

VOLUME 7A, CHAPTER 3: “SPECIAL PAY - OFFICERS ONLY”**SUMMARY OF MAJOR CHANGES**

All changes are denoted by **blue font**.

Substantive revisions are denoted by an * symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by **bold, italic, blue and underlined font**.

The previous version dated May 2012 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
030101.D	Duration of Authority for Nuclear Power Accession Bonus extended to December 31, 2013.	Update
030102.E	Duration of Authority for Nuclear Qualified Officer Extending Period of Active Service extended to December 31, 2013.	Update
030103.B.2	Duration of Authority for Nuclear Career Annual Incentive Bonus extended to December 31, 2013.	Update
030606	Duration of Authority for Accession Bonus extended for Officer Candidates to December 31, 2013.	Update
030707	Duration of Authority for Accession Bonus for New Officers in Critical Skills extended to December 31, 2013.	Update
030807	Duration of Authority for Retention Incentive for Critical Military Skills extended to December 31, 2013.	Update
030908	Duration of Authority for Incentive Bonus: Transfer Between Armed Forces extended to December 31, 2013.	Update
0310	Changed to indicate the authority for the Army Referral Bonus ended December 31, 2011.	Update
Bibliography	Updated statutes.	Update

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CHAPTER 3

SPECIAL PAY – OFFICERS ONLY

0301 SPECIAL PAYS FOR NUCLEAR QUALIFIED OFFICERS

*030101. Nuclear Power Accession Bonus Program

A. Eligibility

1. Nuclear Officer Accession Bonus. An accession bonus is payable to officers or prospective officers who are selected for officer Naval nuclear propulsion training and execute a written agreement to participate in a program of training for duty in connection with the supervision, operation, and maintenance of Naval nuclear propulsion plants.

2. Nuclear Career Accession Bonus. Officers who are on active duty and who successfully complete the nuclear propulsion training program leading to qualification for duty in connection with the supervision, operation, and maintenance of Naval nuclear propulsion plants are entitled to payment of an accession bonus upon successful completion of the nuclear propulsion training program.

B. Payment. The bonus rates and effective dates for this program are contained in [OPNAVINST 7220.11D](#), dated July 3, 2012.

C. Repayment. An officer who receives an accession bonus and does not commence or complete satisfactorily the nuclear power training will be subject to the repayment provisions of Chapter 2.

D. Duration of Authority. Unless otherwise authorized by the Congress, the provisions of this section shall be effective only in the case of officers who, on or before December 31, 2013, have been accepted for training for duty in connection with the supervision, operation, and maintenance of Naval nuclear propulsion plants. [The 2013 National Defense Authorization Act reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013.](#) There is no authority to enter into an agreement for this bonus on January 1, 2013.

*030102. Nuclear Qualified Officer Extending Period of Active Service (Continuation Pay)

A. Entitlement. The Secretary of the Navy may pay Nuclear Officer Continuation Pay (COPAY) to nuclear-qualified officers who agree to remain on active duty for an additional 3, 4, 5, 6, or 7 years beyond their existing service obligation.

B. Eligibility. Officers who meet the criteria as defined in [OPNAVINST 7220.11D](#), dated July 3, 2012, are eligible to receive COPAY upon acceptance of their written

agreement to remain on active duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants with the Secretary of the Navy.

C. Payment. The amount payable shall not exceed \$30,000 for each year of the active service agreement. Rates and effective dates are contained in the governing regulation, [OPNAVINST 7220.11D](#), dated July 3, 2012.

D. Repayment. An officer who does not complete the period of active duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants that the officer agreed to serve will be subject to the repayment provisions of Chapter 2.

E. Duration of Authority. Unless otherwise authorized by the Congress, the provisions of this section shall be effective only in the case of officers who, on or before December 31, 2013, execute the required written agreement to remain in active service. [The 2013 National Defense Authorization Act reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013. There is no authority to enter into an agreement for this bonus on January 1, 2013.](#)

*030103. Nuclear Career Annual Incentive Bonus

A. Entitlement. The Secretary of the Navy may pay Nuclear Career Annual Incentive Bonus (AIB) to nuclear-trained and nuclear-qualified officers who are on active duty and who complete their initial service requirement, and to nuclear-trained and nuclear-qualified limited duty and warrant officers who serve in an assignment with duties in connection with direct supervision, operation, or maintenance of naval nuclear propulsion plants.

