

- (1) The Sergeant Major of the Army.
- (2) The Master Chief Petty Officer of the Navy.
- (3) The Chief Master Sergeant of the Air Force.
- (4) The Sergeant Major of the Marine Corps.
- (5) The Master Chief Petty Officer of the Coast Guard.

(Added Pub. L. 102-190, div. A, title VI, § 606(a), Dec. 5, 1991, 105 Stat. 1374.)

#### CHAPTER 5—SPECIAL AND INCENTIVE PAYS

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- 308g. Special pay: bonus for enlistment in elements of the Ready Reserve other than the Selected Reserve.
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- 308i. Special pay: prior service enlistment bonus.
- [309. Repealed.]
- 310. Special pay: duty subject to hostile fire or imminent danger.
- [311. Repealed.]
- 312. Special pay: nuclear-qualified officers extending period of active service.
- 312a. Special pay: nuclear-trained and qualified enlisted members.
- 312b. Special pay: nuclear career accession bonus.
- 312c. Special pay: nuclear career annual incentive bonus.

- Sec. [313. Repealed.]
- 314. Special pay: qualified enlisted members extending duty at designated locations overseas.
- 315. Special pay: engineering and scientific career continuation pay.
- 316. Special pay: foreign language proficiency pay.
- 316a. Waiver of certification requirement.
- 317. Special pay: officers in critical acquisition positions extending period of active duty.

#### AMENDMENTS

1991—Pub. L. 102-190, div. A, title VI, §§ 634(b), 635(b), 636(b), Dec. 5, 1991, 105 Stat. 1381-1383, added items 302f, 303b, and 316a.

Pub. L. 102-25, title VII, § 702(a)(1), Apr. 6, 1991, 105 Stat. 117, substituted "Multiyear retention" for "Retention" in item 301d.

1990—Pub. L. 101-510, div. A, title VI, §§ 611(a)(2), 618(c)(2), title XII, § 1203(a)(2), title XIV, § 1484(f)(1), Nov. 5, 1990, 104 Stat. 1576, 1579, 1657, 1717, revised chapter heading so as to appear in all capital letters, added item 301d, inserted "and nonphysician health care providers" after "psychologists" in item 302c, and added item 317.

1989—Pub. L. 101-189, div. A, title V, § 505(a)(2), title VII, §§ 704(b)(2), 705(a)(2), 706(a)(2), Nov. 29, 1989, 103 Stat. 1438, 1471-1473, struck out "in the Public Health Service Corps" after "psychologists" in item 302c and added items 302d, 302e, and 308d.

1987—Pub. L. 100-140, § 2(b)(2), Oct. 26, 1987, 101 Stat. 831, added item 302c.

1986—Pub. L. 99-661, div. A, title VI, § 634(a)(2), Nov. 14, 1986, 100 Stat. 3885, added item 316.

1985—Pub. L. 99-145, title VI, §§ 639(e), 644(a)(2), Nov. 8, 1985, 99 Stat. 651, 653, substituted "dental officers of the armed forces" for "dentists" in item 302b, added item 308i, and struck out item 311 "Special pay: continuation pay for dentists in the armed forces".

1984—Pub. L. 98-525, title VI, § 623(b)(2), title XIV, § 1402(b)(2), Oct. 19, 1984, 98 Stat. 2542, 2621, substituted "special duty assignment pay for enlisted members" for "proficiency pay for enlisted members" in item 307, and added item 306a.

1983—Pub. L. 98-94, title IX, § 905(b)(2), title X, § 1011(b)(2), Sept. 24, 1983, 97 Stat. 664, struck out item 308d "Special pay: bonus for enlistment, reenlistment, or extension of enlistment in elements of the ready Reserve other than the Selected Reserve", added items 308g and 308h, and in item 310 inserted "or imminent danger".

1981—Pub. L. 97-60, title I, §§ 117(c)(2), 120(b), Oct. 14, 1981, 95 Stat. 997, 999, added items 308f and 315.

1980—Pub. L. 96-579, §§ 3(e), 5(a)(2), Dec. 23, 1980, 94 Stat. 3364, 3366, added items 301c and 314.

Pub. L. 96-513, title V, § 506(5), Dec. 12, 1980, 94 Stat. 2919, struck out items 302c "Special pay: medical officers of the Public Health Service" and 313 "Special pay: medical officers of the Public Health Service who execute active duty agreements", and struck out "and physicians and dentists in the Public Health Service" after "forces" in item 311.

Pub. L. 96-342, title VIII, §§ 805(a)(2), 806(a)(2), Sept. 8, 1980, 94 Stat. 1094, 1096, added items 301b, 308d, and 308e.

Pub. L. 96-284, §§ 2(b), 3(a)(2), (b)(6), 4(d)(4), 5(b), June 28, 1980, 94 Stat. 589-593, added items 302c and 303a, and in item 302, substituted "medical officers of the armed forces" for "physicians", item 311, substituted "dentists in the armed forces and physicians and dentists in the Public Health Service" for "physicians and dentists who extend their service on active duty", and in item 313, inserted "of the Public Health Service" after "medical officers".

1979—Pub. L. 96-107, title IV, § 404(a)(2), Nov. 9, 1979, 93 Stat. 808, struck out item 309 "Reserves; members of National Guard: additional pay for performance of administrative duty."

