

on January 1, 2018, immediately after the coming into effect of the amendments providing for section 356 of title 37, United States Code, to which the amendments made by this section relate.”

EFFECTIVE DATE; IMPLEMENTATION

Section effective Jan. 1, 2018, with certain implementation requirements, see section 635 of Pub. L. 114-92, set out as an Effective Date of 2015 Amendment; Implementation note under section 8432 of Title 5, Government Organization and Employees.

**§ 357. Incentive pay authorities for members of the reserve components of the armed forces**

Notwithstanding section 1004 of this title, the Secretary concerned shall pay a member of the reserve component of an armed force incentive pay in the same monthly amount as that paid to a member in the regular component of such armed force performing comparable work requiring comparable skills.

(Added Pub. L. 117-81, div. A, title VI, § 602(a), Dec. 27, 2021, 135 Stat. 1765.)

**Statutory Notes and Related Subsidiaries**

IMPLEMENTATION OF SECTION

Pub. L. 117-81, div. A, title VI, § 602(c), (d), Dec. 27, 2021, 135 Stat. 1765, provided that:

“(c) REPORT.—Not later than September 30, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—

“(1) the plan of the Secretary to implement section 357 of such title [37 U.S.C. 357], as added by subsection (a);

“(2) an estimate of the costs of such implementation;

“(3) the number of members described in such section; and

“(4) any other matter the Secretary determines relevant.

“(d) IMPLEMENTATION DATE.—The Secretary may not implement section 357 of such title, as added by subsection (a) until after—

“(1) submission of the report under subsection (b) [probably means subsec. (c)]; and

“(2) the Secretary determines and certifies in writing to the Committees on Armed Services of the Senate and House of Representatives that such implementation shall not have a detrimental effect on the force structure of an Armed Force concerned, including with regard to recruiting or retention of members in the regular component of such Armed Force.”

SUBCHAPTER III—GENERAL PROVISIONS

**§ 371. Relationship to other incentives and pays**

(a) TREATMENT.—A bonus or incentive pay paid to a member of the uniformed services under subchapter II is in addition to any other pay and allowance to which a member is entitled, unless otherwise provided under this chapter.

(b) EXCEPTION.—A member may not receive a bonus or incentive pay under both subchapter I and subchapter II for the same activity, skill, or period of service.

(c) RELATIONSHIP TO OTHER COMPUTATIONS.—The amount of a bonus or incentive pay to which a member is entitled under subchapter II may not be included in computing the amount of—

(1) any increase in pay authorized by any other provision of this title; or

(2) any retired pay, retainer pay, separation pay, or disability severance pay.

(Added Pub. L. 110-181, div. A, title VI, § 661(a)(2), Jan. 28, 2008, 122 Stat. 176.)

**§ 372. Continuation of pays during hospitalization and rehabilitation resulting from wounds, injury, or illness incurred while on duty in a hostile fire area or exposed to an event of hostile fire or other hostile action**

(a) CONTINUATION OF PAYS.—If a member of a regular or reserve component of a uniformed service incurs a wound, injury, or illness in the line of duty while serving in a combat operation or a combat zone, while serving in a hostile fire area, or while exposed to a hostile fire event, as described under section 351 of this title, and is hospitalized for treatment of the wound, injury, or illness, the Secretary concerned may continue to pay to the member, notwithstanding any provision of this chapter to the contrary, all pay and allowances (including any bonus, incentive pay, or similar benefit) that were being paid to the member at the time the member incurred the wound, injury, or illness.

(b) DURATION.—The payment of pay and allowances to a member under subsection (a) may continue until the end of the first month beginning after the earliest of the following dates:

(1) The date on which the member is returned for assignment to other than a medical or patient unit for duty; however, in the case of a member under the jurisdiction of a Secretary of a military department, the date on which the member is determined fit for duty.

(2) One year after the date on which the member is first hospitalized for the treatment of the wound, injury, or illness, except that the Secretary concerned may extend the termination date in six-month increments.

(3) The date on which the member is discharged, separated, or retired (including temporary disability retirement) from the uniformed services.

(c) BONUS, INCENTIVE PAY, OR SIMILAR BENEFIT DEFINED.—In this section, the term “bonus, incentive pay, or similar benefit” means a bonus, incentive pay, special pay, or similar payment paid to a member of the uniformed services under this title or title 10.

(Added Pub. L. 110-181, div. A, title VI, § 661(a)(2), Jan. 28, 2008, 122 Stat. 176; amended Pub. L. 116-92, div. A, title VI, § 601, Dec. 20, 2019, 133 Stat. 1423.)

**Editorial Notes**

AMENDMENTS

2019—Subsec. (b)(1). Pub. L. 116-92 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “The date on which the member is returned for assignment to other than a medical or patient unit for duty.”