

**VOLUME 7A, CHAPTER 03: “SPECIAL PAY – OFFICERS ONLY”****SUMMARY OF MAJOR CHANGES**

All changes are denoted by [blue font](#).

Substantive revisions are denoted by an asterisk (\*) 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 [October 2015](#) is archived.

<b>PARAGRAPH</b>	<b>EXPLANATION OF CHANGE/REVISION</b>	<b>PURPOSE</b>
All	Updated hyperlinks and formatting to comply with current administrative instructions.	Revision
030101	Changed “Overview” to “Purpose” to comply with current instructions.	Revision
030201.B	Changed payment amount not to exceed \$50,000 to comply with Public Law 114-92, November 25, 2015.	Revision
030201.D	Extended the “Duration of Authority” for the Nuclear Power Accession Bonus to December 31, 2016.	Revision
030202.E	Extended the “Duration of Authority” for the Nuclear-Qualified Officer Extending Period of Active Service Continuation Pay (COPAY) to December 31, 2016.	Revision
030203.B.2	Extended the “Duration of Authority” for Nuclear Career Annual Incentive Bonus (AIB) to December 31, 2016.	Revision
030203.C	Changed payment amount from \$22,000 to \$25,000 to comply with Public Law 114-92, November 25, 2015.	Revision
030406, 030504, 030705, 030805	Revised content in the subparagraphs for clarity.	Revision
030706	Extended the “Duration of Authority” for Accession Bonus for Officer Candidates to December 31, 2016.	Revision
030806	Extended the “Duration of Authority” for Accession Bonus for New Officers in Critical Skills to December 31, 2016.	Revision
030906	Extended the “Duration of Authority” for Retention Incentive for Critical Military Skills to December 31, 2016.	Revision
031007	Extended the “Duration of Authority” for Incentive Bonus Transfer Between Armed Forces to December 31, 2016.	Revision
Bibliography	Updated statutes and references.	Revision

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**CHAPTER 3****SPECIAL PAY – OFFICERS ONLY**

## 0301 GENERAL

## \*030101. Purpose

The Secretaries of the Military Departments may pay a bonus or special pay to persons or officers, as appropriate, to support accession and retention efforts for a designated military specialty, career field, unit, grade, or to meet some other condition or conditions of service imposed by the Secretary of the Military Department concerned. [This chapter establishes policy pertaining to the payments of bonuses or special pay in support of accession and retention efforts.](#)

## 030102. Authoritative Guidance

[The bibliography at the end of this chapter lists the authoritative references.](#)

## 0302 SPECIAL PAYS FOR NUCLEAR-QUALIFIED OFFICERS

## \*030201. 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. Under [Title 37, United States Code \(U.S.C.\), section 333\(d\)\(1\)](#), [Nuclear Officer Bonuses may not exceed \\$50,000 for each 12-month period.](#) Bonus rates for this program are contained in Chief of Naval Operations Instruction [\(OPNAVINST 7220.11E\)](#), dated [December 29, 2014.](#)

C. Repayment. An officer, who receives an accession bonus and does not satisfactorily commence or complete 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 section 0302 will be effective only in the case of officers who, on or before [December 31, 2016](#), have been accepted for training for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.

\*030202. Nuclear-Qualified Officer Extending Period of Active Service Continuation Pay (COPAY)

A. Entitlement. The Secretary of the Navy may pay Nuclear Officer 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 defined in OPNAVINST 7220.11E, dated [December 29, 2014](#), 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.

C. Payment. The amount payable may not exceed \$30,000 for each year of the active service agreement. The rates and effective dates are contained in the governing regulation, OPNAVINST 7220.11E, dated [December 29, 2014](#).

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

\* E. Duration of Authority. Unless otherwise authorized by the Congress, the provisions of section 0302 will be effective only in the case of officers who, on or before [December 31, 2016](#), execute the required written agreement to remain in active service.

\*030203. Nuclear Career Annual Incentive Bonus (AIB)

A. Entitlement. The Secretary of the Navy may pay Nuclear Career 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. [Warrant Officers](#) in pay grades W-2 through W-5 and [Officers in pay grades](#) O-1 through O-6 are eligible for AIB. Officers serving in a period of obligated service associated with paragraph 030202 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 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, 2016.

