

§ 322. Special pay: 15-year career status bonus for members entering service on or after August 1, 1986

(a) AVAILABILITY OF BONUS.—The Secretary concerned shall pay a bonus under this section to an eligible career bonus member if the member—

(1) elects to receive the bonus under this section; and

(2) executes a written agreement (prescribed by the Secretary concerned) to remain continuously on active duty until the member has completed 20 years of active-duty service creditable under section 1405 of title 10.

(b) ELIGIBLE CAREER BONUS MEMBER DEFINED.—In this section, the term “eligible career bonus member” means a member of a uniformed service serving on active duty who—

(1) first became a member on or after August 1, 1986; and

(2) has completed 15 years of active duty in the uniformed services (or has received notification under subsection (e) that the member is about to complete that duty).

(c) ELECTION METHOD.—An election under subsection (a)(1) shall be made in such form and within such period as the Secretary concerned may prescribe. An election under that subsection is irrevocable.

(d) AMOUNT OF BONUS; PAYMENT.—(1) A bonus under this section shall be paid in a single lump sum of \$30,000.

(2) The bonus shall be paid to an eligible career bonus member not later than the first month that begins on or after the date that is 60 days after the date on which the Secretary concerned receives from the member the election required under subsection (a)(1) and the written agreement required under subsection (a)(2), if applicable.

(e) NOTIFICATION OF ELIGIBILITY.—(1) The Secretary concerned shall transmit to each member who meets the definition of eligible career bonus member a written notification of the opportunity of the member to elect to receive a bonus under this section. The Secretary shall provide the notification not later than 180 days before the date on which the member will complete 15 years of active duty.

(2) The notification shall include the following:

(A) The procedures for electing to receive the bonus.

(B) An explanation of the effects under sections 1401a, 1409, and 1410 of title 10 that such an election has on the computation of any retired or retainer pay that the member may become eligible to receive.

(f) REPAYMENT OF BONUS.—(1) If a person paid a bonus under this section fails to complete a period of active duty beginning on the date on which the election of the person under subsection (a)(1) is received and ending on the date on which the person completes 20 years of active-duty service as described in subsection (a)(2), the person shall refund to the United States the amount that bears the same ratio to the amount of the bonus payment as the uncom-

pleted part of that period of active-duty service bears to the total period of such service.

(2) Subject to paragraph (3), an obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

(3) The Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary concerned determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(4) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the member signing such agreement from a debt arising under the agreement or this subsection.

(Added Pub. L. 106-65, div. A, title VI, §642(a), Oct. 5, 1999, 113 Stat. 662.)

EFFECTIVE DATE

Section effective Oct. 1, 1999, see section 644 of Pub. L. 106-65, set out as an Effective Date of 1999 Amendment note under section 1401a of Title 10, Armed Forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 sections 1401a, 1409, 1410.

CHAPTER 7—ALLOWANCES

Sec.	
401.	Definitions.
402.	Basic allowance for subsistence.
403.	Basic allowance for housing.
[403a.	Repealed.]
403b.	Cost-of-living allowance in the continental United States.
404.	Travel and transportation allowances: general.
404a.	Travel and transportation allowances: temporary lodging expenses.
405.	Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska.
405a.	Travel and transportation allowances: departure allowances.
406.	Travel and transportation allowances: dependents; baggage and household effects.
406a.	Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
406b.	Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
406c.	Travel and transportation allowances: members assigned to a vessel under construction.
407.	Travel and transportation allowances: dislocation allowances. ¹
408.	Travel and transportation allowances: travel within limits of duty station.
409.	Travel and transportation allowances: house trailers and mobile homes.
410.	Travel and transportation allowances: miscellaneous categories.
411.	Travel and transportation allowances: administrative provisions.
411a.	Travel and transportation allowances: travel performed in connection with convalescent leave.

¹ So in original. Does not conform to section catchline.

- 411b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- 411c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
- 411d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
- 411e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
- 411f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member's burial ceremonies.
- 411g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.
- 411h. Travel and transportation allowances: transportation of family members incident to the serious illness or injury of members.
412. Appropriations for travel: may not be used for attendance at certain meetings.
413. Chairman and Vice Chairman of the Joint Chiefs of Staff.
414. Personal money allowance.
415. Uniform allowance: officers; initial allowance.
416. Uniform allowance: officers; additional allowances.
417. Uniform allowance: officers; general provisions.
418. Clothing allowance: enlisted members.
419. Civilian clothing allowance.
420. Allowances while participating in international sports.
421. Allowances: no increase while dependent is entitled to basic pay.
422. Cadets and midshipmen.
423. Validity of allowance payments based on purported marriages.
424. Band leaders.
425. United States Navy Band; United States Marine Band: allowances while on concert tour.¹
- [426. Repealed.]
427. Family separation allowance.
428. Allowance for recruiting expenses.
429. Travel and transportation allowances: minor dependent schooling.
430. Travel and transportation: dependent children of members stationed overseas.
431. Benefits for certain members assigned to the Defense Intelligence Agency.
432. Travel and transportation: members escorting certain dependents.
433. Allowance for muster duty.
434. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
- 435.² Per diem allowance for lengthy or numerous deployments.
- 435.² Funeral honors duty: allowance.

AMENDMENTS

1999—Pub. L. 106-65, div. A, title V, § 586(c)(2), Oct. 5, 1999, 113 Stat. 639, added item 435 "Per diem allowance for lengthy or numerous deployments".

