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CHAPTER 19

FOREIGN LANGUAGE PROFICIENCY BONUS

1901 ENTITLEMENT PROVISIONS AND POLICY

190101. Entitlement

A. The Secretary of the Military Department concerned (or designee), may pay a Foreign Language Proficiency Bonus (FLPB) to a member of the uniformed services as stated in Title 37, United States Code (U.S.C.), section 316, who has been certified by the Secretary of the Military Department concerned (or designee) as proficient in a foreign language identified on any DoD-approved foreign language list and who meets at least one of the following conditions:

1. Is qualified in a military career specialty requiring proficiency in a foreign language.

2. Has received training under regulations prescribed by the Secretary of the Military Department concerned (or designee), designated to develop proficiency in a foreign language.

3. Is assigned to military duties requiring a proficiency in a foreign language.

4. Is proficient in a foreign language for which the Secretary of the Military Department concerned (or designee) has identified a critical need.

B. Reserve Component members must meet the requirements:

1. Of eligibility outlined in subparagraph 190101.A. of this chapter, and

2. Certification outlined in subparagraph 190101.C. of this chapter, and

3. Must fulfill minimum annual service requirements for retirement eligibility under Title 10, U.S.C. section 12732, unless waived by Secretary of the Military Department concerned (or designee).

C. The Secretary of the Military Department concerned (or designee) will:

1. Annually certify member’s level of proficiency.
2. Pay FLPB to service members with proficiency in at least 2 of the 3 language modalities of reading, listening, and speaking with respect to the foreign language identified on the Department of Defense’s (DoD) Strategic Language List (SLL).

190102. Definitions

A. Critical Language. Any foreign language identified by the Secretary of Defense in which it is necessary to have proficient personnel because of national defense considerations. The Office of the Under Secretary of Defense for Personnel and Readiness is the custodian of the Strategic Language List (SLL).

B. Language Proficiency. The ability of an individual to carry out assigned tasks in reading, listening and/or speaking.

C. Strategic Language List (SLL). The list of foreign languages, published annually, in which the DoD has determined a critical need to meet current and projected requirements. The list includes Immediate Investment and Stronghold languages.

190103. Amount of Payment

A. The bonus rate of FLPB may not exceed $12,000 per one-year certification period. The Secretary of the Military Department concerned (or designee), may pay the bonus in monthly installments during the certification period, or in a lump sum during the certification period.

B. The monthly rate shall not exceed $500 per month for a single language, or $1,000 per month for any combination of languages. The bonus is in addition to any other pay or allowance payable to a member under any other provision of law.

1902 CONDITIONS OF ENTITLEMENT

190201. Entitlement. Detailed instructions on maintenance, retention, and termination of FLPB status are specified in regulations by the Secretary of each Military Department. Entitlement may be terminated at any time in accordance with such regulations.

190202. Tax. FLPB is an item of pay subject to federal withholding tax. It is not subject to the Federal Insurance Contributions Act tax.

190203. Repayment

A. If a member fails to obtain the required certification before the end of the period provided under subparagraph 190101.C, the Secretary of the Military Department concerned (or designee) may require the member to repay all or a portion of the bonus in the manner provided in 37 U.S.C 303a.
B. A member who receives a bonus, but does not satisfy an eligibility requirement specified in subparagraphs 190101.A and 190101.B of this chapter, for the entire certification period, will be subject to the repayment provisions of 37 U.S.C 303a.
BIBLIOGRAPHY

CHAPTER 19 – FOREIGN LANGUAGE PROFICIENCY BONUS

1901 – ENTITLEMENT PROVISIONS

★  190101  37 U.S.C., section 316
    Public Law 109-163, section 639
    January 6, 2006
★  190101.B.  DoDI 7280.3, dated August 20, 2007
★  190102.B.  DoDI 7280.3, dated August 20, 2007
★  190102.C.  DoDI 7280.3, dated August 20, 2007
★  190103.A.  37 U.S.C., section 316(b)
★  190103.B.  DoDI 7280.3, dated August 20, 2007

1902 – CONDITIONS OF ENTITLEMENT

★  190203.A.  37 U.S.C., section 316(d)(4)
★  190203.B.  37 U.S.C., section 316(e)