\* C. Payment. Under 37 U.S.C. § 333(d)(1)(B), Nuclear Career Annual AIB may not exceed \$25,000 for each 12-month period of qualifying service. The current rates and payment procedures are contained in the governing regulation, OPNAVINST 7220.11E, dated December 29, 2014.

NOTE: An officer of the United States 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 qualifications was voluntary or was the result of his own misconduct.

### 0303 SPECIAL PAY FOR OFFICERS SERVING IN POSITIONS OF UNUSUAL RESPONSIBILITY AND OF A CRITICAL NATURE

#### 030301. 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 billeted 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.

#### 030302. 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

#### 030303. 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.

## 030304. 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; and
- C. More than one officer per designated billet, except for the dates of assumption of and relief from command.

## 0304 SPECIAL PAY: WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY

## 030401. 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.

## 030402. Retention Bonus Authorized

In addition to any other pay and allowances, a special warfare officer who meets the eligibility requirements specified in paragraph 030403, 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 section 0304.

030403. Eligibility [Requirements](#)

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;
- 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.

## 030404. Amount

The amount of a retention bonus paid under section 0304 may not be more than \$15,000 for each year covered by the agreement.

## 030405. 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.

## \*030406. Repayment

An officer who, has received a bonus, fails to complete the period of obligated service or other condition of service specified in the written agreement for which the bonus is paid will be subject to the repayment of any unearned portion of the bonus, according to the provisions in Chapter 2.

## 0305 SURFACE WARFARE OFFICER COPAY

## 030501. Defined

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 billeted 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.

## 030502. Special Pay Authorized

In addition to any other pay and allowances, an eligible surface warfare officer who executes a written agreement to remain on active duty, and completes one or more tours of duty for 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.

## 030503. 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 number of installment payments.

## \*030504. Repayment

An officer who, has received a bonus, fails to complete the period of obligated service or other condition of service specified in the written agreement for which the bonus is paid will be subject to the repayment of any unearned portion of the bonus, according to the provisions in Chapter 2.

## 0306 JUDGE ADVOCATE COPAY

## 030601. Defined

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 [10 U.S.C. § 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 as a student at law school, the active duty service obligation incurred as part of that detail.

## 030602. Special Pay Authorized

In addition to any other pay and allowances, 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 COPAY under section 0306. The total amount paid to an officer under one or more agreements under section 0306, may not exceed \$60,000.

## 030603. 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 number of installment payments.

## 030604. Repayment

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

## 0307 ACCESSION BONUS FOR OFFICER CANDIDATES

## 030701. 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 section 0307, upon acceptance of the agreement by the Secretary of the Military Department concerned.

## 030702. Amount

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

## 030703. Eligibility

A written agreement referred to in paragraph 030701 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.

## 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 as a lump-sum or in installments.

\*030705. Repayment

An officer candidate who, has received a bonus, fails to complete the period of obligated service or other condition of service specified in the written agreement for which the bonus is paid will be subject to the repayment of any unearned portion of the bonus, according to the provisions in Chapter 2.

\*030706. Duration of Authority

Unless authorized by the Congress, no agreement under section 0307 may be entered into after December 31, 2016.

0308 ACCESSION BONUS FOR NEW OFFICER IN CRITICAL SKILLS

030801. 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.

030802. 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 section 0308 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.

030803. Amount

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

030804. 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 as a lump-sum or in installments.

\*030805. Repayment

An officer who, has received a bonus, fails to complete the period of obligated service or other condition of service specified in the written agreement for which the bonus is paid will be subject to the repayment of any unearned portion of the bonus, according to the provisions in Chapter 2.

\*030806. Duration of Authority

Unless authorized by the Congress, no agreement under section 0308 may be entered into after December 31, 2016.

0309 RETENTION INCENTIVE FOR CRITICAL MILITARY SKILLS

030901. Authorization

In addition to any other pay and allowances, an officer serving on active duty in a Regular Component, or in an active status in a Reserve Component (RC), who is qualified in a critical military skill designated, or accepts an assignment to a high-priority unit, may be paid a retention bonus if the officer executes a written agreement to remain on active duty for at least 1 year.