Pub. L. 106-65, div. A, title V, § 578(k)(4), Oct. 5, 1999, 113 Stat. 631, which directed amendment of the table of sections at the beginning of chapter 4 of this title by adding item 435 "Funeral honors duty: allowance", was executed by adding that item 435 to the table of sections of this chapter to reflect the probable intent of Congress.

² So in original. Two sections 435 have been enacted and appear in a different order in this chapter.

1998—Pub. L. 105-261, div. A, title VI, § 633(b)(2), Oct. 17, 1998, 112 Stat. 2044, substituted "rest and recuperative leave from certain stations" for "leave from certain stations" in item 411c.

1997—Pub. L. 105-85, div. A, title VI, § 603(c)(4), Nov. 18, 1997, 111 Stat. 1782, substituted "housing" for "quarters" in item 403 and struck out item 403a "Variable housing allowance".

1994—Pub. L. 103-337, div. A, title VI, § 602(a)(2), Oct. 5, 1994, 108 Stat. 2781, added item 403b.

1992—Pub. L. 102-484, div. A, title VI, § 623(a)(2), Oct. 23, 1992, 106 Stat. 2423, added item 434.

1990—Pub. L. 101-510, div. A, title V, § 504(a)(1), title XIV, § 1484(f)(1), Nov. 5, 1990, 104 Stat. 1559, 1717, revised chapter heading so as to appear in all capital letters and renumbered Pub. L. 95-561, § 1407(c)(1)(B). See 1978 Amendment note below.

1989—Pub. L. 101-189, div. A, title V, § 502(b)(2), title VI, § 624(a)(2), Nov. 29, 1989, 103 Stat. 1437, 1448, added items 406c and 433.

1987—Pub. L. 100-180, div. A, title VI, §§ 611(a)(2), 614(a)(2), (d)(3), 615(a)(2), title XIII, § 1314(c)(2), Dec. 4, 1987, 101 Stat. 1093-1096, 1176, substituted "leave between consecutive overseas tours" for "certain leave" in item 411b, added items 411g and 411h, inserted "and Vice Chairman" in item 413, added item 419, and redesignated former items 419 and 420 as 420 and 421, respectively.

Pub. L. 100-26, § 8(b)(1), Apr. 21, 1987, 101 Stat. 285, redesignated item 431 "Travel and transportation: members escorting certain dependents" as item 432.

1986—Pub. L. 99-661, div. A, title VI, § 615(a)(2), Nov. 14, 1986, 100 Stat. 3880, added item 431 "Travel and transportation: members escorting certain dependents".

1985—Pub. L. 99-145, title VI, §§ 616(c)(2), 620(a)(2), title XIII, §§ 1302(b)(2), 1303(b)(7), Nov. 8, 1985, 99 Stat. 641, 643, 738, 740, substituted "allowances:" for "allowances;" in item 404 and "departure" for "evacuation" in item 405a, struck out "away from home port" after "inactivating" in item 406b, added item 411f, substituted "allowances" for "allowance" in item 425, and added item 431 "Benefits for certain members assigned to the Defense Intelligence Agency".

1984—Pub. L. 98-525, title VI, §§ 602(d)(2), 612(a)(2), Oct. 19, 1984, 98 Stat. 2536, 2539, struck out "variable housing allowance" after "Basic allowance for quarters" in item 403, and added item 403a, and substituted "personal emergencies for certain members and dependents" for "certain emergencies for members performing temporary duty" in item 411d.

1983—Pub. L. 98-94, title IX, §§ 910(a)(2), 932(e)(2), Sept. 24, 1983, 97 Stat. 639, 650, struck out item 421 "Contract surgeons" and added item 430.

1981—Pub. L. 97-60, title I, §§ 122(a)(2), 126(b), Oct. 14, 1981, 95 Stat. 1003, 1005, added items 404a, 411c, 411d, and 411e.

Pub. L. 97-22, § 11(b)(3)(B), July 10, 1981, 95 Stat. 138, substituted "uniformed services" for "Uniformed Services" in item 406b.

1980—Pub. L. 96-343, § 4(a)(3), Sept. 8, 1980, 94 Stat. 1125, substituted "for quarters; variable housing allowance" for "for quarters" in item 403.

Pub. L. 96-342, title VIII, § 808(a)(2), Sept. 8, 1980, 94 Stat. 1097, substituted "house trailers and mobile homes" for "trailers" in item 409.

1978—Pub. L. 95-561, title XIV, § 1407(d)(1)(B), formerly § 1407(c)(1)(B), Nov. 1, 1978, 92 Stat. 2367, as renumbered by Pub. L. 101-510, div. A, title V, § 504(a)(1), Nov. 5, 1990, 104 Stat. 1559, added item 429.

1973—Pub. L. 93-213, § 1(2), Dec. 28, 1973, 87 Stat. 910, added item 411b.

Pub. L. 93-170, § 1(2), Nov. 29, 1973, 87 Stat. 689, substituted "overhauling or inactivating" for "overhauling" in item 406b.

1971—Pub. L. 92-129, title II, § 205(b), Sept. 28, 1971, 85 Stat. 359, added item 428.

1970—Pub. L. 91-210, § 1(2), Mar. 13, 1970, 84 Stat. 53, added item 406b.