

(Aug. 10, 1956, ch. 1041, 70A Stat. 101.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1275	[No source].	[No source].

The revised section is based on the various retirement provisions in this chapter and is inserted to make explicit the entitlement to retired pay upon retirement.

CHAPTER 65—RETIREMENT OF WARRANT OFFICERS FOR LENGTH OF SERVICE

Sec.	
1293.	Twenty years or more: warrant officers.
1305.	Thirty years or more: regular warrant officers.
1315.	Computation of retired pay: law applicable.

AMENDMENTS

1980—Pub. L. 96-513, title V, §501(19), Dec. 12, 1980, 94 Stat. 2908, substituted “RETIREMENT OF WARRANT OFFICERS FOR LENGTH OF SERVICE” for “RETIREMENT FOR LENGTH OF SERVICE” as chapter heading.

§ 1293. Twenty years or more: warrant officers

The Secretary concerned may, upon the warrant officer's request, retire a warrant officer of any armed force under his jurisdiction who has at least 20 years of active service that could be credited to him under section 511 of the Career Compensation Act of 1949, as amended (70 Stat. 114).

(Aug. 10, 1956, ch. 1041, 70A Stat. 101; Pub. L. 87-649, §6(f)(3), Sept. 7, 1962, 76 Stat. 494.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1293	10:600(d) (as applicable to 10:600(a)). 10:600(a). 34:135(d) (as applicable to 34:430(a)). 34:430(a).	May 29, 1954, ch. 249, §§2(d) (as applicable to §14(a)), 14(a), 68 Stat. 157, 162.

The words, “The Secretary concerned may * * * retire” are substituted for the words “may * * * and in the discretion of the Secretary, be retired”. 10:600(a) (last 14 words) and 34:430(a) (last 14 words) are omitted as covered by section 1315 of this title.

REFERENCES IN TEXT

Section 511 of the Career Compensation Act of 1949, referred to in text, is section 511 of act Oct. 12, 1949, ch. 681, which was formerly set out as a note under section 580 of this title.

AMENDMENTS

1962—Pub. L. 87-649 substituted “section 511 of the Career Compensation Act of 1949, as amended (70 Stat. 114)” for “section 311 of title 37.”

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

RENEWAL OF TEMPORARY EARLY RETIREMENT AUTHORITY

Pub. L. 112-213, title II, §219, Dec. 20, 2012, 126 Stat. 1558, provided that: “For fiscal years 2013 through 2018—

“(1) notwithstanding subsection (c)(2)(A) of section 4403 of the National Defense Authorization Act for Fiscal Year 1993 [Pub. L. 102-484] (10 U.S.C. 1293 note), such section shall apply to the Coast Guard in the same manner and to the same extent it applies to the Department of Defense, except that—

“(A) the Secretary of Homeland Security shall implement such section with respect to the Coast Guard and, for purposes of that implementation, shall apply the applicable provisions of title 14, United States Code, relating to retirement of Coast Guard personnel; and

“(B) the total number of commissioned officers who retire pursuant to this section may not exceed 200, and the total number of enlisted members who retire pursuant to this section may not exceed 300; and

“(2) only appropriations available for necessary expenses for the operation and maintenance of the Coast Guard shall be expended for the retired pay of personnel who retire pursuant to this section.”

TEMPORARY EARLY RETIREMENT AUTHORITY

Pub. L. 104-208, div. A, title I, §101(b) [title VIII, §8053], Sept. 30, 1996, 110 Stat. 3009-71, 3009-99, provided that: “During the current fiscal year and hereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 104-61, title VIII, §8066, Dec. 1, 1995, 109 Stat. 664.

Pub. L. 103-335, title VIII, §8077, Sept. 30, 1994, 108 Stat. 2636.

Pub. L. 103-139, title VIII, §8095, Nov. 11, 1993, 107 Stat. 1461.

Pub. L. 104-106, div. A, title V, §566(c), Feb. 10, 1996, 110 Stat. 328, as amended by Pub. L. 107-372, title II, §272(b), Dec. 19, 2002, 116 Stat. 3094, provided that: “Section 4403 (other than subsection (f) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2702; 10 U.S.C. 1293 note) shall apply to the commissioned officer corps of the National Oceanic and Atmospheric Administration in the same manner and to the same extent as that section applies to the Department of Defense. The Secretary of Commerce shall implement the provisions of that section with respect to such commissioned officer corps and shall apply the provisions of that section to the provisions of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 [33 U.S.C. 3001 et seq.] relating to the retirement of members of such commissioned officer corps.”

[Pub. L. 104-106, div. A, title V, §566(d), Feb. 10, 1996, 110 Stat. 328, provided that: “This section [amending former section 857a of Title 33, Navigation and Navigable Waters, and enacting provisions set out as a note above] shall apply only to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration who are separated after September 30, 1995.”]

Pub. L. 103-337, div. A, title V, §542(d), Oct. 5, 1994, 108 Stat. 2769, as amended by Pub. L. 107-296, title XVII, §1704(e)(5), Nov. 25, 2002, 116 Stat. 2315, provided that: “Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2702; 10 U.S.C. 1293 note) shall apply to the Coast Guard in the same manner and to the same extent as that provision applies to the Department of Defense. The Secretary of Homeland Security shall implement the provisions of that section with respect to the Coast Guard and apply the applicable provisions of title 14, United States Code, relating to retirement of Coast Guard personnel.”

Pub. L. 102-484, div. D, title XLIV, §4403, Oct. 23, 1992, 106 Stat. 2702, as amended by Pub. L. 103-160, div. A,