

by this section [enacting sections 302k and 302l of this title and amending this section] shall take effect on October 1, 2006, and shall apply to agreements—

- “(1) entered into or revised under section 302h of title 37, United States Code, on or after that date; or
 “(2) entered into under section 302k or 302l of such title, as added by subsections (b) and (c), 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.

§ 302i. Special pay: pharmacy officers

(a) ARMY, NAVY, AND AIR FORCE PHARMACY OFFICERS.—Under regulations prescribed pursuant to section 303a of this title, the Secretary of the military department concerned may, subject to subsection (c), pay retention special pay under this section to an officer who—

- (1) is a pharmacy officer in the Medical Service Corps of the Army or Navy or the Biomedical Sciences Corps of the Air Force; and
 (2) is on active duty under a call or order to active duty for a period of not less than one year.

(b) PUBLIC HEALTH SERVICE CORPS.—Subject to subsection (c), the Secretary of Health and Human Services may pay retention special pay under this section to an officer who—

- (1) is an officer in the Regular or Reserve Corps¹ of the Public Health Service and is designated as a pharmacy officer; and
 (2) is on active duty under a call or order to active duty for a period of not less than one year.

(c) LIMITATION ON ELIGIBILITY FOR SPECIAL PAY.—Special pay may not be paid under this section to an officer serving in a pay grade above pay grade O-6.

(d) LIMITATION ON AMOUNT OF SPECIAL PAY.—The amount of retention special pay paid to an officer under this section may not exceed \$15,000 for any 12-month period.

(Added Pub. L. 106-398, §1 [[div. A], title VI, §628(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-154; amended Pub. L. 107-314, div. A, title VI, §615(g), Dec. 2, 2002, 116 Stat. 2569.)

Editorial Notes

AMENDMENTS

2002—Subsecs. (a), (b). Pub. L. 107-314, §615(g)(1), substituted “retention special pay under this section” for “special pay at the rates specified in subsection (d)”.

Subsec. (c). Pub. L. 107-314, §615(g)(2), inserted “ON ELIGIBILITY FOR SPECIAL PAY” after “LIMITATION” in heading.

Subsec. (d). Pub. L. 107-314, §615(g)(3), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “The rate of special pay paid to an officer under subsection (a) or (b) is as follows:

- “(1) \$3,000 per year, if the officer is undergoing pharmacy internship training or has less than 3 years of creditable service.

“(2) \$7,000 per year, if the officer has at least 3 but less than 6 years of creditable service and is not undergoing pharmacy internship training.

“(3) \$7,000 per year, if the officer has at least 6 but less than 8 years of creditable service.

“(4) \$12,000 per year, if the officer has at least 8 but less than 12 years of creditable service.

“(5) \$10,000 per year, if the officer has at least 12 but less than 14 years of creditable service.

“(6) \$9,000 per year, if the officer has at least 14 but less than 18 years of creditable service.

“(7) \$8,000 per year, if the officer has 18 or more years of creditable service.”

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to Reserve Corps of the Public Health Service deemed to be a reference to the Ready Reserve Corps, see section 204(c)(3) of Title 42, The Public Health and Welfare.

APPLICATION OF INCREASE

In case of amendment by section 615 of Pub. L. 107-314 to increase maximum amount of special pay or bonus that may be paid during any 12-month period, the amended limitation is applicable to 12-month periods beginning after Sept. 30, 2002, see section 615(i) of Pub. L. 107-314, set out as a note under section 301d of this title.

§ 302j. Special pay: accession bonus for pharmacy officers

(a) ACCESSION BONUS AUTHORIZED.—A person who is a graduate of an accredited pharmacy school and who, during the period beginning on October 30, 2000, and ending on December 31, 2018, executes a written agreement described in subsection (d) to accept a commission as an officer of a uniformed service and remain on active duty for a period of not less than 4 years may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

(b) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed \$30,000.

(c) LIMITATION ON ELIGIBILITY FOR BONUS.—A person may not be paid a bonus under subsection (a) if—

- (1) the person, in exchange for an agreement to accept an appointment as a warrant or commissioned officer, received financial assistance from the Department of Defense or the Department of Health and Human Services to pursue a course of study in pharmacy; or
 (2) the Secretary concerned determines that the person is not qualified to become and remain licensed as a pharmacist.

(d) AGREEMENT.—The agreement referred to in subsection (a) shall provide that, consistent with the needs of the uniformed service concerned, the person executing the agreement shall be assigned to duty, for the period of obligated service covered by the agreement, as a pharmacy officer in the Medical Service Corps of the Army or Navy, a biomedical sciences officer in the Air Force designated as a pharmacy officer, or a pharmacy officer of the Public Health Service.

