

is eligible to enter into a retention bonus agreement under section 301d of title 37, United States Code (as added by subsection (a)) may terminate any existing retention bonus agreement entered into by that officer under [section] 612 of the National Defense Authorization Act, Fiscal Year 1989 [Pub. L. 100-456] (37 U.S.C. 302 note), in order to enter into an agreement under section 301d of such title containing an active-duty service obligation that is not less than the active-duty service obligation remaining under the existing agreement on the date of its termination.

“(2) Subsection (e) of section 612 of the National Defense Authorization Act, Fiscal Year 1989 (37 U.S.C. 302 note), shall not apply to the termination, pursuant to paragraph (1), of a retention bonus agreement under that section.”

§ 301e. Multiyear retention bonus: dental officers of the armed forces

(a) BONUS AUTHORIZED.—(1) A dental officer described in subsection (b) who executes a written agreement to remain on active duty for two, three, or four years after completion of any other active-duty service commitment may, upon acceptance of the written agreement by the Secretary of the military department concerned, be paid a retention bonus as provided in this section.

(2) The amount of a retention bonus under paragraph (1) may not exceed \$50,000 for each year covered by a four-year agreement. The maximum yearly retention bonus for two-year and three-year agreements shall be reduced to reflect the shorter service commitment.

(b) OFFICERS AUTOMATICALLY ELIGIBLE.—Subsection (a) applies to an officer of the armed forces who—

(1) is an officer of the Dental Corps of the Army or the Navy or an officer of the Air Force designated as a dental officer;

(2) has a dental specialty in oral and maxillofacial surgery;

(3) is in a pay grade below pay grade O-7;

(4) has at least eight years of creditable service (computed as described in section 302b(g)¹ of this title) or has completed any active-duty service commitment incurred for dental education and training; and

(5) has completed initial residency training (or will complete such training before September 30 of the fiscal year in which the officer enters into an agreement under subsection (a)).

(c) EXTENSION OF BONUS TO OTHER DENTAL OFFICERS.—At the discretion of the Secretary of the military department concerned, the Secretary may enter into a written agreement described in subsection (a)(1) with a dental officer who does not have the dental specialty specified in subsection (b)(2), and pay a retention bonus to such an officer as provided in this section, if the officer otherwise satisfies the eligibility requirements specified in subsection (b). The Secretaries shall exercise the authority provided in this section in a manner consistent with regulations prescribed by the Secretary of Defense.

(d) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (a)

shall be subject to the repayment provisions of section 303a(e) of this title.

(Added Pub. L. 105-85, div. A, title VI, §617(a), Nov. 18, 1997, 111 Stat. 1788; amended Pub. L. 107-314, div. A, title VI, §615(b), Dec. 2, 2002, 116 Stat. 2568; Pub. L. 109-163, div. A, title VI, §687(b)(3), Jan. 6, 2006, 119 Stat. 3328.)

REFERENCES IN TEXT

Section 302b(g) of this title, referred to in subsec. (b)(4), was redesignated section 302b(f) of this title by Pub. L. 109-163, div. A, title VI, §687(b)(6)(D), Jan. 6, 2006, 119 Stat. 3328.

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-163 amended heading and text of subsec. (d) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to refunds required when officer fails to complete total period of active duty.

2002—Subsec. (a)(2). Pub. L. 107-314 substituted “\$50,000” for “\$14,000”.

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.

APPLICATION OF INCREASE

In case of amendment by section 615 of Pub. L. 107-314 to increase maximum amount of special pay or bonus that may be paid during any 12-month period, the amended limitation is applicable to 12-month periods beginning after Sept. 30, 2002, see section 615(i) of Pub. L. 107-314, set out as a note under section 301d of this title.

§ 302. Special pay: medical officers of the armed forces

(a) VARIABLE, ADDITIONAL, AND BOARD CERTIFICATION SPECIAL PAY.—(1) An officer who is an officer of the Medical Corps of the Army or the Navy or an officer of the Air Force designated as a medical officer and who is on active duty under a call or order to active duty for a period of not less than one year is entitled to special pay in accordance with this subsection.

(2) An officer described in paragraph (1) who is serving in a pay grade below pay grade O-7 is entitled to variable special pay at the following rates:

(A) \$1,200 per year, if the officer is undergoing medical internship training.

(B) \$5,000 per year, if the officer has less than six years of creditable service and is not undergoing medical internship training.

(C) \$12,000 per year, if the officer has at least six but less than eight years of creditable service.

(D) \$11,500 per year, if the officer has at least eight but less than ten years of creditable service.

(E) \$11,000 per year, if the officer has at least ten but less than twelve years of creditable service.

(F) \$10,000 per year, if the officer has at least twelve but less than fourteen years of creditable service.

¹ See References in Text note below.