

§ 615(7), Jan. 7, 2011, 124 Stat. 4237; Pub. L. 112–81, div. A, title VI, § 615(7), Dec. 31, 2011, 125 Stat. 1451; Pub. L. 112–239, div. A, title VI, § 615(7), Jan. 2, 2013, 126 Stat. 1777; Pub. L. 113–66, div. A, title VI, § 615(7), Dec. 26, 2013, 127 Stat. 781; Pub. L. 113–291, div. A, title VI, § 615(8), Dec. 19, 2014, 128 Stat. 3401; Pub. L. 114–92, div. A, title VI, § 615(8), Nov. 25, 2015, 129 Stat. 839.)

AMENDMENTS

2015—Subsec. (h). Pub. L. 114–92 substituted “December 31, 2016” for “December 31, 2015”.

2014—Subsec. (h). Pub. L. 113–291 substituted “December 31, 2015” for “December 31, 2014”.

2013—Subsec. (h). Pub. L. 113–66 substituted “December 31, 2014” for “December 31, 2013”.

Pub. L. 112–239 substituted “December 31, 2013” for “December 31, 2012”.

2011—Subsec. (h). 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. (h). Pub. L. 111–84 substituted “December 31, 2010” for “December 31, 2009”.

2006—Subsec. (d)(1). Pub. L. 109–364, § 620(a), substituted “\$10,000” for “\$2,500”.

Subsec. (f). Pub. L. 109–163, § 687(b)(35), amended heading and text of subsec. (f) generally. Prior to amendment, text read as follows:

“(1) A member who is paid a bonus under an agreement under this section and who, voluntarily or because of misconduct, fails to serve for the period covered by such agreement shall refund to the United States an amount which bears the same ratio to the amount of the bonus paid such member as the period which such member failed to serve bears to the total period for which the bonus was paid.

“(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

“(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under paragraph (1).”

Subsec. (h). Pub. L. 109–364, § 614(h), substituted “2009” for “2006”.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109–364, div. A, title VI, § 620(b), Oct. 17, 2006, 120 Stat. 2252, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2006, and shall apply to agreements entered into or revised under section 327 of title 37, United States Code, on or after that date.”

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.

§ 328. Combat-related injury rehabilitation pay

(a) SPECIAL PAY AUTHORIZED.—The Secretary concerned may pay monthly special pay under this section to a member of the armed forces who, while in the line of duty, incurs a wound, injury, or illness in a combat operation or combat zone designated by the Secretary of Defense and is evacuated from the theater of the combat operation or from the combat zone for medical treatment.

(b) COMMENCEMENT OF PAYMENT.—Subject to subsection (c), the special pay authorized by subsection (a) may be paid to a member described in such subsection for any month beginning after the date on which the member was evacuated from the theater of the combat operation or the combat zone in which the member incurred the combat-related injury.

(c) TERMINATION OF PAYMENTS.—The payment of special pay to a member under subsection (a) shall terminate at the end of the first month during which any of the following occurs:

(1) The member is paid a benefit under the traumatic injury protection rider of the Servicemembers’ Group Life Insurance Program issued under section 1980A of title 38.

(2) The member receives notification of the eligibility of the member for a benefit under such traumatic injury protection rider and a period of 30 days expires after the date of such notification.

(3) The member is no longer hospitalized in a military treatment facility or a facility under the auspices of the military health care system.

(d) AMOUNT OF SPECIAL PAY.—The monthly amount of special pay paid to a member under this section shall be equal to \$430, less any payment received by the member for the same month under section 310(b)¹ of this title.

(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Special pay paid to a member under this section is in addition to any other pay and allowances to which the member is entitled or authorized to receive.

(Added Pub. L. 109–163, div. A, title VI, § 642(a), Jan. 6, 2006, 119 Stat. 3305.)

REFERENCES IN TEXT

Section 310(b) of this title, referred to in subsec. (d), was redesignated section 310(c) of this title, and a new section 310(b) was added, by Pub. L. 111–84, div. A, title VI, § 618(a)(3), (4), Oct. 28, 2009, 123 Stat. 2355.

EFFECTIVE DATE

Pub. L. 109–163, div. A, title VI, § 642(d), Jan. 6, 2006, 119 Stat. 3306, provided that: “The Secretary of a military department may provide special pay under section 328 of title 37, United States Code, as added by subsection (a), for months beginning on or after the date of the enactment of this Act [Jan. 6, 2006]. A member of the Armed Forces who incurred a wound, injury, or illness under the circumstances described in subsection (a) of such section before the date of the enactment of this Act may receive such pay for such wound, injury, or illness for months beginning on or after that date so long as the member continues to satisfy the eligibility criteria specified in such section.”

§ 329. Incentive bonus: retired members and reserve component members volunteering for high-demand, low-density assignments

(a) INCENTIVE BONUS AUTHORIZED.—The Secretary of Defense may pay a bonus under this section to a retired member or former member of the Army, Navy, Air Force, or Marine Corps or to a member of a reserve component of the Army, Navy, Air Force, or Marine Corps (who is

¹ See References in Text note below.