

(f) PROHIBITION ON PROMOTIONS.—The written agreement required by subsections (a) and (d) shall specify that a member who is paid or receives a bonus or other incentive under this section is not eligible for promotion while serving in the assignment for which the bonus or other incentive is provided.

(g) REPAYMENT.—A member who does not complete the period of active duty specified in the agreement executed under subsection (a) or (d) shall be subject to the repayment provisions of section 303a(e) of this title.

(h) HIGH-DEMAND, LOW-DENSITY MILITARY CAPABILITY.—In this section, the term “high-demand, low-density military capability” means a combat, combat support or service support capability, unit, system, or occupational specialty that the Secretary of Defense determines has funding, equipment, or personnel levels that are substantially below the levels required to fully meet or sustain actual or expected operational requirements set by regional commanders.

(i) REGULATIONS.—The Secretary of Defense may prescribe such regulations as the Secretary considers necessary to carry out this section.

(j) TERMINATION OF AUTHORITY.—No agreement under subsection (a) or (d) may be entered into after December 31, 2010.

(Added Pub. L. 109-364, div. A, title VI, §621(a), Oct. 17, 2006, 120 Stat. 2253.)

#### EFFECTIVE DATE

Pub. L. 109-364, div. A, title VI, §621(e), Oct. 17, 2006, 120 Stat. 2255, provided that: “No agreement may be entered into under section 329 of title 37, United States Code, as added by subsection (a), before October 1, 2006.”

### § 330. Special pay: accession bonus for officer candidates

(a) ACCESSION BONUS AUTHORIZED.—Under regulations prescribed by the Secretary concerned, a person who executes a written agreement described in subsection (c) may be paid an accession bonus under this section upon acceptance of the agreement by the Secretary concerned.

(b) AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed \$8,000.

(c) AGREEMENT.—A written agreement referred to in subsection (a) is a written agreement by a person—

- (1) to complete officer candidate school;
- (2) to accept a commission or appointment as an officer of the armed forces; and
- (3) to serve on active duty as a commissioned officer for a period specified in the agreement.

(d) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement shall specify whether the accession bonus will be paid in a lump sum or installments.

(e) REPAYMENT.—A person who, having received all or part of the bonus under a written agreement under subsection (a), does not complete the total period of active duty as a com-

missioned officer as specified in such agreement shall be subject to the repayment provisions of section 303a(e) of this title.

(f) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2011.

(Added Pub. L. 109-364, div. A, title VI, §622(a)(1), Oct. 17, 2006, 120 Stat. 2255; amended Pub. L. 110-181, div. A, title VI, §614(g), Jan. 28, 2008, 122 Stat. 149; Pub. L. 110-417, [div. A], title VI, §614(g), Oct. 14, 2008, 122 Stat. 4485; Pub. L. 111-84, div. A, title VI, §615(8), Oct. 28, 2009, 123 Stat. 2354; Pub. L. 111-383, div. A, title VI, §615(8), Jan. 7, 2011, 124 Stat. 4237.)

#### AMENDMENTS

2011—Subsec. (f). 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”.

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

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

#### 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

Pub. L. 109-364, div. A, title VI, §622(a)(3), Oct. 17, 2006, 120 Stat. 2256, provided that: “The amendments made by this subsection [enacting this section] shall take effect on October 1, 2006.”

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

#### § 331. General bonus authority for enlisted members

(a) AUTHORITY TO PROVIDE BONUS.—The Secretary concerned may pay a bonus under this section to a person, including a member of the armed forces, who—

- (1) enlists in an armed force;
- (2) enlists in or affiliates with a reserve component of an armed force;
- (3) reenlists, voluntarily extends an enlistment, or otherwise agrees to serve—

(A) for a specified period in a designated career field, skill, or unit of an armed force; or

(B) under other conditions of service in an armed force;

(4) transfers from a regular component of an armed force to a reserve component of that same armed force or from a reserve component of an armed force to the regular component of that same armed force; or

(5) transfers from a regular component or reserve component of an armed force to a regular component or reserve component of another armed force, subject to the approval of the Secretary with jurisdiction over the armed force to which the member is transferring.

(b) SERVICE ELIGIBILITY.—A bonus authorized by subsection (a) may be paid to a person or member only if the person or member agrees under subsection (d)—

- (1) to serve for a specified period in a designated career field, skill, unit, or grade; or
- (2) to meet some other condition or conditions of service imposed by the Secretary concerned.

