

TITLE 37 - PAY AND ALLOWANCES OF THE UNIFORMED SERVICES
CHAPTER 5 - SPECIAL AND INCENTIVE PAYS

-HEAD-

Sec. 308b. Special pay: reenlistment bonus for members of the Selected Reserve

-STATUTE-

(a) Authority and Eligibility Requirements. - The Secretary concerned may pay a bonus under subsection (b) to an enlisted member of a reserve component who -

(1) has completed not more than 20 years of total military service; and

(2) reenlists or voluntarily extends ~~his enlistment for a period of three years or for a period of six years~~ **an enlistment for a period of at least three years** in a designated military skill, or in a designated unit, as determined by the Secretary concerned, in the Selected Reserve of the Ready Reserve of an armed force.

(3) Any portion of a term of reenlistment or extension of enlistment of a member that, when added to the total years of service of the member at the time of discharge or release, exceeds 24 years may not be used in computing the total bonus amount under paragraph (1).

(b) Bonus Amounts; Payment. -

(1) The amount of a bonus under this section **may not exceed \$15,000** ~~may not exceed-~~

~~_____ (A) \$15,000, in the case of a member who reenlists or extends an enlistment for a period of six years;~~

~~_____ (B) \$7,500, in the case of a member who, having never received a bonus under this section, reenlists or extends an enlistment for a period of three years; and~~

~~_____ (C) \$6,000, in the case of a member who, having received a bonus under this section for a previous three-year reenlistment or extension of an enlistment, reenlists or extends the enlistment for an additional period of three years.~~

(2) Bonus payments authorized under this section may be paid in either a lump sum or in installments. If the bonus is paid in installments, the initial payment shall be not less than 50 percent of the total bonus amount. The Secretary concerned shall prescribe the amount of each subsequent installment payment and the schedule for making the installment payments.

(c) **Waiver of Condition on Eligibility. In the case** ~~Condition on Eligibility;—~~

~~———— (1) To be eligible for a second bonus under this section in the amount specified in subsection (b)(1)(C), a member must —~~

~~———— (A) enter into the subsequent reenlistment or extension of an enlistment for a period of three years not later than the date on which the enlistment or extension for which the first bonus was paid would expire; and~~

~~———— (B) still satisfy the designated skill or unit requirements
— required under subsection (a)(2).~~

~~———— (2) In the case of a reenlistment or voluntary extension of enlistment by a member of the armed forces that is entered into as described in subsection (a) while the member is serving on active duty in Afghanistan, Iraq, or Kuwait in support of Operation Enduring Freedom or Operation Iraqi Freedom, the Secretary concerned may waive so much of paragraph (1)(B) or subsection (a)(2) as requires that the skill or unit in which the member reenlists or extends an enlistment be a designated skill or designated unit determined by the Secretary concerned.~~

(d) Payment to Mobilized Members. - A member entitled to a bonus under this section who is called or ordered to active duty shall be paid, during that period of active duty, any amount of the bonus that becomes payable to the member during that period of active duty.

(e) Repayment of Bonus. - A member who receives a bonus under this section and who fails, during the period for which the bonus was paid, to serve satisfactorily in the element of the Selected Reserve of the Ready Reserve with respect to which the bonus was paid shall refund to the United States an amount that bears the same ratio to the amount of the bonus paid to the member as the period that the member failed to serve satisfactorily bears to the total period for which the bonus was paid.

(f) Regulations. - This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Homeland Security for the Coast Guard when it is not operating as a service in the Navy.

(g) Termination of Authority. - No bonus may be paid under this section to any enlisted member who, after **December 31, 2008** , reenlists or voluntarily extends his enlistment in a reserve component.

