

“(2) The Secretary concerned shall prescribe in regulations whether repayment of an amount otherwise required under paragraph (1) shall be made in whole or in part, the method for computing the amount of such repayment, and any conditions under which an exception to required repayment would apply.

“(3) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States. A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection (a) or (c) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).”

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

2004—Subsec. (b). Pub. L. 108-375, § 618(c)(1), substituted “\$10,000” for “\$8,000” in introductory provisions.

Subsec. (e). Pub. L. 108-375, § 611(b), substituted “December 31, 2005” for “December 31, 2004”.

Subsec. (f). Pub. L. 108-375, § 618(c)(2), amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “The total amount of expenditures under this section may not exceed \$37,024,000 during fiscal year 1994.”

2003—Subsec. (e). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (c). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (e). Pub. L. 107-314 substituted “December 31, 2003” for “December 31, 2002”.

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

2000—Subsec. (e). Pub. L. 106-398 substituted “December 31, 2001” for “December 31, 2000”.

1999—Subsec. (a). Pub. L. 106-65, § 620(a), struck out “for a term of enlistment of not less than six years” after “Ready Reserve of an armed force”.

Subsec. (b). Pub. L. 106-65, § 620(b), substituted “\$8,000” for “\$5,000” in introductory provisions.

Subsec. (e). Pub. L. 106-65, § 611(c), substituted “December 31, 2000” for “December 31, 1999”.

1998—Subsec. (e). Pub. L. 105-261 substituted “December 31, 1999” for “September 30, 1999”.

1997—Subsec. (e). Pub. L. 105-85 substituted “September 30, 1999” for “September 30, 1998”.

1996—Subsec. (e). 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. (e). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (b). Pub. L. 103-160, § 612(b)(1), substituted “\$5,000” for “\$2,000” in introductory provisions and “an amount not to exceed one-half of the bonus may be paid” for “one-half of the bonus shall be paid” in par. (1).

Subsec. (e). Pub. L. 103-160, § 612(b)(2), substituted “September 30, 1995” for “September 30, 1993”.

Subsec. (f). Pub. L. 103-160, § 612(b)(3), added subsec. (f).

1992—Subsec. (e). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1990—Subsecs. (e), (f). Pub. L. 101-510 redesignated subsec. (f) as (e) and struck out former subsec. (e) which read as follows: “The Secretary of Defense shall submit a report to the Congress every three months 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 has been paid under this section and listing each unit of the Selected Reserve of the Ready Reserve to which any such member is assigned at the time of such report.”

1989—Subsec. (a). Pub. L. 101-189, § 652(b)(2), struck out “, after September 30, 1978,” after “Any person who”.

Subsec. (e). Pub. L. 101-189, § 652(b)(1), struck out at end “The first such report shall be made not later than December 31, 1978.”

Subsec. (f). Pub. L. 101-189, § 613, substituted “September 30, 1992” for “September 30, 1990”.

1987—Subsec. (f). Pub. L. 100-180 substituted “September 30, 1990” for “September 30, 1987”.

1985—Subsec. (f). Pub. L. 99-145 substituted “September 30, 1987” for “September 30, 1985”.

1981—Subsec. (e). Pub. L. 97-22 substituted “Secretary of Defense” for “Secretary of defense”.

1980—Subsec. (f). Pub. L. 96-342 substituted “September 30, 1985” for “September 30, 1980”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by section 611(b) 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 OF 1999 AMENDMENT

Pub. L. 106-65, div. A, title VI, § 620(c), Oct. 5, 1999, 113 Stat. 653, provided that: “The amendments made by subsections (a) and (b) [amending this section] shall take effect on October 1, 1999, and shall apply with respect to enlistments entered into on or after that date.”

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-160 effective as of Sept. 30, 1993, and applicable with respect to an enlistment, re-enlistment, or extension of an enlistment described in this section or section 308b, 308h, or 308i of this title occurring on or after that date, see section 612(f) of Pub. L. 103-160, set out as a note under section 308b of this title.

