

**TITLE 37 - PAY AND ALLOWANCES OF THE UNIFORMED SERVICES  
CHAPTER 5 - SPECIAL AND INCENTIVE PAYS  
SUBCHAPTER I - EXISTING SPECIAL PAY, INCENTIVE PAY, AND BONUS  
AUTHORITIES**

**§ 316a. Special pay: incentive pay for members of precommissioning programs pursuing foreign language proficiency**

(a) **Incentive Pay.**— The Secretary of Defense may pay incentive pay under this section to an individual who—

(1) is enrolled as a member of the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class, as determined in accordance with regulations prescribed by the Secretary of Defense under subsection (e); and

(2) participates in a language immersion program approved for purposes of the Senior Reserve Officers' Training Corps, or in study abroad, or is enrolled in an academic course that involves instruction in a foreign language of strategic interest to the Department of Defense as designated by the Secretary of Defense for purposes of this section.

(b) **Period of Payment.**— Incentive pay is payable under this section to an individual described in subsection (a) for the period of the individual's participation in the language program or study described in paragraph (2) of that subsection.

(c) **Amount.**— The amount of incentive pay payable to an individual under this section may not exceed \$3,000 per year.

(d) **Repayment.**— An individual who is paid incentive pay under this section but who does not satisfactorily complete participation in the individual's language program or study as described in subsection (a)(2), or who does not complete the requirements of the Senior Reserve Officers' Training Corps or the Marine Corps Platoon Leaders Class, as applicable, shall be subject to the repayment provisions of section 303a (e) of this title.

(e) **Regulations.**— This section shall be administered under regulations prescribed by the Secretary of Defense.

(f) **Reports.**— Not later than January 1, 2010, and annually thereafter through 2014, the Secretary of Defense shall submit to the Director of the Office of Management and Budget, and to Congress, a report on the payment of incentive pay under this section during the preceding fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) The number of individuals paid incentive pay under this section, the number of individuals commencing receipt of incentive pay under this section, and the number of individuals ceasing receipt of incentive pay under this section.

(2) The amount of incentive pay paid to individuals under this section.

(3) The aggregate amount recouped under section 303a (e) of this title in connection with receipt of incentive pay under this section.

(4) The languages for which incentive pay was paid under this section, including the total amount paid for each such language.

(5) The effectiveness of incentive pay under this section in assisting the Department of Defense in securing proficiency in foreign languages of strategic interest to the Department of Defense, including a description of how recipients of pay under this section are assigned and utilized following completion of the program of study.

(g) **Termination of Authority.**— No incentive pay may be paid under this section after December 31, 2013.

(Added Pub. L. 110–417, [div. A], title VI, § 619(b)(1), Oct. 14, 2008, 122 Stat. 4488.)

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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

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### **Prior Provisions**

A prior section 316a, added Pub. L. 102–190, div. A, title VI, § 636(a), Dec. 5, 1991, 105 Stat. 1382, related to waiver of certification requirement, prior to repeal by Pub. L. 108–375, div. A, title VI, § 620(b)(1), Oct. 28, 2004, 118 Stat. 1954.