus.
[313. Repealed.]
314. Special pay or bonus: qualified members extending duty at designated locations overseas.
315. Special pay: engineering and scientific career continuation pay.
316. Special pay: bonus for members with foreign language proficiency.
316a. Special pay: incentive pay for members of precommissioning programs pursuing foreign language proficiency.
317. Special pay: officers in critical acquisition positions extending period of active duty.
318. Special pay: special warfare officers extending period of active duty.
319. Special pay: surface warfare officer continuation pay.
320. Incentive pay: career enlisted flyers.
321. Special pay: judge advocate continuation pay.
[322, 323. Renumbered.]
324. Special pay: accession bonus for new officers in critical skills.
325. Incentive bonus: savings plan for education expenses and other contingencies.

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326. Incentive bonus: conversion to military occupational specialty to ease personnel shortage.
327. Incentive bonus: transfer between armed forces.
328. Combat-related injury rehabilitation pay.
329. Incentive bonus: retired members and reserve component members volunteering for high-demand, low-density assignments.
330. Special pay: accession bonus for officer candidates.

SUBCHAPTER II—CONSOLIDATION OF SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES

331. General bonus authority for enlisted members.
332. General bonus authority for officers.
333. Special bonus and incentive pay authorities for nuclear officers.
334. Special aviation incentive pay and bonus authorities for officers.
335. Special bonus and incentive pay authorities for officers in health professions.
351. Hazardous duty pay.
352. Assignment pay or special duty pay.
353. Skill incentive pay or proficiency bonus.
354. Special pay: 15-year career status bonus for members entering service on or after August 1, 1986.
355. Special pay: retention incentives for members qualified in critical military skills or assigned to high priority units.

SUBCHAPTER III—GENERAL PROVISIONS

371. Relationship to other incentives and pays.
372. Continuation of pays during hospitalization and rehabilitation resulting from wounds, injury, or illness incurred while on duty in a hostile fire area or exposed to an event of hostile fire or other hostile action.
373. Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met.
374. Regulations.

AMENDMENTS

2011—Pub. L. 111-383, div. A, title X, §1075(c)(2), Jan. 7, 2011, 124 Stat. 4372, added item 312 and struck out former item 312 “Special pay: nuclear-qualified officers extending period of active duty”.
2008—Pub. L. 110-417, [div. A], title VI, §§619(b)(2), 620(b)(2), 651(c)(2)(B), Oct. 14, 2008, 122 Stat. 4489, 4491, 4497, added items 302c-1, 316a, and 373 and struck out former item 373 “Repayment of unearned portion of bonus, incentive pay, or similar benefit when conditions of payment not met”.
Pub. L. 110-181, div. A, title VI, §661(d), Jan. 28, 2008, 122 Stat. 178, amended analysis generally, substituting items 301 to 374 and subchapter headings for former items 301 to 330.
2006—Pub. L. 109-364, div. A, title VI, §§617(d), 621(d)(1), 622(a)(2), Oct. 17, 2006, 120 Stat. 2251, 2255, 2256, added items 302k, 302l, 329, and 330.
Pub. L. 109-163, div. A, title VI, §§629(d)(2), 631(c), 632(c)(2), 634(c)(2), 639(e)(2), 640(f)(2), 641(b), 642(c), 687(e)(2), Jan. 6, 2006, 119 Stat. 3297, 3299, 3300, 3302, 3303, 3305, 3306, 3336, added items 327 and 328, substituted “Special pay: general provisions” for “Special pay: health professionals; general provisions” in item 303a, “Special pay: bonus for affiliation or enlistment in the Selected Reserve” for “Special pay: bonus for enlistment in the Selected Reserve” in item 308c, “Special pay: members of the Selected Reserve assigned to certain high priority units” for “Special pay: enlisted members of the Selected Reserve assigned to certain high priority units” in item 308d, “Special pay: affili-