030902. 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 for which a retention bonus will be provided to a member of the Armed Forces who agrees to accept an assignment to the unit.

030903. Payment Methods

A bonus under section 0309 may be paid in a single lump-sum or in periodic installments.

030904. Amount

An officer may enter into an agreement more than once to receive a bonus under section 0309. However, an officer may not receive a total of more than \$200,000 (or \$100,000 in the case of a RC officer) in payments under section 0309. The limitation on the total bonus payments does not apply with respect to an officer who is assigned duties as a health care professional.

030905. Repayment

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

\*030906. Duration of Authority

Unless authorized by the Congress, no agreement under section 0309 may be entered into after [December 31, 2016](#).

0310 INCENTIVE BONUS: TRANSFER BETWEEN ARMED FORCES

031001. Authorization

A bonus may be paid to an eligible officer of a Regular Component or [RC](#) of an Armed Force who executes a written agreement to:

A. Transfer from such Regular Component or [RC](#) to a Regular Component or [RC](#) of another Armed Force; and

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

031002. Eligibility

In addition to any other pay and allowances, 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 [RC](#) of the Armed Forces and has fulfilled the requirements for transfer to the Component of the Armed Forces that [is](#) established by the Secretary of the Military Department having jurisdiction over such Armed Force.

031003. Limitation

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

031004. 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.

## 031005. Repayment

An officer, who having received all or part of the bonus under a written agreement and who, voluntarily or because of misconduct, fails to serve for the period covered under the agreement, will be subject to the repayment provisions of Chapter 2.

## 031006. Regulations

The Secretaries of the Military Departments concerned will prescribe regulations to carry out section 0310. Regulations prescribed by the Secretary of the Military Department concerned, under section 0310, will be subject to the approval of the Secretary of Defense.

## \*031007. Duration of Authority

Unless authorized by the Congress, no agreement under section 0310 may be entered into after December 31, 2016.

\*BIBLIOGRAPHY

CHAPTER 03 – SPECIAL PAY – OFFICERS ONLY

0302 – SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS

030201 – Nuclear Power Accession Bonus Program

\* 37 U.S.C. § 333  
 \* Public Law (PL) 114-92, section 614 (3), November 25,  
 2015  
 \* OPNAVINST 7220.11E, December 29, 2014

030202 – Nuclear-qualified Officer Extending Period of Active Service Continuation Pay (COPAY)

\* 37 U.S.C. § 333  
 \* 37 U.S.C. § 312(f)  
 \* PL 114-92, section 614 (3), November 25, 2015  
 \* OPNAVINST 7220.11E, December 29, 2014

030203 – Nuclear Career Annual Incentive Bonus (AIB)

\* 37 U.S.C. § 333  
 \* PL 114-92, section 614 (3), November 25, 2015  
 \* OPNAVINST 7220.11E, December 29, 2014

0303 – SPECIAL PAY FOR OFFICERS SERVING IN POSITIONS OF UNUSUAL RESPONSIBILITY AND OF A CRITICAL NATURE

37 U.S.C. § 306

0304 – SPECIAL PAY: WARFARE OFFICERS EXTENDING PERIOD OF ACTIVE DUTY

37 U.S.C. § 318

0305 – SURFACE WARFARE OFFICER COPAY

37 U.S.C. § 319

0306 – JUDGE ADVOCATE COPAY

030601.A 37 U.S.C. § 321  
 10 U.S.C. § 801  
 030601.C 10 U.S.C. § 2004

0307 – ACCESSION BONUS FOR OFFICER CANDIDATES

37 U.S.C. § 330

\* [PL 114-92, section 615 \(9\), November 25, 2015](#)

0308 – ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS

37 U.S.C. § 324

\* [PL 114-92, section 615 \(6\), November 25, 2015](#)

0309 – RETENTION INCENTIVE FOR CRITICAL MILITARY SKILLS

37 U.S.C. § 355

\* [PL 114-92, section 614 \(10\), November 25, 2015](#)

0310 – INCENTIVE BONUS: TRANSFER BETWEEN ARMED FORCES

37 U.S.C. § 327

\* [PL 114-92, section 615 \(8\), November 25, 2015](#)