

## AMENDMENTS

1987—Subsec. (b)(2). Pub. L. 100-180 struck out “Regular” before “Air Force”.

1958—Pub. L. 85-861 struck out provisions in subsecs. (a) and (b) which required annual publication in official Air Force Register of the retired list.

### CHAPTER 871—COMPUTATION OF RETIRED PAY

Sec.

8991. Computation of retired pay.

8992. Recomputation of retired pay to reflect advancement on retired list.

#### § 8991. Computation of retired pay

(a) COMPUTATION.—

(1) FORMULA.—The monthly retired pay of a member entitled to such pay under this subtitle is computed by multiplying—

(A) the member's retired pay base (as computed under section 1406(e) or 1407 of this title), by

(B) the retired pay multiplier prescribed in section 1409 of this title for the number of years credited to the member under section 1405 of this title.

(2) ADDITIONAL 10 PERCENT FOR CERTAIN ENLISTED MEMBERS CREDITED WITH EXTRAORDINARY HEROISM.—If a member who is retired under section 8914 of this title has been credited by the Secretary of the Air Force with extraordinary heroism in the line of duty, the member's retired pay shall be increased by 10 percent of the amount determined under paragraph (1) (but to not more than 75 percent of the retired pay base upon which the computation of such retired pay is based). The Secretary's determination as to extraordinary heroism is conclusive for all purposes.

(b) GENERAL RULES.—

(1) USE OF MOST FAVORABLE FORMULA.—If a person would otherwise be entitled to retired pay computed under more than one formula in subsection (a) or the table in section 1401 of this title, he is entitled to be paid under the applicable formula that is most favorable to him.

(2) ROUNDING TO NEXT LOWER DOLLAR.—The amount computed under subsection (a), if not a multiple of \$1, shall be rounded to the next lower multiple of \$1.

(c) SPECIAL RULE FOR RETIRED RESERVE ENLISTED MEMBERS COVERED BY SECTION 8963.—In the case of a Reserve enlisted member retired under section 8914 of this title whose retired grade is determined under section 8963 of this title and who first became a member of a uniformed service before September 8, 1980, the retired pay base of the member (notwithstanding section 1406(a)(1) of this title) is the amount of the monthly basic pay of the member's retired grade (determined based upon the rates of basic pay applicable on the date of the member's retirement), and that amount shall be used for the purposes of subsection (a)(1)(A) rather than the amount computed under section 1406(e) of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 556; Pub. L. 85-155, title III, §301(22), Aug. 21, 1957, 71 Stat.

389; Pub. L. 85-422, §§6(6), (8), 11(a)(9), May 20, 1958, 72 Stat. 129, 131; Pub. L. 85-861, §1(199A), Sept. 2, 1958, 72 Stat. 1541; Pub. L. 87-651, title I, §127, Sept. 7, 1962, 76 Stat. 514; Pub. L. 88-132, §5(h)(2), Oct. 2, 1963, 77 Stat. 214; Pub. L. 90-207, §3(5), Dec. 16, 1967, 81 Stat. 654; Pub. L. 96-342, title VIII, §813(e), Sept. 8, 1980, 94 Stat. 1109; Pub. L. 96-513, title V, §§504(22), 514(8), Dec. 12, 1980, 94 Stat. 2917, 2935; Pub. L. 98-94, title IX, §§922(a)(12), 923(a)(1), (2)(H), Sept. 24, 1983, 97 Stat. 642, 643; Pub. L. 99-348, title II, §204(a), July 1, 1986, 100 Stat. 697; Pub. L. 103-337, div. A, title VI, §635(c)(2), Oct. 5, 1994, 108 Stat. 2789; Pub. L. 104-201, div. A, title V, §532(d)(3), Sept. 23, 1996, 110 Stat. 2520.)

#### HISTORICAL AND REVISION NOTES 1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8991 Introductory paragraph.	10:941a(a)(3) (proviso, less applicability to retired grade). 10:941a(c) (1st proviso of clause (1), less applicability to retired grade). 10:166g(a) (less 1st 49 words; and less 1st 84 words of last proviso).	R.S. 1274. Mar. 2, 1907, ch. 2515, §1 (less 1st 35 words, and less proviso), 34 Stat. 1217. July 31, 1935, ch. 422, §5 (less 1st 101 words, and less 3d proviso); re-stated June 13, 1940, ch. 344, §3 (less 1st 45 words, and less 2d proviso), 54 Stat. 380; Aug. 7, 1947, ch. 512, §§514(g), 521(a), 61 Stat. 906, 912; June 29, 1948, ch. 708, §202 (less 1st 105 words), 62 Stat. 1084.
8991(A) ....	10:941a(a)(3) (less 31st through 42d words, and less proviso).	
8991(B) ....	10:941a(c) (clause (1), less 1st 25, and 59th through 113th, words; and less 1st proviso).	
8991(C) ....	10:971. 10:971b (less 1st 100 words, and less 1st and 3d proviso).	Oct. 6, 1945, ch. 393, §4 (less 1st sentence); re-stated Aug. 10, 1946, ch. 952, §6(a) (less 1st sentence), 60 Stat. 996. Aug. 10, 1946, ch. 952, §6(c), 60 Stat. 996.
8991(D) ....	10:948 (less 1st sentence, and less 1st and last provisos of last sentence).	
8991(E) ....	10:980. 10:506b(d) (1st proviso). 10:1079a(b) (proviso). 5:627b(h) (3d proviso, less 1st 42, and last 13, words).	Apr. 16, 1947, ch. 38, §108(a) (less 1st 49 words, and less 1st 84 words of last proviso), 61 Stat. 44. Aug. 7, 1947, ch. 512, §§504(d) (1st proviso), 514(a)(3) (less 31st through 42d words; and less proviso, less applicability to retired grade), 514(e) (clause (1), less 1st 25, and 59th through 93d, words; and less 1st proviso, as applicable to retired grade), 520(b) (proviso), 61 Stat. 888, 902, 905, 912.
8991 Foot-note 1.	10:1002 (34 words before proviso and proviso). 10:1003 (last 40 words). [No source].	June 12, 1948, ch. 449, §303(h) (3d proviso, less 1st 42, and last 13, words), 62 Stat. 372. June 29, 1948, ch. 708, §§203(a) (34 words before proviso, and proviso), 203(d) (last 40 words), 62 Stat. 1085.
8991 Foot-note 2.	10:166g(a) (1st proviso). 10:941a(e) (94th through 113th words of clause (1)).	
8991 Foot-note 3.	10:948 (last proviso of last sentence).	
8991 Foot-note 4.	10:971b (1st proviso). 37:272(d) (1st proviso). 10:948 (1st proviso of last sentence).	
8991 Foot-note 5.		

In the introductory paragraph, the applicability of the rule stated in the third sentence to situations not expressly covered by the laws named in the source statutes above is a practical construction that the rule must be reciprocally applied in all cases.

In formula B, the words “basic pay” are substituted for the words “base and longevity pay” to conform to the terminology of the Career Compensation Act of 1949, 63 Stat. 802 (37 U.S.C. 231 et seq.). The words “his retired grade” are substituted for the words “permanent grade held at time of retirement” to reflect the right to higher retired grade when qualified under other provisions of law. 10:941a(e) (last proviso of clause (1)), is omitted, since, under section 202 of the Career Compensation Act of 1949, 63 Stat. 807 (37 U.S.C. 233),