

**SUMMARY OF MAJOR CHANGES TO  
DOD 7000.14-R, VOLUME 7A, CHAPTER 20  
“AVIATOR RETENTION BONUS”**

Substantive revisions are denoted by a ★ preceding the section, paragraph, table or figure that includes the revision

<b>PARA</b>	<b>EXPLANATION OF CHANGE/REVISION</b>	<b>EFFECTIVE DATE</b>
<b>2001 Bibliography</b>	<b>Interim change 24-01 regards extension and expansion of entitlement to certain special pays and bonuses.</b>	<b>April 26, 2001</b>

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## CHAPTER 20

AVIATOR RETENTION BONUS★2001 ENTITLEMENT

An aviation officer, who makes a written agreement to remain on active duty in aviation service for at least 1 year, may be paid a retention bonus as provided in this chapter. The written agreement shall be executed during the period beginning January 1, 1989, and ending on December 31, 2001, and accepted by the Secretary of the Military Department concerned. An aviation officer eligible under this chapter is entitled to a retention bonus in addition to any other pay and allowances to which the officer is entitled.

2002 ELIGIBILITY REQUIREMENTS

200201. Effective October 1, 1999, to qualify for an aviation bonus under this chapter, an officer shall:

- A. Be entitled to aviation career incentive pay (ACIP).
- B. Be in a pay grade below O-7 (although the Secretary of the Military Department concerned may establish more restrictive requirements).
- C. Be qualified to perform operational flying duty.
- D. Have completed any active duty service commitment incurred for undergraduate aviator training.

200202. Definitions of select terms used in this chapter are as follows:

A. Aviation Service. Aviation service is service performed by an officer (except a flight surgeon or other medical officer) while holding an aeronautical rating or designation or while in training to receive an aeronautical rating or designation.

B. Operational Flying Duty. Operational flying duty is flying performed under competent orders by rated or designated members while serving in assignments in which basic flying skills normally are maintained in the performance of assigned duties as determined by the Secretary of the Military Department concerned, and flying performed by members in training that leads to the award of an aeronautical rating or designation.

**2003 COMPUTATION**

The amount of a retention bonus authorized under this chapter, for agreements submitted on or after October 1, 1999, may not be more than \$25,000 for each year covered by the agreement to remain on active duty.

**2004 TIME OF PAYMENT**

200401. The term of the written agreement and the amount of payment may be prorated so long as an agreement does not extend beyond the date on which the officer would complete 25 years of aviation service.

200402. Upon an officer's acceptance of the agreement, the total amount payable becomes fixed and may be paid either in a lump sum or in installments.

200403. If a member dies before receiving the full amount of the bonus due (including contracted future year anniversary payments) and death is not caused by the member's misconduct, the remaining unpaid bonus balance is payable as a lump sum for inclusion in the settlement of the deceased member's final military pay account. If death is determined to be the result of the member's own misconduct, termination of future payments and proration or recoupment of the bonus, as applicable, shall be made in accordance with procedures established by the cognizant Military Department for members whose inability to complete a contracted period of service is voluntary or the result of misconduct.

**2005 RECOUPMENT**

200501. Recoupment of the unearned portion of the bonus is required on a pro rata basis if the officer who is receiving the payment fails to complete the total period of active duty specified in the agreement, as conditions and circumstances warrant.

200502. The amount established for recoupment is, for all purposes, a debt owed to the United States.

200503. A discharge in bankruptcy under Title 11 United States Code (U.S.C.) (reference (aj)), which is entered less than 5 years after the termination of an agreement under this section, does not discharge the member signing such agreement from a debt arising under such agreement or under section 2001.

200504. Reduce the amount to be recouped by an amount equal to any reduction taken under subparagraphs 350702.F or 350802.D.

Chapter 20 — Aviator Retention Bonus

★2001 — Entitlement

Public Law 106-398,  
section 623,  
October 30, 2000  
37 U.S.C. 301b(a)

2002 — Eligibility Requirements

37 U.S.C. 301b(b)  
Public Law 105-261,  
section 615(c)(2),  
October 17, 1998  
Public Law 106-65,  
section 615,  
October 5, 1999  
37 U.S.C. 301b(j)

200202

2003— Computation

37 U.S.C. 301b(c)  
Public Law 105-85,  
section 616,  
November 18, 1997  
Public Law 106-65,  
section 615,  
October 5, 1999

2004—Time of Payment

200403

37 U.S.C. 301b(d), (e)  
ASD(FMP) Memo,  
June 29, 1999  
Public Law 106-65,  
section 615,  
October 5, 1999

2005—Recoupment

37 U.S.C. 301b(g)  
Public Law 103-139,  
section 8127,  
November 11, 1993

Public Law 103-335,  
section 8106A,  
September 30, 1994

Public Law 106-65,  
section 615,  
October 5, 1999