B. Eligibility

1. Only officers in pay grades W-2 through W-5 and O-1 through O-6 are eligible for AIB. Officers serving in a period of obligated service associated with paragraph 030102 are not eligible for AIB during that period of their obligated service.

2. In order to be eligible for an annual bonus for any nuclear service year, a technically qualified officer must have been on active duty on the last day of that nuclear service year. For the purpose of this section, a “nuclear service year” is any fiscal year beginning before [December 31, 2013. The extension of the statutory authority is retroactive, and therefore, there is no lapse in authority.](#)

C. Payment. The annual amount payable to all eligible officers on active duty shall not exceed \$22,000. Rates and payment procedures are contained in the governing regulation, [OPNAVINST 7220.11D](#), dated July 3, 2012.

NOTE: An officer of the US Navy who is not on active duty on the last day of a nuclear service year may be paid a bonus on a pro rata basis, if otherwise qualified, unless termination of active duty or loss of technical qualifications was voluntary or was the result of his own misconduct.

0302 SPECIAL PAY FOR OFFICERS SERVING IN POSITIONS OF UNUSUAL
RESPONSIBILITY AND OF A CRITICAL NATURE

030201. Entitlement

The Secretary concerned, may designate positions of unusual responsibility that are of a critical nature to an Armed Force under his or her jurisdiction and authorize special pay to officers performing the duties of such a position. Officers serving in a designated position and entitled to the basic pay for active duty or compensation for inactive duty in grade 0-6 and below are entitled to this special pay. This special pay will be referred to as responsibility pay.

030202. Rates Payable

The monthly rates of responsibility pay are:

<u>Pay Grade</u>	<u>Amount</u>
0-6	\$150
0-5	\$100
0-4 and below	\$50

030203. Authorized Payees

Subject to other entitlement conditions and restrictions, officers are entitled to responsibility pay while serving as a commanding officer or commander of a unit listed in directives issued under the authority of the Secretary concerned. Responsibility pay will continue to accrue while on temporary duty, leave, or similar temporary absences from duty where there is no permanent relief. Responsibility pay accrues from the date the assignment begins through the date the assignment ends.

030204. Restrictions

Responsibility pay is not authorized for:

- A. Officers temporarily in command.
- B. Officers assigned in designated "Officer in Charge" billets unless specifically designated in directives issued under the authority of the Secretary concerned.
- C. More than one officer per designated billet, except for the dates of assumption of and relief from command.

0303 SPECIAL PAY: WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY

030301. Defined

The term "special warfare officer" means an officer of a uniformed service who is;

A. Qualified for a military occupational specialty or designator identified by the Secretary of the Military Department concerned, as a special warfare military occupational specialty or designator, and

B. Serving in a position for which that specialty or designator is authorized.

030302. Retention Bonus Authorized

A special warfare officer who meets the eligibility requirements specified in paragraph 030303, and who executes a written agreement to remain on active duty in special warfare service for at least 1 year, may upon the acceptance of the agreement by the Secretary of the Military Department concerned, be paid a retention bonus as provided in this section.

030303. Eligibility

A special warfare officer may apply to enter into an agreement if the officer:

A. Is in pay grade O-3, or is in pay grade O-4 and is not on a list of officers recommended for promotion, at the time the officer applies to enter into the agreement; and

B. Has completed at least 6, but not more than 14, years of active commissioned service; and

C. Has completed any service commitment incurred to be commissioned as an officer.

030304. Amount

The amount of a retention bonus paid under this section may not be more than \$15,000 for each year covered by the agreement.

030305. Payment Methods

Upon acceptance of an agreement by the Secretary of the Military Department concerned, the total amount payable pursuant to the agreement becomes fixed. The amount of the retention bonus may be paid as follows:

A. The Secretary of the Military Department concerned may make a lump-sum payment equal to half the total amount payable under the agreement. The balance of the bonus amount will be paid in equal annual installments on the anniversary of the acceptance of the agreement.

B. The Secretary of the Military Department concerned may make graduated annual payments. The first payment is payable at the time the agreement is accepted by the Secretary and subsequent payments are payable on the anniversary of the acceptance of the agreement.