(e) REPAYMENT.—A person who, after signing an agreement under subsection (a), is not com-

¹ See Change of Name note below.

missioned as an officer of the armed forces, does not become and remain certified or licensed as a pharmacist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.

(Added Pub. L. 106-398, §1 [[div. A], title VI, §628(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-154; amended Pub. L. 107-314, div. A, title X, §1062(c)(1), Dec. 2, 2002, 116 Stat. 2650; Pub. L. 108-375, div. A, title VI, §612(g), Oct. 28, 2004, 118 Stat. 1947; Pub. L. 109-163, div. A, title VI, §§622(g), 687(b)(12), Jan. 6, 2006, 119 Stat. 3294, 3329; Pub. L. 109-364, div. A, title VI, §612(g), Oct. 17, 2006, 120 Stat. 2248; Pub. L. 110-181, div. A, title VI, §612(g), Jan. 28, 2008, 122 Stat. 149; Pub. L. 110-417, [div. A], title VI, §612(g), Oct. 14, 2008, 122 Stat. 4484; Pub. L. 111-84, div. A, title VI, §612(b)(6), Oct. 28, 2009, 123 Stat. 2353; Pub. L. 111-383, div. A, title VI, §612(b)(6), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, §612(b)(6), Dec. 31, 2011, 125 Stat. 1449; Pub. L. 112-239, div. A, title VI, §612(b)(6), Jan. 2, 2013, 126 Stat. 1776; Pub. L. 113-66, div. A, title VI, §612(b)(6), Dec. 26, 2013, 127 Stat. 780; Pub. L. 113-291, div. A, title VI, §612(b)(6), Dec. 19, 2014, 128 Stat. 3400; Pub. L. 114-92, div. A, title VI, §612(b)(6), Nov. 25, 2015, 129 Stat. 838; Pub. L. 114-328, div. A, title VI, §612(b)(6), Dec. 23, 2016, 130 Stat. 2158; Pub. L. 115-91, div. A, title VI, §612(b)(6), Dec. 12, 2017, 131 Stat. 1422.)

Editorial Notes

AMENDMENTS

2017—Subsec. (a). Pub. L. 115-91 substituted “December 31, 2018” for “December 31, 2017”.

2016—Subsec. (a). Pub. L. 114-328 substituted “December 31, 2017” for “December 31, 2016”.

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

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

2013—Subsec. (a). 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. (a). 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. (a). Pub. L. 111-84 substituted “December 31, 2010” for “December 31, 2009”.

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

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

2006—Subsec. (a). Pub. L. 109-364 substituted “December 31, 2007” for “December 31, 2006”.

Pub. L. 109-163, §622(g), substituted “December 31, 2006” for “December 31, 2005”.

Subsec. (e). Pub. L. 109-163, §687(b)(12), amended heading and text of subsec. (e) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to refunds required when officer fails to become and remain licensed as pharmacist or fails to complete total period of active duty.

2004—Subsec. (a). Pub. L. 108-375 substituted “October 30, 2000, and ending on December 31, 2005” for “the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and ending on September 30, 2004”.

2002—Subsec. (a). Pub. L. 107-314 substituted “subsection (d)” for “subsection (c)”.

Statutory Notes and Related Subsidiaries

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.

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.

§ 302k. Special pay: accession bonus for medical officers in critically short wartime specialties

(a) **ACCESSION BONUS AUTHORIZED.**—A person who is a graduate of an accredited school of medicine or osteopathy in a specialty designated by regulations as a critically short wartime specialty and who executes a written agreement described in subsection (d) to accept a commission as an officer of the armed forces and remain on active duty for a period of not less than four consecutive years may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus in the amount determined by the Secretary concerned.

(b) **AMOUNT OF BONUS.**—The amount of an accession bonus under subsection (a) may not exceed \$400,000.

(c) **LIMITATION ON ELIGIBILITY FOR BONUS.**—A person may not be paid a bonus under subsection (a) if—

(1) the person, in exchange for an agreement to accept an appointment as an officer, received financial assistance from the Department of Defense to pursue a course of study in medicine or osteopathy; or

(2) the Secretary concerned determines that the person is not qualified to become and remain certified as a doctor or osteopath in a specialty designated by regulations as a critically short wartime specialty.

(d) **AGREEMENT.**—The agreement referred to in subsection (a) shall provide that, consistent with the needs of the armed force concerned, the person executing the agreement will be assigned to duty, for the period of obligated service covered by the agreement, as an officer of the Medical Corps of the Army or the Navy or as an officer of the Air Force designated as a medical officer in a specialty designated by regulations as a critically short wartime specialty.

(e) **REPAYMENT.**—A person who, after executing an agreement under subsection (a) is not commissioned as an officer of the armed forces, does not become licensed as a doctor or osteopath, as the case may be, or does not complete the period of active duty in a specialty specified in the 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, 2018.