

Skills” in heading, designated existing provisions as par. (1), and added par. (2).

Subsec. (d)(1). Pub. L. 109-163, § 640(c), inserted “(or \$100,000 in the case of a reserve component member)” after “\$200,000”.

Subsec. (e)(1)(A). Pub. L. 109-163, § 640(a)(2), inserted “or service in an active status in a reserve component” after “active duty”.

Subsec. (e)(1)(B). Pub. L. 109-163, § 640(a)(2), inserted “or service in an active status in a reserve component” after “active duty” in two places.

Subsec. (e)(2), (3). Pub. L. 109-163, § 640(d), added pars. (2) and (3) and struck out former par. (2) which read as follows: “The limitations in paragraph (1) do not apply with respect to an officer who is assigned duties as a health care professional during the period of active duty for which the bonus is being offered.”

Subsec. (g). Pub. L. 109-163, § 687(b)(31), amended heading and text of subsec. (g) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to repayment required when member fails to remain technically qualified in critical military skill or to satisfy other eligibility criteria for which bonus was paid.

Subsec. (g)(1). Pub. L. 109-163, § 640(e), substituted “If a member paid a bonus under this section fails, during the period of service covered by the member’s agreement, reenlistment, or voluntary extension of enlistment under subsection (a), to remain qualified in the critical military skill or to satisfy the other eligibility criteria for which the bonus was paid,” for “If an officer who has entered into a written agreement under subsection (a) fails to complete the total period of active duty specified in the agreement, or an enlisted member who voluntarily or because of misconduct does not complete the term of enlistment for which a bonus was paid under this section.”

Subsec. (h)(1). Pub. L. 109-163, § 640(b)(3), substituted “members of the armed forces who were offered a bonus under this section” for “members qualified in the critical military skills for which the bonuses were offered”.

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

Pub. L. 109-163, § 624(e), substituted “December 31, 2006” for “December 31, 2005”.

2004—Subsec. (a). Pub. L. 108-375, § 621, inserted “other than an enlisted member referred to in paragraph (3),” after “enlisted member,” in par. (2) and added par. (3).

Subsec. (h). Pub. L. 108-375, § 1084(e)(2), substituted “Secretary of Homeland Security” for “Secretary of Transportation” in introductory provisions.

Subsec. (i). Pub. L. 108-375, § 614(e), substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (a). Pub. L. 108-136, § 1045(b)(1), substituted “one year” for “1 year” in pars. (1) and (2).

Subsec. (b). Pub. L. 108-136, § 622, struck out “(1)” before “A designated” and par. (2) which read as follows: “The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, shall notify Congress, in advance, of each military skill to be designated by the Secretary as critical for purposes of this section. The notice shall be submitted at least 90 days before any bonus with regard to that critical skill is offered under subsection (a) and shall include a discussion of the necessity for the bonus, the amount and method of payment of the bonus, and the retention results that the bonus is expected to achieve.”

Subsec. (i). Pub. L. 108-136, § 614(d), substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (b). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” in pars. (1) and (2).

Subsec. (d). Pub. L. 107-314, § 618(a), designated existing provisions as par. (1) and added par. (2).

Subsec. (e). Pub. L. 107-314, § 618(b), designated existing provisions as par. (1), redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, of par. (1), and added par. (2).

Subsec. (g)(1). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (i). Pub. L. 107-314, § 614(d), substituted “December 31, 2003” for “December 31, 2002”.

2001—Subsec. (i). Pub. L. 107-107 substituted “December 31, 2002” for “December 31, 2001”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by section 614(d) of 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 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

Pub. L. 106-398, § 1 [[div. A], title VI, § 633(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-158, provided that: “Section 323 [now 355] of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2000.”

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.

SUBCHAPTER III—GENERAL PROVISIONS

§ 371. Relationship to other incentives and pays

(a) TREATMENT.—A bonus or incentive pay paid to a member of the uniformed services under subchapter II is in addition to any other pay and allowance to which a member is entitled, unless otherwise provided under this chapter.

(b) EXCEPTION.—A member may not receive a bonus or incentive pay under both subchapter I and subchapter II for the same activity, skill, or period of service.

(c) RELATIONSHIP TO OTHER COMPUTATIONS.—The amount of a bonus or incentive pay to which a member is entitled under subchapter II may not be included in computing the amount of—

(1) any increase in pay authorized by any other provision of this title; or

(2) any retired pay, retainer pay, separation pay, or disability severance pay.

(Added Pub. L. 110-181, div. A, title VI, § 661(a)(2), Jan. 28, 2008, 122 Stat. 176.)

§ 372. Continuation of pays during hospitalization and rehabilitation resulting from wounds, injury, or illness incurred while on duty in a hostile fire area or exposed to an event of hostile fire or other hostile action

(a) CONTINUATION OF PAYS.—If a member of a regular or reserve component of a uniformed service incurs a wound, injury, or illness in the line of duty while serving in a combat operation