

SEC. 619. USE OF NEW SKILL INCENTIVE PAY AND PROFICIENCY BONUS AUTHORITIES TO ENCOURAGE TRAINING IN CRITICAL FOREIGN LANGUAGES AND FOREIGN CULTURAL STUDIES AND AUTHORIZATION OF INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

(a) Eligibility for Skill Proficiency Bonus-

(1) ELIGIBILITY- Subsection (b) of section 353 of title 37, United States Code, is amended to read as follows:

^ (b) Skill Proficiency Bonus-

^ (1) AVAILABILITY; ELIGIBLE PERSONS- The Secretary concerned may pay a proficiency bonus to a member of a regular or reserve component of the uniformed services who--

^ (A) is entitled to basic pay under section 204 of this title or compensation under section 206 of this title or is enrolled in an officer training program; and

^ (B) is determined to have, and maintains, certified proficiency under subsection (d) in a skill designated as critical by the Secretary concerned or is in training to acquire proficiency in a critical foreign language or expertise in foreign cultural studies or a related skill designated as critical by the Secretary concerned.

^ (2) INCLUSION OF CERTAIN SENIOR ROTC MEMBERS- A proficiency bonus may be paid under this subsection to a student who is enrolled in the Senior Reserve Officers' Training Corps program even though the student is in the first year of the four-year course under the program. During the period covered by the proficiency bonus, the student shall also be entitled to a monthly subsistence allowance under section 209(c) of this title even though the student has not entered into an agreement under section 2103a of title 10. However, if the student receives incentive pay under subsection (g)(2) for the same period, the student may receive only a single monthly subsistence allowance under section 209(c) of this title.'

(2) AVAILABILITY OF INCENTIVE PAY FOR PARTICIPATION IN FOREIGN LANGUAGE EDUCATION OR TRAINING PROGRAMS- Such section is further amended--

(A) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(B) by inserting after subsection (f) the following new subsection (g):

^ (g) Foreign Language Studies in Officer Training Programs-

^ (1) AVAILABILITY OF INCENTIVE PAY- The Secretary concerned may pay incentive pay to a person enrolled in an officer training program to also participate in an education or training program to acquire proficiency in a critical foreign

language or expertise in foreign cultural studies or a related skill designated as critical by the Secretary concerned.

^(2) INCLUSION OF CERTAIN SENIOR ROTC MEMBERS-

Incentive pay may be paid under this subsection to a student who is enrolled in the Senior Reserve Officers' Training Corps program even though the student is in the first year of the four-year course under the program. While the student receives the incentive pay, the student shall also be entitled to a monthly subsistence allowance under section 209(c) of this title even though the student has not entered into an agreement under section 2103a of title 10. However, if the student receives a proficiency bonus under subsection (b)(2) covering the same month, the student may receive only a single monthly subsistence allowance under section 209(c) of this title.

^(3) CRITICAL FOREIGN LANGUAGE DEFINED- In this section, the term ^critical foreign language' includes Arabic, Korean, Japanese, Chinese, Pashto, Persian-Farsi, Serbian-Croatian, Russian, Portuguese, or other language designated as critical by the Secretary concerned.'

(b) Incentive Pay Authorized-

(1) IN GENERAL- Chapter 5 of title 37, United States Code, is amended by inserting after section 316 the following new section:

-^ Sec. 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.'

(2) CLERICAL AMENDMENT- The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 316 the following new item:

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

(c) Pilot Program for Foreign Language Proficiency Training for Reserve Members-

(1) PILOT PROGRAM REQUIRED- The Secretary of Defense shall conduct a pilot program to provide a skill proficiency bonus under section 353(b) of title 37, United States Code, to a member of a reserve component of the uniformed services who is entitled to compensation under section 206 of such title while the member participates in an education or training program to acquire proficiency in a critical foreign language or expertise in foreign cultural studies or a related skill designated as critical under such section 353.

(2) DURATION OF PILOT PROGRAM- The Secretary shall conduct the pilot program during the period beginning on October 1, 2008, and ending on December 31, 2013. Incentive pay may not be provided under the pilot program after December 31, 2013.

(3) REPORTING REQUIREMENT- Not later than March 31, 2012, the Secretary shall submit to Congress a report containing the results of the pilot program and the recommendations of the Secretary regarding whether to continue or expand the pilot program.

(d) Expedited Implementation- Notwithstanding section 662 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 180; 37 U.S.C. 301 note), the Secretary of a military department may immediately implement the amendments made by subsection (a) in order to ensure the prompt availability of proficiency bonuses and incentive pay under section 353 of title 37, United States Code, as amended by such subsections, for persons enrolled in officer training programs.