SEC. 621. NDAA 06. EXTENSION OR RESUMPTION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

SEC.611.NDAA08, EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES

-SOURCE-

(Added Pub. L. 95-79, title IV, Sec. 403(a)(1), July 30, 1977, 91 Stat. 330; amended Pub. L. 95-485, title IV, Sec. 403, Oct. 20, 1978, 92 Stat. 1614; Pub. L. 96-342, title VIII, Sec. 805(b), Sept. 8, 1980, 94 Stat. 1095; Pub. L. 97-295, Sec. 3(2), Oct. 12, 1982, 96 Stat. 1303; Pub. L. 99-145, title VI, Sec. 643(a), Nov. 8, 1985, 99 Stat. 652; Pub. L. 100-180, div. A, title VI, Sec. 626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, Secs. 613, 652(b)(1), Nov. 29, 1989, 103 Stat. 1446, 1461; Pub. L. 101-510, div. A, title XIII, Sec. 1322(c)(4), Nov. 5, 1990, 104 Stat. 1672; Pub. L. 102-484, div. A, title VI, Sec. 612(d), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, Sec. 612(a), Nov. 30, 1993, 107 Stat. 1680; Pub. L. 103-337, div. A, title VI, Sec. 611(a), Oct. 5, 1994, 108 Stat. 2782; Pub. L. 104-106, div. A, title VI, Sec. 611(a), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, Sec. 611(b), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, Secs. 611(b), 621, Nov. 18, 1997, 111 Stat. 1785, 1790; Pub. L. 105-261, div. A, title VI, Sec. 611(b), Oct. 17, 1998, 112 Stat. 2038; Pub. L. 106-65, div. A, title VI, Sec. 611(b), Oct. 5, 1999, 113 Stat. 649; Pub. L. 106-398, Sec. 1 [[div. A], title VI, Sec. 621(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, Sec. 611(b), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-296, title XVII, Sec. 1704(c), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 107-314, div. A, title VI, Sec. 611(a), Dec. 2, 2002, 116 Stat. 2567; Pub. L. 108-136, div. A, title VI, Secs. 611(a), 617, 626(b), Nov. 24, 2003, 117 Stat. 1500, 1503, 1507.)

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AMENDMENTS

2003 - Subsec. (c)(3). Pub. L. 108-136, Sec. 626(b), added par. (3).

Subsecs. (d), (e). Pub. L. 108-136, Sec. 617, added subsec. (d) and redesignated former subsec. (d) as (e). Former subsec. (e) redesignated (f).

Subsec. (f). Pub. L. 108-136, Sec. 617(1), redesignated subsec. (e) as (f). Former subsec. (f) redesignated (g).

Pub. L. 108-136, Sec. 611(a), substituted "December 31, 2004" for "December 31, 2003".

Subsec. (g). Pub. L. 108-136, Sec. 617(1), redesignated subsec. (f) as (g).

2002 - Subsec. (e). Pub. L. 107-296 substituted "of Homeland

Security" for "of Transportation".

Subsec. (f). Pub. L. 107-314 substituted "December 31, 2003" for "December 31, 2002".

2001 - Subsec. (f). Pub. L. 107-107 substituted "December 31, 2002" for "December 31, 2001".

2000 - Subsec. (f). Pub. L. 106-398 substituted "December 31, 2001" for "December 31, 2000".

1999 - Subsec. (f). Pub. L. 106-65 substituted "December 31, 2000" for "December 31, 1999".

1998 - Subsec. (f). Pub. L. 105-261 substituted "December 31, 1999" for "September 30, 1999".

1997 - Subsec. (a). Pub. L. 105-85, Sec. 621(e)(1), inserted heading.

Subsec. (a)(1). Pub. L. 105-85, Sec. 621(a), substituted "14 years" for "ten years".

Subsec. (b). Pub. L. 105-85, Sec. 621(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "The bonus to be paid under subsection (a) shall be -

"(1) an initial payment of -

"(A) an amount not to exceed \$1,250, in the case of a member who reenlists or voluntarily extends his enlistment for a period of three years; or

"(B) an amount not to exceed \$2,500, in the case of a member who reenlists or voluntarily extends his enlistment for a period of six years; and

"(2) a subsequent payment of not to exceed \$416.66 upon the completion of each year of the period of such reenlistment or extension of enlistment during which such member has satisfactorily participated in training with his unit."

Subsec. (c). Pub. L. 105-85, Sec. 621(c), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "No member shall be paid more than one bonus under this section."

Subsec. (d). Pub. L. 105-85, Sec. 621(d), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus is being paid to him under this section shall refund an amount equal to the amount by which the amount of such bonus exceeds the product of -

"(1) the number of months during that term of enlistment during which such member participated satisfactorily in training with his unit; and

"(2) \$69.44."

Subsec. (e). Pub. L. 105-85, Sec. 621(e)(2), inserted heading.