030306. Additional Pay

A retention bonus paid under this section is in addition to any other pay and allowances to which an officer is entitled.

030307. Repayment

An officer who, having entered into a written agreement under this section and having received all or part of a bonus under this section, does not complete the period of active duty in special warfare service as specified in the agreement will be subject to the repayment provisions of Chapter 2.

0304 SURFACE WARFARE OFFICER CONTINUATION PAY

030401. Eligibility

In this section, the term “eligible surface warfare officer” means an officer of the Regular Navy or Navy Reserve on active duty who:

- A. Is qualified and serving as a surface warfare officer;
- B. Has been selected for assignment as a department head on a surface vessel; and
- C. Has completed any service commitment incurred through the officer’s original commissioning program or is within 1 year of completing such commitment.

030402. Special Pay Authorized

An eligible surface warfare officer who executes a written agreement to remain on active duty to complete one or more tours of duty to which the officer may be ordered as a department head on a surface vessel may upon the acceptance of the agreement by the Secretary of the Navy be paid an amount not to exceed \$50,000.

030403. Payment Methods

Upon acceptance of the written agreement by the Secretary of the Navy, the total amount payable pursuant to the agreement becomes fixed. The Secretary will prepare an implementation plan specifying the amount of each installment payment under the agreement and the times for payment of the installments.

030404. Additional Pay

Any amount paid under this section is in addition to any other pay and allowances to which an officer is entitled.

030405. Repayment

An officer who, having entered into a written agreement under section 0304 and having received all or part of a bonus under this section, does not complete the period of active duty as a department head on a surface vessel, as specified in the agreement, will be subject to the repayment provisions of Chapter 2.

0305 JUDGE ADVOCATE CONTINUATION PAY

030501. Eligibility

The term “eligible judge advocate” means an officer of the Armed Forces on full-time active duty who:

A. Is qualified and serving as a judge advocate as defined in [Title 10, United States Code \(U.S.C.\) section 801](#); and

B. Has completed the active duty service obligation incurred through the officer’s original commissioning program; or

C. In the case of an officer detailed under [10 U.S.C. 2004](#) or [14 U.S.C. 470](#), the active duty service obligation incurred as part of that detail.

030502. Special Pay Authorized

An eligible judge advocate who executes a written agreement to remain on active duty for a period of obligated service specified in the agreement may, upon the acceptance of the agreement by the Secretary of the Military Department concerned, be paid continuation pay under this section. The total amount paid to an officer under one or more agreements under this section may not exceed \$60,000.

030503. Payment Methods

Upon acceptance of an agreement by the Secretary of the Military Department concerned, the total amount payable pursuant to the agreement becomes fixed. The Secretary of the Military Department concerned, will prepare an implementation plan specifying the amount of each installment payment under the agreement and the times for payment of the installments.

030504. Additional Pay

Any amount paid to an officer under this section is in addition to any other pay and allowances to which the officer is entitled.

030505. Repayment

An officer who has entered into a written agreement, and has received all or part of the amount payable under the agreement but who does not complete the total period of active duty specified in the agreement, will be subject to the repayment provisions of Chapter 2.

0306 ACCESSION BONUS FOR OFFICER CANDIDATES

030601. Authorization

Under regulations prescribed by the Secretary of the Military Department concerned, a person who executes a written agreement may be paid an accession bonus under this section upon acceptance of the agreement by the Secretary of the Military Department concerned.

030602. Amount

The amount of an accession bonus may not exceed \$8,000.

030603. Eligibility

A written agreement referred to in paragraph 030601 is a written agreement by a person to:

- A. Complete officer candidate school;
- B. Accept a commission or appointment as an officer of the Armed Forces;

and

C. Serve on active duty as a commissioned officer for a period specified in the agreement.

030604. Payment Method

Upon acceptance of a written agreement by the Secretary of the Military Department concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement will specify whether the accession bonus will be paid in a lump sum or installments.

030605. Repayment

A person who, having received all or part of the bonus under a written agreement and does not complete the total period of active duty as a commissioned officer as specified in such agreement, will be subject to the repayment provisions of Chapter 2.