1978—Pub. L. 95-485, title IV, §404(b), title VIII, §804(b)(2), Oct. 20, 1978, 92 Stat. 1615, 1621, substituted “on duty” for “on sea duty or duty” in item 305, and added items 305a and 308c.

1977—Pub. L. 95-79, title IV, §403(a)(2), July 30, 1977, 91 Stat. 331, added item 308b.

1976—Pub. L. 94-356, §3, July 12, 1976, 90 Stat. 901, added items 312b and 312c.

1974—Pub. L. 93-294, §2(3), May 31, 1974, 88 Stat. 177, added item 301a.

Pub. L. 93-274, §1(1), (2), (4), May 6, 1974, 88 Stat. 94, 95, substituted “physicians” for “physicians and dentists” in item 302, and added items 302b and 313.

1972—Pub. L. 92-581, §1(1), (4), Oct. 27, 1972, 86 Stat. 1277, 1278, struck out “submarine” in item 312, and added item 312a.

1971—Pub. L. 92-129, title II, §§202(b), 203(b), Sept. 28, 1971, 85 Stat. 358, added items 302a and 308a.

1969—Pub. L. 91-20, §1(2), June 3, 1969, 83 Stat. 13, added item 312.

1967—Pub. L. 90-207, §1(2)(B), Dec. 16, 1967, 81 Stat. 651, added item 311.

1963—Pub. L. 88-132, §§9(a)(2), 12(c), Oct. 2, 1963, 77 Stat. 216, 218, substituted “while on sea duty or duty at certain places” for “sea and foreign duty” in item 305, and added item 310.

CROSS REFERENCES

Assimilation of pay and allowances, see section 1003 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 907, 1003 of this title; title 42 sections 210, 254d.

§ 301. Incentive pay: hazardous duty

(a) Subject to regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled to incentive pay, in the amount set forth in subsection (b) or (c), for the performance of hazardous duty required by orders. In this subsection, the term “hazardous duty” means duty—

(1) involving frequent and regular participation in aerial flight as a crew member, as determined by the Secretary concerned, except for a member who is entitled to incentive pay under section 301a of this title;

(2) involving frequent and regular participation in aerial flight, not as a crew member under clause (1);

(3) involving parachute jumping as an essential part of military duty;

(4) involving the demolition of explosives as a primary duty, including training for that duty;

(5) inside a high- or low-pressure chamber;

(6) as a human acceleration or deceleration experimental subject;

(7) as a human test subject in thermal stress experiments;

(8) involving frequent and regular participation in flight operations on the flight deck of an aircraft carrier or of a ship other than an aircraft carrier from which aircraft are launched;

(9) involving frequent and regular exposure to highly toxic pesticides or involving labora-

tory work that utilizes live dangerous viruses or bacteria;

(10) involving (A) the servicing of aircraft or missiles with highly toxic fuels or propellants, (B) the testing of aircraft or missile systems (or components of such systems) during which highly toxic fuels or propellants are used, or (C) the handling of chemical munitions (or components of such munitions); or

(11) involving frequent and regular participation in aerial flight by an officer (other than a warrant officer) who is serving as an air weapons controller crew member (as defined by the Secretary concerned) aboard an airborne warning and control system aircraft (as designated by such Secretary) and who is not entitled to incentive pay under section 301a of this title.

(b) For the performance of hazardous duty described in clause (1) of subsection (a), a member is entitled to monthly incentive pay as follows:

| Pay Grade | Monthly Rate |
|-----------|--------------|
| O-10      | \$110        |
| O-9       | 110          |
| O-8       | 110          |
| O-7       | 110          |
| O-6       | 250          |
| O-5       | 250          |
| O-4       | 225          |
| O-3       | 175          |
| O-2       | 150          |
| O-1       | 125          |
| W-5       | 250          |
| W-4       | 250          |
| W-3       | 175          |
| W-2       | 150          |
| W-1       | 125          |
| E-9       | 200          |
| E-8       | 200          |
| E-7       | 200          |
| E-6       | 175          |
| E-5       | 150          |
| E-4       | 125          |
| E-3       | 110          |
| E-2       | 110          |
| E-1       | 110          |

(c)(1) For the performance of hazardous duty described in clauses (2) through (10) of subsection (a), a member is entitled to \$110 a month. However, a member performing hazardous duty described in clause (3) of that subsection who also performs as an essential part of such duty parachute jumping in military free fall operations involving parachute deployment by the jumper without the use of a static line is entitled to \$165 a month.

(2)(A) For the performance of hazardous duty described in clause (11) of subsection (a), an officer is entitled to monthly incentive pay based upon his years of service as an air weapons controller as follows:

| Pay grade     | Years of service as an air weapons controller |        |        |        |        |        |         |         |
|---------------|---|--------|--------|--------|--------|--------|---------|---------|
|               | 2 or less                                     | Over 2 | Over 3 | Over 4 | Over 6 | Over 8 | Over 10 | Over 12 |
| O-7 and above | \$200   | \$200  | \$200  | \$200  | \$200  | \$200  | \$200   | \$200   |
| O-6           | 225   | 250    | 300    | 325    | 350    | 350    | 350     | 350     |