

VI, §614(4), Dec. 19, 2014, 128 Stat. 3400; Pub. L. 114-92, div. A, title VI, §§614(4), 617(a)–(d), Nov. 25, 2015, 129 Stat. 839, 840; Pub. L. 114-328, div. A, title VI, §§614(4), 616, Dec. 23, 2016, 130 Stat. 2158, 2159; Pub. L. 115-91, div. A, title VI, §614(4), Dec. 12, 2017, 131 Stat. 1422.)

AMENDMENTS

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

2016—Subsec. (c)(1)(A), (B). Pub. L. 114-328, §616(a), added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

“(A) aviation incentive pay under subsection (a) shall be paid at a monthly rate, not to exceed—

“(i) \$1,000 per month for officers performing qualifying flying duty relating to remotely piloted aircraft (RPA); or

“(ii) \$850 per month for officers performing other qualifying flying duty; and

“(B) an aviation bonus under subsection (b) may not exceed, for each 12-month period of obligated service agreed to under subsection (d)—

“(i) \$35,000 for officers performing qualifying flying duty relating to remotely piloted aircraft; or

“(ii) \$25,000 for officers performing other qualifying flying duty.”

Subsec. (c)(2) to (4). Pub. L. 114-328, §616(b), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

Subsec. (i). Pub. L. 114-328, §614(4), substituted “December 31, 2017” for “December 31, 2016”.

2015—Subsec. (a). Pub. L. 114-92, §617(a), designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) to (5) as subpars. (A) to (E), respectively, of par. (1) and realigned margins, and added par. (2).

Subsec. (c)(1)(A). Pub. L. 114-92, §617(c)(1), substituted “exceed—” for “exceed \$850 per month; and” and added cls. (i) and (ii).

Subsec. (c)(1)(B). Pub. L. 114-92, §617(c)(2), substituted “, for each 12-month period of obligated service agreed to under subsection (d)—” for “\$25,000 for each 12-month period of obligated service agreed to under subsection (d).” and added cls. (i) and (ii).

Subsec. (f)(1). Pub. L. 114-92, §617(d)(1), substituted “353(a)” for “353”.

Subsec. (f)(2). Pub. L. 114-92, §617(d)(2), substituted “a bonus payment” for “a payment” and “353(b)” for “353”.

Subsec. (h)(1). Pub. L. 114-92, §617(b), struck out “(except a flight surgeon or other medical officer)” after “regular or reserve component”.

Subsec. (i). Pub. L. 114-92, §614(4), substituted “December 31, 2016” for “December 31, 2015”.

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

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

2008—Subsec. (f)(1). Pub. L. 110-417 substituted “section 351(a)(2)” for “section 351”.

§ 334a. Special aviation incentive pay and bonus authorities: enlisted members who operate remotely piloted aircraft

(a) AVIATION INCENTIVE PAY.—

(1) INCENTIVE PAY AUTHORIZED.—The Secretary concerned may pay aviation incentive

pay under this section to an enlisted member in a regular or reserve component of a uniformed service who—

(A) is entitled to basic pay under section 204 of this title or compensation under 206 of this title;

(B) is designated as a remotely piloted aircraft pilot, or is in training leading to such a designation;

(C) engages in, or is in training leading to, frequent and regular performance of operational flying duty or proficiency flying duty;

(D) engages in or remains in aviation service for a specified period; and

(E) meets such other criteria as the Secretary concerned determines appropriate.

(2) ENLISTED MEMBERS NOT CURRENTLY ENGAGED IN FLYING DUTY.—The Secretary concerned may pay aviation incentive pay under this section to an enlisted member who is otherwise qualified for such pay but who is not currently engaged in the performance of operational flying duty or proficiency flying duty if the Secretary determines, under regulations prescribed under section 374 of this title, that payment of aviation pay to that enlisted member is in the best interests of the service.

(b) AVIATION BONUS.—The Secretary concerned may pay an aviation bonus under this section to an enlisted member in a regular or reserve component of a uniformed service who—

(1) is entitled to aviation incentive pay under subsection (a);

(2) is within one year of completing the enlistment of the member;

(3) reenlists or voluntarily extends the enlistment of the member—

(A) for a period of at least one year; or

(B) in the case of an enlisted member serving pursuant to an indefinite reenlistment, executes a written agreement—

(i) to remain on active duty for a period of at least one year; or

(ii) to remain in an active status in a reserve component for a period of at least one year; and

(4) meets such other criteria as the Secretary concerned determines appropriate.

