

DATE: 02 JANUARY 2008

TO: ALL ARNG EDUCATION AND INCENTIVES PERSONNEL OF ALL STATES, PUERTO RICO, THE VIRGIN ISLANDS, GUAM, THE DISTRICT OF COLUMBIA, AND OTHER SUPPORTING AGENCIES

SUBJECT: EXPIRATION OF BONUS AUTHORITIES

1. REFERENCES

(A) AR 601-210, ACTIVE AND RESERVE COMPONENTS ENLISTMENT PROGRAM, DATE 07 JUNE 2007

(B) ARMY NATIONAL GUARD (ARNG) SELECTED RESERVE INCENTIVE PROGRAM (SRIP) GUIDANCE FOR FISCAL YEAR (FY) 2007, 10 AUGUST 2007 – 31 MARCH 2008 (POLICY NUMBER 07-06)

(C) FY 2008 NATIONAL DEFENSE AUTHORIZATION ACT

(D) HQDA ALARACT MESSAGE: 299/2007 DTG:311937Z

2. THIS MESSAGE TEMPORARILY HALTS THE PAYMENT OF BONUSES FOR CERTAIN NEW BONUS AGREEMENTS UNTIL THE AUTHORITIES CONTAINED IN THE NATIONAL DEFENSE AUTHORIZATION ACT (NDAA) FOR FISCAL YEAR 2008 ARE PASSED INTO LAW. THIS DIRECTS THE HOLDING IN ABEYANCE THE PAYMENT OF NEW BONUS AGREEMENTS UNTIL THE PRESIDENT HAS SIGNED THE NATIONAL DEFENSE AUTHORIZATION ACT(NDAA) FOR FISCAL YEAR 2008 OR CONTINUING SUCH AGREEMENTS AND REQUIRING THE EXECUTION OF A CONTINGENT BONUS ADDENDUM FOR EACH BONUS AGREEMENT. IF BONUS AGREEMENTS ARE ENTERED, THE CONTINGENT ADDENDUM LISTED IN PARAGRAPH 5 OF THIS MESSAGE WILL BE PREPARED FOR THE APPLICANT'S SIGNATURE. THIS ADDENDUM WILL BE SIGNED AND WITNESSED USING THE SAME FORMALITIES REQUIRED FOR THE UNDERLYING BONUS DOCUMENTS.

3. THE LIST OF BONUS AND INCENTIVE PROGRAMS AFFECTED BY THIS LAPSE OF AUTHORITY FOLLOWS. ALL AUTHORITIES BELOW EXPIRED DECEMBER 31, 2007.

AUTHORITIES RELATING TO PAYMENT OF OTHER BONUSES AND SPECIAL PAYS

(A) SPECIAL PAY: AVIATION CAREER OFFICERS EXTENDING PERIOD OF ACTIVE DUTY.

(B) SPECIAL PAY: REENLISTMENT BONUS - 37 USC 308(G)

(C) SPECIAL PAY: ENLISTMENT BONUS - 37 USC 309(E).

(D) SPECIAL PAY: RETENTION INCENTIVES FOR MEMBERS QUALIFIED IN CRITICAL MILITARY SKILLS OR ASSIGNED TO HIGH PRIORITY UNITS - 37 USC 323(I).

(E) SPECIAL PAY: ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.

(F) INCENTIVE BONUS: CONVERSION TO MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGE - 37 USC 326(G).

(G) SPECIAL PAY: ACCESSION BONUS FOR OFFICER CANDIDATES. 37 USC 330(F).

(H) ARMY REFERRAL BONUS. SUBSECTION (H) OF SECTION 645 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006 (PUBLIC LAW 109-163; 119 STAT. 3310), AS REDESIGNATED BY SECTION 624(E) OF THE JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007 (PUBLIC LAW 109-364; 120 STAT. 2258).

BONUS AND SPECIAL PAYS FOR RESERVE FORCES

(A) SPECIAL PAY: SELECTED RESERVE HEALTH CARE PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES - 37 USC 302G(E).

(B) SPECIAL PAY: REENLISTMENT BONUS FOR MEMBERS OF THE SELECTED RESERVE
RESERVE
-37 USC 308B(G).

(C) SPECIAL PAY: BONUS FOR AFFILIATION OR ENLISTMENT IN THE SELECTED RESERVE - 37 USC 308C(I).

(D) SPECIAL PAY: MEMBERS OF THE SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRIORITY UNITS - 37 USC 308D (c)

(E) SPECIAL PAY: BONUS FOR ENLISTMENT IN ELEMENTS OF THE READY RESERVE OTHER THAN THE SELECTED RESERVE - 37 USC 308G(F)(2).

(F) SPECIAL PAY: BONUS FOR REENLISTMENT, ENLISTMENT, OR VOLUNTARY EXTENSION OF ENLISTMENT IN ELEMENTS OF THE READY RESERVE OTHER THAN THE SELECTED RESERVE - 37 USC 308H(E).

(G) SPECIAL PAY: PRIOR SERVICE ENLISTMENT BONUS - 37 USC 308I(F).

(H) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.-10 USC 16302(D).

