

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, or paragraph (1) or (3) of section 351(a), 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; amended Pub. L. 114-328, div. A, title VI, § 618(h)(1), Dec. 23, 2016, 130 Stat. 2160.)

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-328 inserted “, or paragraph (1) or (3) of section 351(a),” after “section 310”.

**CHAPTER 5—SPECIAL AND INCENTIVE PAYS**

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

Sec.	Incentive pay: hazardous duty.
301.	Incentive pay: aviation career.
301a.	Incentive pay: aviation career.
301b.	Special pay: aviation career officers extending period of active duty.
301c.	Incentive pay: submarine duty.
301d.	Multiyear retention bonus: medical officers of the armed forces.
301e.	Multiyear retention bonus: dental officers of the armed forces.
302.	Special pay: medical officers of the armed forces.
302a.	Special pay: optometrists.
302b.	Special pay: dental officers of the armed forces.
302c.	Special pay: psychologists and nonphysician health care providers.
302c-1.	Special pay: accession and retention bonuses for psychologists.
302d.	Special pay: accession bonus for registered nurses.
302e.	Special pay: nurse anesthetists.
302f.	Special pay: reserve, recalled, or retained health care officers.
302g.	Special pay: Selected Reserve health care professionals in critically short wartime specialties.
302h.	Special pay: accession bonus for dental officers.