(c) MAXIMUM AMOUNT AND METHOD OF PAYMENT.—

(1) MAXIMUM AMOUNT.—The Secretary concerned shall determine the amount of a bonus to be paid under this section, except that—

- (A) a bonus paid under paragraph (1) or (2) of subsection (a) may not exceed \$50,000 for a minimum two-year period of obligated service agreed to under subsection (d);
- (B) a bonus paid under paragraph (3) of subsection (a) may not exceed \$30,000 for each year of obligated service in a regular component agreed to under subsection (d);
- (C) a bonus paid under paragraph (3) of subsection (a) may not exceed \$15,000 for each year of obligated service in a reserve component agreed to under subsection (d); and
- (D) a bonus paid under paragraph (4) or (5) of subsection (a) may not exceed \$10,000.

(2) LUMP SUM OR INSTALLMENTS.—A bonus under this section may be paid in a lump sum or in periodic installments, as determined by the Secretary concerned.

(3) FIXING BONUS AMOUNT.—Upon acceptance by the Secretary concerned of the written agreement required by subsection (d), the total amount of the bonus to be paid under the agreement shall be fixed.

(d) WRITTEN AGREEMENT.—To receive a bonus under this section, a person or member determined to be eligible for the bonus shall enter into a written agreement with the Secretary concerned that specifies—

- (1) the amount of the bonus;
- (2) the method of payment of the bonus under subsection (c)(2);
- (3) the period of obligated service; and
- (4) the type or conditions of the service.

(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—A bonus paid to a person or member under this section is in addition to any other pay and allowance to which the person or member is entitled.

(f) RELATIONSHIP TO PROHIBITION ON BOUNTIES.—A bonus authorized under this section is not a bounty for purposes of section 514(a) of title 10.

(g) REPAYMENT.—A person or member who receives a bonus under this section and who fails to complete the period of service, or meet the conditions of service, for which the bonus is paid, as specified in the written agreement under subsection (d), shall be subject to the repayment provisions of section 373 of this title.

(h) TERMINATION OF AUTHORITY.—No agreement may be entered into under this section after December 31, 2011.

(Added Pub. L. 110-181, div. A, title VI, §661(a)(2), Jan. 28, 2008, 122 Stat. 163; amended Pub. L.

111-84, div. A, title VI, §614(1), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, §614(1), Jan. 7, 2011, 124 Stat. 4237.)

#### AMENDMENTS

2011—Subsec. (h). 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”.

### § 332. General bonus authority for officers

(a) AUTHORITY TO PROVIDE BONUS.—The Secretary concerned may pay a bonus under this section to a person, including an officer in the uniformed services, who—

- (1) accepts a commission or appointment as an officer in a uniformed service;
- (2) affiliates with a reserve component of a uniformed service;
- (3) agrees to remain on active duty or to serve in an active status for a specific period as an officer in a uniformed service;
- (4) transfers from a regular component of a uniformed service to a reserve component of that same uniformed service or from a reserve component of a uniformed service to the regular component of that same uniformed service; or
- (5) transfers from a regular component or reserve component of a uniformed service to a regular component or reserve component of another uniformed service, subject to the approval of the Secretary with jurisdiction over the uniformed service to which the member is transferring.

(b) SERVICE ELIGIBILITY.—A bonus authorized by subsection (a) may be paid to a person or officer only if the person or officer agrees under subsection (d)—

- (1) to serve for a specified period in a designated career field, skill, unit, or grade; or
- (2) to meet some other condition or conditions of service imposed by the Secretary concerned.

(c) MAXIMUM AMOUNT AND METHOD OF PAYMENT.—

(1) MAXIMUM AMOUNT.—The Secretary concerned shall determine the amount of a bonus to be paid under this section, except that—

- (A) a bonus paid under paragraph (1) of subsection (a) may not exceed \$60,000 for a minimum three-year period of obligated service agreed to under subsection (d);
- (B) a bonus paid under paragraph (2) of subsection (a) may not exceed \$12,000 for a minimum three-year period of obligated service agreed to under subsection (d);
- (C) a bonus paid under paragraph (3) of subsection (a) may not exceed \$50,000 for each year of obligated service in a regular component agreed to under subsection (d);
- (D) a bonus paid under paragraph (3) of subsection (a) may not exceed \$12,000 for each year of obligated service in a reserve component agreed to under subsection (d); and
- (E) a bonus paid under paragraph (4) or (5) of subsection (a) may not exceed \$10,000.

(2) LUMP SUM OR INSTALLMENTS.—A bonus under this section may be paid in a lump sum