AUTHORITIES FOR CERTAIN HEALTH CARE PROFESSIONALS

(A) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.-10 USC 2130A(A)(1).

(B) SPECIAL PAY: ACCESSION BONUS FOR REGISTERED NURSES - 37 USC 302D(A)(1).

(C) SPECIAL PAY: NURSE ANESTHETISTS - 37 USC 302E(A)(1).

(D) SPECIAL PAY: ACCESSION BONUS FOR DENTAL OFFICERS - 37 USC 302H(A)(1).

(E) SPECIAL PAY: ACCESSION BONUS FOR PHARMACY OFFICERS - 37 USC 302J(A).

(F) SPECIAL PAY: ACCESSION BONUS FOR MEDICAL OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES. 37 USC 302K(F).

(G) SPECIAL PAY: ACCESSION BONUS FOR DENTAL SPECIALIST OFFICERS IN CRITICALLY SHORT WARTIME SPECIALTIES ? 37 USC 302L(G).

4. EFFECTIVE 1 JANUARY 2008, AUTHORITY TO PAY BONUSES UNDER THE PROGRAMS LISTED ABOVE IS TERMINATED. INDIVIDUALS WHO HAVE PREVIOUSLY ENLISTED INTO THE REGULAR ARMY, ARMY RESERVE OR ARMY NATIONAL GUARD FUTURE SOLDIER TRAINING PROGRAM (FSTP) PRIOR TO 1 JANUARY 2008 ARE NOT AFFECTED. SOLDIERS ARE NOT AUTHORIZED ANY OF THE BONUSES OR OTHER INCENTIVES LISTED IN PARAGRAPH 2 ABOVE FOR ENLISTMENT, ACCESSION OR REENLISTMENT AGREEMENTS ENTERED INTO ON OR AFTER 1 JANUARY 2008.

5. UNTIL CONGRESS AUTHORIZES PAYMENT OF BONUSES UNDER THE ABOVE-LISTED STATUTES, ALL NEW BONUS AGREEMENTS FOR ENLISTMENT, ACCESSIONS OR REENLISTMENT MADE PURSUANT TO THE ABOVE LISTED STATUTES AND DATED ON OR AFTER 1 JANUARY 2008, WILL INCLUDE THE FOLLOWING LANGUAGE IN AN ADDENDUM:

CONTINGENT BONUS ADDENDUM

"VARIOUS BONUS INCENTIVES, MUST BE AUTHORIZED BY CONGRESS AND ENACTED INTO LAW. THE AUTHORIZATION FOR VARIOUS BONUSES EXPIRES ON DECEMBER 31, 2007. CONGRESS IS CONSIDERING RENEWING THESE AUTHORIZATIONS. THESE AUTHORIZATIONS MAY BE RETROACTIVE TO JANUARY 1, 2008, OR THEY MAY TAKE EFFECT WHEN ENACTED, OR THEY MAY NOT BE ENACTED.

I UNDERSTAND THAT MY ENTITLEMENT TO A (FILL IN THE BLANK) BONUS IS CONTINGENT UPON ENACTMENT OF AUTHORITY FOR THE (FILL IN THE BLANK) BONUS PROGRAM. THE POSSIBILITY OF RECEIVING A BONUS WAS A CONSIDERATION IN MY CONTRACT DECISION. HOWEVER, IF CONGRESS FAILS TO AUTHORIZE THE (FILL IN THE BLANK) BONUS PROGRAM, MY CONTRACT TO SERVE IN THE U.S. (FILL IN THE BLANK) IS STILL VALID AND ENFORCEABLE. ANY VERBAL REPRESENTATIONS BY ANY BONUS PROFERRING PERSONNEL THAT DIFFER FROM THOSE CONTAINED IN THIS ADDENDUM ARE UNAUTHORIZED AND UNENFORCEABLE?

COUNSELOR SIGNATURE

APPLICANT SIGNATURE/DATE

6. PERSONNEL OFFERING BONUSES WILL NOT MAKE ANY VERBAL REPRESENTATIONS TO ANY PROSPECTS, APPLICANTS, ENLISTEES OR REENLISTEES THAT AUTHORITY FOR BONUSES WILL APPLY RETROACTIVELY OR IMPLY THAT CONGRESS WILL PASS THE AUTHORIZATION FOR ANY OF THE PROGRAMS AFFECTED. THE CONTINGENT BONUS ADDENDUM IS SELF-EXPLANATORY. ANY VERBAL REPRESENTATIONS BY ANY PERSONNEL THAT DIFFER FROM THOSE CONTAINED IN THIS ADDENDUM ARE UNAUTHORIZED.

7. SOLDIERS APPROACHING THEIR EXPIRATION OF TERM OF SERVICE (ETS) AND ENTITLED TO A SELECTIVE REENLISTMENT BONUS (SRB) UNDER CURRENT AUTHORITY MAY EXTEND THEIR ENLISTMENT UP TO TWO MONTHS.

8. EXPIRATION DATE CANNOT BE DETERMINED

9. POC FOR THIS MESSAGE IS 1LT RICHARD MCILRATH, COMM: (703)601-7738,
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