*030606. Duration of Authority

Unless authorized by the Congress, no agreement under this section may be entered into after [December 31, 2013](#). The [2013 National Defense Authorization Act](#) reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013. There is no authority to enter into an agreement for this bonus on January 1, 2013.

0307 ACCESSION BONUS FOR NEW OFFICER IN CRITICAL SKILLS

030701. Authorization

A person who executes a written agreement to accept a commission or an appointment as an officer of the Armed Forces and serve on active duty in a designated critical officer skill for the period specified in the agreement may be paid an accession bonus in an amount determined by the Secretary of the Military Department concerned.

030702. Eligibility

The Secretary of the Military Department concerned, will designate the critical officer skills. A skill may be designated as a critical officer skill for an Armed Force under this subsection if:

A. In order to meet requirements of the Armed Force, it is critical for the Armed Force to have a sufficient number of officers who are qualified in that skill, and

B. In order to mitigate a current or projected significant shortage of personnel in the Armed Force who are qualified in that skill, it is critical to access into that Armed Force in sufficient numbers persons who are qualified in that skill or are to be trained in that skill.

030703. Amount

The amount of an accession bonus may not exceed \$60,000.

030704. Payment Method

Upon acceptance of a written agreement by the Secretary of the Military Department concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement will specify whether the accession bonus will be paid by the Secretary of the Military Department concerned in a lump sum or installments.

030705. Relation To Other Accession Bonus Authority

An individual may not receive an accession bonus under this section and section [37 U.S.C. 302d](#), [302h](#), [302j](#), or [312b](#) for the same period of service.

030706. Repayment

A person who having received all or part of the bonus under a written agreement and does not complete the total period of active duty as a commissioned officer as specified in such agreement, will be subject to the repayment provisions of Chapter 2.

[*030707.](#) Duration of Authority

Unless authorized by the Congress, no agreement under this section may be entered into after [December 31, 2013](#). The [2013 National Defense Authorization Act reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013](#). There is no authority to enter into an agreement for this bonus on January 1, 2013.

0308 RETENTION INCENTIVE FOR CRITICAL MILITARY SKILLS

030801. Authorization

An officer serving on active duty (in a Regular Component or in an active status in a Reserve Component), who is qualified in a critical military skill designated; or accepts an assignment to a high-priority unit, may be paid a retention bonus as provided if the officer executes a written agreement to remain on active duty for at least 1 year.

030802. Eligibility

The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a part of the Navy may designate a critical military skill or designate a unit as a high-priority unit regarding which a retention bonus will be provided to a member of the Armed Forces who agrees to accept an assignment to the unit.

030803. Payment Methods

A bonus under this section may be paid in a single lump sum or in periodic installments.

030804. Amount

An officer may enter into an agreement more than once to receive a bonus under this section; however, an officer may not receive a total of more than \$200,000 (or \$100,000 in the case of a Reserve Component officer) in payments under this section. This limitation on the total bonus payments does not apply with respect to an officer who is assigned duties as a health care professional.

030805. Relationship to Other Incentives

A retention bonus paid under this section is in addition to any other pay and allowances to which a member is entitled.

030806. Repayment

An officer who having received all or part of the bonus under a written agreement and fails to remain qualified in the critical military skill or to satisfy the other eligibility criteria, for which the bonus was paid, will be subject to the repayment provisions of Chapter 2.

*030807. Duration of Authority

Unless authorized by the Congress, no agreement under this section may be entered into after [December 31, 2013](#). The [2013 National Defense Authorization Act](#) reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013. There is no authority to enter into an agreement for this bonus on January 1, 2013.

0309 INCENTIVE BONUS: TRANSFER BETWEEN ARMED FORCES

030901. Authorization

A bonus may be paid to an eligible officer of a Regular Component or reserve Component of an Armed Force who executes a written agreement to:

A. Transfer from such Regular Component or Reserve Component to a regular Component or Reserve Component of another Armed Force, and

B. To serve pursuant to such agreement for a period of not less than 3 years in the Component to which transferred.

030902. Eligibility

An officer is eligible to enter into an agreement to transfer if, as of the date of the agreement, the officer is eligible to continue in service in a Regular or Reserve Component of the Armed Forces, and has fulfilled the requirements for transfer to the Component of the Armed Force that are established by the Secretary of the Military Department having jurisdiction over such Armed Force.