Subsec. (f). Pub. L. 105-85, Sec. 621(e)(3), inserted heading.

Pub. L. 105-85, Sec. 611(b), substituted "September 30, 1999" for "September 30, 1998".

1996 - Subsec. (f). Pub. L. 104-201 substituted "September 30, 1998" for "September 30, 1997".

Pub. L. 104-106 substituted "September 30, 1997" for "September 30, 1996".

1994 - Subsec. (f). Pub. L. 103-337 substituted "September 30, 1996" for "September 30, 1995".

1993 - Subsec. (f). Pub. L. 103-160 substituted "September 30, 1995" for "September 30, 1993".

1992 - Subsec. (f). Pub. L. 102-484 substituted "September 30, 1993" for "September 30, 1992".

1990 - Subsecs. (e) to (g). Pub. L. 101-510 redesignated subsecs. (f) and (g) as (e) and (f), respectively, and struck out former subsec. (e) which read as follows: "The Secretary of defense shall submit a report to the Congress every three months listing the units of the Selected Reserve of the Ready Reserve which have been designated by him for purposes of subsection (a)(3) and stating the number of members of the Selected Reserve of the Ready Reserve who at the time of such report are serving a term of enlistment for which a bonus is being paid under this section."

1989 - Subsec. (e). Pub. L. 101-189, Sec. 652(b)(1), struck out at end "The first such report shall be submitted not later than December 31, 1977."

Subsec. (g). Pub. L. 101-189, Sec. 613, substituted "September 30, 1992" for "September 30, 1990".

1987 - Subsec. (g). Pub. L. 100-180 substituted "September 30, 1990" for "September 30, 1987".

1985 - Subsec. (b)(1). Pub. L. 99-145, Sec. 643(a)(1)(A), substituted "\$1,250" for "\$450" in subpar. (A) and "\$2,500" for "\$900" in subpar. (B).

Subsec. (b)(2). Pub. L. 99-145, Sec. 643(a)(1)(B), substituted "\$416.66" for "\$150".

Subsec. (d)(2). Pub. L. 99-145, Sec. 643(a)(2), substituted "\$69.44" for "\$25".

Subsec. (g). Pub. L. 99-145, Sec. 643(a)(3), substituted "September 30, 1987" for "September 30, 1985".

1982 - Subsec. (a)(1). Pub. L. 97-295 substituted "service" for "services".

1980 - Subsec. (g). Pub. L. 96-342 substituted "September 30, 1985" for "September 30, 1980".

1978 - Subsec. (a). Pub. L. 95-485, Sec. 403(a), substituted provision requiring that for an enlisted member of a reserve component to be eligible for the bonus provided in subsec. (b) he has completed less than 10 years of total military services for provision requiring that the enlisted member had initially enlisted in a reserve component, other than a reserve component under the delayed enlistment program for the active forces, and that he had

completed less than 10 years of service as a member of a reserve component.

Subsec. (b). Pub. L. 95-485, Sec. 403(b), inserted "an amount not to exceed" before "\$450", "\$900", and "\$150", respectively.

Subsec. (g). Pub. L. 95-485, Sec. 403(c), substituted "September 30, 1980" for "September 30, 1978".

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by section 626(b) of Pub. L. 108-136 effective Mar. 18, 2003, and applicable to reenlistments or voluntary extensions of enlistments entered into on or after that date, see section 626(d) of Pub. L. 108-136, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1993 AMENDMENT

Section 612(f) of Pub. L. 103-160 provided that: "The amendments made by subsections (a), (b), (d), and (e) [amending this section and sections 308c, 308h, and 308i of this title] shall take effect as of September 30, 1993, and shall apply with respect to an enlistment, reenlistment, or extension of an enlistment described in section 308b, 308c, 308h, or 308i of title 37, United States Code, occurring on or after that date."

EFFECTIVE DATE OF 1985 AMENDMENT

Section 643(b) of Pub. L. 99-145 provided that: "The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1985."

EFFECTIVE DATE

Section 403(b) of Pub. L. 95-79 provided that: "The amendments made by subsection (a) [enacting this section] shall apply with respect to any reenlistment, or voluntary extension of an enlistment, in the Selected Reserve of any reserve component of the Armed Forces after September 30, 1977."

COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub.

L. 102-484, set out as a note under section 301b of this title.-End-