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.

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.

§ 308d. Special pay: members of the Selected Reserve assigned to certain high priority units

(a) Under regulations prescribed by the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is assigned to a high priority unit of the Selected Reserve of the Ready Reserve of an armed force, as designated under subsection (b), and who performs inactive duty for training for compensation under section 206 of this title with such unit may be paid compensation, in addition to the compensation to which the member is otherwise entitled, in an amount not to exceed \$50 for each regular period of instruction,

or period of appropriate duty, at which the member is engaged for at least four hours, including any such instruction or duty performed on a Sunday or holiday.

(b) The Secretary concerned may designate a unit, for the purposes of subsection (a) and under such terms and conditions as the Secretary considers appropriate, as a high priority unit if that unit has experienced, or reasonably might be expected to experience, critical personnel shortages. The Secretary may vacate a designation made under this subsection at any time he considers the designation no longer necessary.

(c) Additional compensation may not be paid under this section for inactive duty performed after December 31, 2018.

(Added Pub. L. 101-189, div. A, title V, § 505(a)(1), Nov. 29, 1989, 103 Stat. 1437; amended Pub. L. 102-190, div. A, title VI, § 612(b)(1), Dec. 5, 1991, 105 Stat. 1376; Pub. L. 102-484, div. A, title VI, § 612(e), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 613(d), Nov. 30, 1993, 107 Stat. 1681; Pub. L. 103-337, div. A, title VI, § 613(d), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, § 613(d), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, § 611(d), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, § 611(d), Nov. 18, 1997, 111 Stat. 1785; Pub. L. 105-261, div. A, title VI, § 611(d), Oct. 17, 1998, 112 Stat. 2038; Pub. L. 106-65, div. A, title VI, §§ 611(d), 621, Oct. 5, 1999, 113 Stat. 650, 653; Pub. L. 106-398, § 1 [div. A], title VI, § 621(d)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, § 611(d), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-296, title XVII, § 1704(c), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 107-314, div. A, title VI, § 611(c), Dec. 2, 2002, 116 Stat. 2567; Pub. L. 108-136, div. A, title VI, § 611(c), Nov. 24, 2003, 117 Stat. 1500; Pub. L. 108-375, div. A, title VI, § 611(c), Oct. 28, 2004, 118 Stat. 1946; Pub. L. 109-163, div. A, title VI, §§ 621(b), 632(a)-(c)(1), Jan. 6, 2006, 119 Stat. 3294, 3299; Pub. L. 109-364, div. A, title VI, § 611(c), Oct. 17, 2006, 120 Stat. 2247; Pub. L. 110-181, div. A, title VI, § 611(c), Jan. 28, 2008, 122 Stat. 148; Pub. L. 110-417, [div. A], title VI, § 611(c), Oct. 14, 2008, 122 Stat. 4484; Pub. L. 111-84, div. A, title VI, § 611(3), Oct. 28, 2009, 123 Stat. 2352; Pub. L. 111-383, div. A, title VI, § 611(3), Jan. 7, 2011, 124 Stat. 4236; Pub. L. 112-81, div. A, title VI, § 611(3), Dec. 31, 2011, 125 Stat. 1449; Pub. L. 112-239, div. A, title VI, § 611(3), Jan. 2, 2013, 126 Stat. 1776; Pub. L. 113-66, div. A, title VI, § 611(3), Dec. 26, 2013, 127 Stat. 779; Pub. L. 113-291, div. A, title VI, § 611(3), Dec. 19, 2014, 128 Stat. 3399; Pub. L. 114-92, div. A, title VI, § 611(3), Nov. 25, 2015, 129 Stat. 837; Pub. L. 114-328, div. A, title VI, § 611(3), Dec. 23, 2016, 130 Stat. 2157; Pub. L. 115-91, div. A, title VI, § 611(3), Dec. 12, 2017, 131 Stat. 1421.)