(c) MAXIMUM AMOUNT AND METHOD OF PAYMENT.—

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

(A) aviation incentive pay under subsection (a) shall be paid at a monthly rate not to exceed \$1,000 per month; and

(B) an aviation bonus under subsection (b) may not exceed \$35,000 for each 12-month period of obligated service agreed to under subsection (d).

(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 FOR BONUS.**—To receive an aviation bonus under this section, an enlisted 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) **RESERVE COMPONENT ENLISTED MEMBERS PERFORMING INACTIVE DUTY TRAINING.**—An enlisted member of reserve component who is entitled to compensation under section 206 of this title and who is authorized aviation incentive pay under this section may be paid an amount of incentive pay that is proportionate to the compensation received under section 206 of this title for inactive-duty training.

(f) **RELATIONSHIP TO OTHER PAY AND ALLOWANCES.**—

(1) **AVIATION INCENTIVE PAY.**—Aviation incentive pay paid to an enlisted member under subsection (a) shall be in addition to any other pay and allowance to which the enlisted member is entitled, except that an enlisted member may not receive a payment under such subsection and section 351(a)(2) or 353(a) of this title for the same skill and period of service.

(2) **AVIATION BONUS.**—An aviation bonus paid to an enlisted member under subsection (b) shall be in addition to any other pay and allowance to which the enlisted member is entitled, except that an enlisted member may not receive a bonus payment under such subsection and section 331 or 353(b) of this title for the same skill and period of service.

(g) **REPAYMENT.**—An enlisted member who receives aviation incentive pay or an aviation bonus under this section and who fails to fulfill the eligibility requirements for the receipt of the incentive pay or bonus or complete the period of service for which the incentive pay or bonus is paid, as specified in the written agreement under subsection (d) in the case of a bonus, shall be subject to the repayment provisions of section 373 of this title.

(h) **DEFINITIONS.**—In this section:

(1) **AVIATION SERVICE.**—The term “aviation service” means participation in aerial flight performed, under regulations prescribed by the Secretary concerned, by an eligible enlisted member who is a remotely piloted aircraft pilot.

(2) **OPERATIONAL FLYING DUTY.**—The term “operational flying duty” means flying performed under competent orders by enlisted members of the regular or reserve components while serving in assignments in which basic flying skills are normally maintained in the performance of assigned duties as determined by the Secretary concerned, and flying duty performed by members in training that leads to designation as a remotely piloted aircraft pilot by the Secretary concerned.

(3) **PROFICIENCY FLYING DUTY.**—The term “proficiency flying duty” means flying per-

formed under competent orders by enlisted members of the regular or reserve components while serving in assignments in which such skills would normally not be maintained in the performance of assigned duties.

(i) **TERMINATION OF AUTHORITY.**—No agreement may be entered into under this section after December 31, 2018.

(Added Pub. L. 115-91, div. A, title VI, §617(a), Dec. 12, 2017, 131 Stat. 1424.)

§ 335. Special bonus and incentive pay authorities for officers in health professions

(a) **HEALTH PROFESSIONS BONUS.**—The Secretary concerned may pay a health professions bonus under this section to a person, including an officer in the uniformed services, who is a graduate of an accredited school in a health profession and who—

(1) accepts a commission or appointment as an officer in a regular or reserve component of a uniformed service, or affiliates with a reserve component of a uniformed service, and agrees to serve on active duty in a regular component or in an active status in a reserve component in a health profession;

(2) accepts a commission or appointment as an officer and whose health profession specialty is designated by the Secretary of Defense as a critically short wartime specialty; or

(3) agrees to remain on active duty or continue serving in an active status in a reserve component in a health profession.

(b) **HEALTH PROFESSIONS INCENTIVE PAY.**—The Secretary concerned may pay incentive pay under this section to an officer in a regular or reserve component of a uniformed service who—

(1) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title; and

(2) is serving on active duty or in an active status in a designated health profession specialty or skill.

(c) **BOARD CERTIFICATION INCENTIVE PAY.**—The Secretary concerned may pay board certification incentive pay under this section to an officer in a regular or reserve component of a uniformed service who—

(1) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title;

(2) is board certified in a designated health profession specialty or skill; and

(3) is serving on active duty or in an active status in such designated health profession specialty or skill.

(d) **ADDITIONAL ELIGIBILITY CRITERIA.**—The Secretary concerned may impose such additional criteria for the receipt of a bonus or incentive pay under this section as the Secretary determines to be appropriate.

(e) **MAXIMUM AMOUNT AND METHOD OF PAYMENT.**—

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