

(c) DEFERRED RETIREMENT OF CHAPLAINS.—(1) The Secretary of the military department concerned may defer the retirement under subsection (a) of an officer serving in a general or flag officer grade who is the Chief of Chaplains or Deputy Chief of Chaplains of that officer's armed force.

(2) A deferment of the retirement of an officer referred to in paragraph (1) may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age.

(3) The authority to defer the retirement of an officer referred to in paragraph (1) expires December 31, 2020. Subject to paragraph (2), a deferment granted before that date may continue on and after that date.

(Added Pub. L. 109-364, div. A, title V, § 502(a), Oct. 17, 2006, 120 Stat. 2176; amended Pub. L. 114-92, div. A, title V, § 504(a), (b)(1), Nov. 25, 2015, 129 Stat. 807.)

#### AMENDMENTS

2015—Pub. L. 114-92, § 504(b)(1), substituted “Age 64: regular commissioned officers in general and flag officer grades; exceptions” for “Age 64: regular commissioned officers in general and flag officer grades; exception” in section catchline.

Subsec. (c). Pub. L. 114-92, § 504(a), added subsec. (c).

#### [§ 1255. Repealed. Pub. L. 90-130, § 1(6), Nov. 8, 1967, 81 Stat. 374]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 100; Nov. 2, 1966, Pub. L. 89-718, § 3, 80 Stat. 1115, covered the retirement of female permanent regular warrant officers with 20 years of active service upon attaining age 55.

#### § 1263. Age 62: warrant officers

(a) Unless retired under section 1305 of this title, a permanent regular warrant officer 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; 10 U.S.C. 580 note), and who is at least 62 years of age, shall be retired 60 days after he becomes that age, except as provided by section 8301 of title 5.

(b) The Secretary concerned may defer, for not more than four months, the retirement under subsection (a) of any warrant officer if, because of unavoidable circumstances, evaluation of his physical condition and determination of his entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date when he would otherwise be required to retire under this section.

(Aug. 10, 1956 ch. 1041, 70A Stat. 101; Pub. L. 89-718, § 3, Nov. 2, 1966, 80 Stat. 1115; Pub. L. 90-130, § 1(6), Nov. 8, 1967, 81 Stat. 374; Pub. L. 96-513, title V, § 511(46), Dec. 12, 1980, 94 Stat. 2924; Pub. L. 102-484, div. A, title X, § 1052(17), Oct. 23, 1992, 106 Stat. 2500.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1263(a) .....	10:600(d) (as applicable to 10:600(b) (less (1)-(3))). 10:600(b) (less (1)-(3)). 10:600(c) (as applicable to 10:600(b) (less (1)-(3))). 34:135(d) (as applicable to 34:430(b) (less (1)-(3))). 34:430(b) (less (1)-(3)). 34:430(c) (as applicable to 34:430(b) (less (1)-(3))). 34:430(b) (less (1)-(3))).	May 29, 1954, ch. 249, §§ 2(d) (as applicable to § 14(b) (less (1)-(3))), 14(b) (less (1)-(3)), 14(e) (as applicable to (b) (less (1)-(3))), 21(c) (as applicable to 14(b) (less (1)-(3))), 68 Stat. 157, 162, 163, 168.
1263(b) .....	10:600(e) (as applicable to 10:600(b) (less (1)-(3))). 34:430(e) (as applicable to 34:430(b) (less (1)-(3))).	

In subsection (a), the words “has at least” are substituted for the words “has attained”. The words “has at least” are substituted for the words “having completed not less than”. The words “on that date which” are omitted as surplusage. 10:600(b) (15 words before (1)) and 34:430(b) (15 words before (1)) are omitted as covered by section 1275 of this title.

In subsection (b), the words “The Secretary concerned may defer” are substituted for the words “may, in the discretion of the Secretary, be deferred”. The words “determination of his” are inserted for clarity. The words “not more than” are substituted for the words “a period not to exceed”. The words “he would otherwise be required to retire under this section” are substituted for the words “retirement \* \* \* would otherwise be required”. The words “which is required”, “possible”, “proper”, and “a period of” are omitted as surplusage.

#### REFERENCES IN TEXT

Section 511 of the Career Compensation Act of 1949, referred to in subsec. (a), 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

1992—Subsec. (a). Pub. L. 102-484 substituted “580 note” for “564 note”.

1980—Subsec. (a). Pub. L. 96-513 substituted “511 of the Career Compensation Act of 1949, as amended (70 Stat. 114; 10 U.S.C. 564 note)” for “311 of title 37”.

1967—Subsec. (a). Pub. L. 90-130 struck out reference to section 1255 of this title.

1966—Subsec. (a). Pub. L. 89-718 substituted “8301” for “47a”.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

#### § 1275. Computation of retired pay: law applicable

A member of the armed forces retired under this chapter is entitled to retired pay computed under chapter 71 of this title.

(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.