PRIOR PROVISIONS

A prior section 308d, added Pub. L. 96-342, title VIII, § 805(a)(1), Sept. 8, 1980, 94 Stat. 1092, related to special pay and to a bonus for enlistment, reenlistment, or extension of enlistment in elements of the Ready Reserve other than the Selected Reserve, prior to repeal by Pub. L. 98-94, title X, § 1011(b)(1), Sept. 24, 1983, 97 Stat. 664, effective Oct. 1, 1983. See sections 308g and 308h of this title.

AMENDMENTS

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

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

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

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

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

2008—Subsec. (c). 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—Pub. L. 109-163, § 632(c)(1), substituted “Special pay: members of the Selected Reserve assigned to certain high priority units” for “Special pay: enlisted members of the Selected Reserve assigned to certain high priority units” in section catchline.

Subsec. (a). Pub. L. 109-163, § 632(a), (b), substituted “a member” for “an enlisted member” and “\$50” for “\$10”.

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

Pub. L. 109-163, § 621(b), substituted “December 31, 2006” for “December 31, 2005”.

2004—Subsec. (c). Pub. L. 108-375 substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (c). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (a). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Subsec. (c). Pub. L. 107-314 substituted “December 31, 2003” for “December 31, 2002”.

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

2000—Subsec. (c). Pub. L. 106-398 substituted “December 31, 2001” for “December 31, 2000”.

1999—Subsec. (a). Pub. L. 106-65, § 621, inserted “or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy,” after “Secretary of Defense.”

Subsec. (c). Pub. L. 106-65, § 611(d), substituted “December 31, 2000” for “December 31, 1999”.

1998—Subsec. (c). Pub. L. 105-261 substituted “December 31, 1999” for “September 30, 1999”.

1997—Subsec. (c). Pub. L. 105-85 substituted “September 30, 1999” for “September 30, 1998”.

1996—Subsec. (c). 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. (c). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (c). Pub. L. 103-160 substituted “September 30, 1995” for “September 30, 1993”.

1992—Subsec. (c). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1991—Subsec. (c). Pub. L. 102-190 substituted “1992” for “1991”.

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.

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

Pub. L. 103-160, div. A, title VI, §613(h)(2), Nov. 30, 1993, 107 Stat. 1682, provided that: “The amendment made by subsection (d) [amending this section] shall take effect as of September 30, 1993, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of title 37, United States Code.”

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-484, div. A, title VI, §612(j)(1), Oct. 23, 1992, 106 Stat. 2421, provided that: “The amendment made by subsection (e) [amending this section] shall take effect as of September 30, 1992, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of title 37, United States Code.”

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-190, div. A, title VI, §612(b)(2), Dec. 5, 1991, 105 Stat. 1376, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect as of September 30, 1991, and shall apply with respect to inactive duty for training performed after that date for which special pay is authorized under section 308d of such title.”

REPORT TO CONGRESS

Pub. L. 101-189, div. A, title V, §505(b), Nov. 29, 1989, 103 Stat. 1438, directed Secretary of Defense, not later than May 1, 1991, to submit to Congress a report on the administration of the special pay program provided for in 37 U.S.C. 308d.

[§ 308e. Repealed. Pub. L. 109-163, div. A, title VI, § 631(b), Jan. 6, 2006, 119 Stat. 3299]