030903. Limitation

An officer may enter into an agreement to transfer to a Regular Component or Reserve Component of another Armed Force only if the Secretary having jurisdiction over such Armed Force determines that there is shortage of trained and qualified personnel in such Component.

030904. Amount and Payment of Bonus

The bonus amount may not exceed \$10,000. The bonus will be paid by the Secretary of the Military Department concerned having jurisdiction of the Armed Force to which the member to be paid the bonus is transferring. The Secretary of the Military Department concerned paying the bonus will:

A. Disburse the bonus to the officer in one lump sum when the transfer for which the bonus is paid is approved by the chief personnel officer of the Armed Force to which the member is transferring; or

B. Make annual installments in such amounts as may be determined by the Secretary of the Military Department concerned paying the bonus.

030905. Relationship to Other Pay and Allowances

A bonus paid to an officer under section 0310 is in addition to any other pay and allowances to which the member is entitled.

030906. Repayment

An officer who having received all or part of the bonus under a written agreement fails to satisfy the service or eligibility requirements, will be subject to the repayment provisions of Chapter 2.

030907. Regulations

The Secretaries of the Military Department concerned will prescribe regulations to carry out this section. Regulations prescribed by the Secretary of the Military Department concerned, under this subsection will be subject to the approval of the Secretary of Defense.

*030908. Duration of Authority

Unless authorized by the Congress, no agreement under this section may be entered into after [December 31, 2013](#). [The 2013 National Defense Authorization Act reauthorized entering into agreements for this bonus effective January 2 thru December 31, 2013. There is no authority to enter into an agreement for this bonus on January 1, 2013.](#)

***0310 ARMY REFERRAL BONUS**

[The Army Referral Bonus authorization expired December 31, 2011. See Chapter 9, section 0904 for guidance.](#)

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CHAPTER 03 – SPECIAL PAY – OFFICERS ONLY

0301 – SPECIAL PAY FOR NUCLEAR QUALIFIED OFFICERS

030101 – Nuclear Power Accession Bonus Program

37 U.S.C. 312b(c)

- * [Public Law 112-239, section 613 \(2\), January 2, 2013](#)
[OPNAVINST 7220.11C, July 3, 2012](#)

030102 – Nuclear Qualified Officer Extending Period of Active Service (Continuation Pay)

37 U.S.C. 312

ASD(FMP) Memo, June 29, 1999

37 U.S.C. 312(f)

- * [Public Law 112-239, section 613 \(1\), January 2, 2013](#)
[OPNAVINST 7220.11C, July 3, 2012](#)

030103 – Nuclear Career Annual Incentive Bonus

37 U.S.C. 312c(d)

- * [Public Law 112-239, section 613 \(3\), January 2, 2013](#)
[NAVADMIN 164/05 DTG 182025Z JUL 05](#)
[OPNAVINST 7220.11C, July 3, 2012](#)

0302 – SPECIAL PAY FOR OFFICERS SERVING IN POSITIONS OF UNUSUAL RESPONSIBILITY AND OF A CRITICAL NATURE

37 U.S.C. 306

0303 – SPECIAL PAY: WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY

37 U.S.C. 318

0304 – SURFACE WARFARE OFFICERS CONTINUATION PAY

37 U.S.C. 319

0305 – JUDGE ADVOCATE CONTINUATION PAY

37 U.S.C. 321

0306 – ACCESSION BONUS FOR OFFICER CANDIDATES

37 U.S.C. 330

- * [Public Law 112-239, section 615 \(8\), January 2, 2013](#)

0307 – ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS

37 U.S.C. 324

- * [Public Law 112-239, section 615 \(5\), January 2, 2013](#)

0308 – RETENTION INCENTIVE FOR CRITICAL MILITARY SKILLS

37 U.S.C. 355

*

[Public Law 112-239, section 614 \(9\), January 2, 2013](#)

0309 – INCENTIVE BONUS: TRANSFER BETWEEN ARMED FORCES

37 U.S.C. 327

*

[Public Law 112-239, section 615 \(7\), January 2, 2013](#)

0310 – ARMY REFERRAL BONUS

10 U.S.C. 3252