Section, added Pub. L. 96-342, title VIII, §805(a)(1), Sept. 8, 1980, 94 Stat. 1093; amended Pub. L. 97-86, title V, §505, Dec. 1, 1981, 95 Stat. 1109; Pub. L. 99-145, title VI, §645(a), Nov. 8, 1985, 99 Stat. 654; Pub. L. 100-180, div. A, title VI, §626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §613, Nov. 29, 1989, 103 Stat. 1446; Pub. L. 102-25, title VII, §702(b)(1), (2), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 102-484, div. A, title VI, §612(d), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, §612(c), Nov. 30, 1993, 107 Stat. 1680; Pub. L. 103-337, div. A, title VI, §611(c), Oct. 5, 1994, 108 Stat. 2782; Pub. L. 104-106, div. A, title VI, §611(c), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, §611(e), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, §611(e), 623, Nov. 18, 1997, 111 Stat. 1785, 1793; Pub. L. 105-261, div. A, title VI, §611(e), Oct. 17, 1998, 112 Stat. 2038; Pub. L. 106-65, div. A, title VI, §611(e), Oct. 5, 1999, 113 Stat. 650; Pub. L. 106-398, §1 [[div. A], title VI, §621(e)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, §611(e), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-296, title XVII, §1704(c), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 107-314, div. A, title VI, §611(d), Dec. 2, 2002, 116 Stat. 2567; Pub. L. 108-136, div. A, title VI, §611(d), Nov. 24, 2003, 117 Stat. 1500; Pub. L. 108-375, div. A, title VI, §611(d), Oct. 28, 2004, 118 Stat. 1946, related to payment of bonus for reserve affiliation agreement.

[§ 308f. Repealed. Pub. L. 106-398, § 1 [[div. A], title VI, § 624(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-153]

Section, added Pub. L. 97-60, title I, §117(c)(1), Oct. 14, 1981, 95 Stat. 996; amended Pub. L. 98-14, §2, Mar. 30, 1983, 97 Stat. 55; Pub. L. 98-525, title VI, §621(a), Oct. 19, 1984, 98 Stat. 2540; Pub. L. 100-180, div. A, title VI, §626(a), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 102-25, title

VII, §702(b)(2), Apr. 6, 1991, 105 Stat. 117; Pub. L. 103-160, div. A, title VI, §613(e), Nov. 30, 1993, 107 Stat. 1681; Pub. L. 103-337, div. A, title VI, §613(c), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, §613(c), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, §613(c), Sept. 23, 1996, 110 Stat. 2544; Pub. L. 105-85, div. A, title VI, §613(c), Nov. 18, 1997, 111 Stat. 1786; Pub. L. 105-261, div. A, title VI, §§613(c), 620, Oct. 17, 1998, 112 Stat. 2039, 2042; Pub. L. 106-65, div. A, title VI, §§613(d), 622(a), Oct. 5, 1999, 113 Stat. 650, 653, related to bonus for enlistment in the Army.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2000, and not to affect the validity or terms of any bonus provided under such section for enlistments in the Armed Forces made before that date, see section 1 [[div. A], title VI, §624(c)(2)] of Pub. L. 106-398, set out as a note under section 308a of this title.

§ 308g. Special pay: bonus for enlistment in elements of the Ready Reserve other than the Selected Reserve

(a) An eligible person who enlists in a combat or combat support skill of an element (other than the Selected Reserve) of the Ready Reserve of an armed force for a term of enlistment of not less than six years, and who has not previously served in an armed force, may be paid a bonus as provided in subsection (b).

(b) Eligibility for and the amount and method of payment of a bonus under this section shall be determined in accordance with regulations prescribed under subsection (g), except that the amount of such a bonus may not exceed \$3,000. A person 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.

(c) A bonus may not be paid under this section for a term of enlistment to any person who fails to complete satisfactorily initial active duty for training or who, upon completion of initial active duty for training, elects to serve the remainder of the term of enlistment in the Selected Reserve or in an active component of an armed force.

(d) A person who does not serve satisfactorily in the element of the Ready Reserve in the combat or combat support skill for the period for which the bonus was paid under this section shall be subject to the repayment provisions of section 303a(e) of this title.

(e) 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.

(f) A bonus may not be paid under this section to any person for an enlistment—

- (1) during the period beginning on October 1, 1992, and ending on September 30, 2005; or
- (2) after December 31, 2018.

(Added Pub. L. 98-94, title X, §1011(a), Sept. 24, 1983, 97 Stat. 663; amended Pub. L. 99-145, title VI, §646(a)(1), title XIII, §1303(b)(3), Nov. 8, 1985, 99 Stat. 654, 740; Pub. L. 100-180, div. A, title VI, §626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §613, Nov. 29, 1989, 103