

ject to section 1409(b)(2) of this title, no reduction in the member's retired pay had been made under that section, for provisions that the amount equal to (1) the amount of the member's initial unreduced retired pay, increased by (2) the percent (adjusted to the nearest one-tenth of 1 percent) by which (A) the price index for the most recent base quarter ending more than 31 days before the date the member attains 62 years of age, exceeds (B) the price index for the calendar quarter immediately before the date the member first became entitled to retired pay, and struck out subsec. (b) which had directed that, in this section, the term "initial unreduced retired pay" meant the amount of retired pay (A) to which the member was entitled when the member first became entitled to retired pay; or (B) in the case of a member whose retired pay was subject to section 1409(b)(2) of this title, to which the member would have been entitled on the date of the member's retirement without regard to that section, and that the definitions in subsection (g), and the provisions of subsection (h), of section 1401a of this title applied to this section.

#### EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-67 effective Dec. 1, 2015, see section 403(c) of Pub. L. 113-67, set out as a note under section 1401a of this title. Amendment did not take effect pursuant to section 631(d)(1) of Pub. L. 114-92, set out as a Repeal of Reduced Cost-of-living Adjustments for Members Under the Age of 62 note under section 1401a of this title.

#### EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-65 effective Oct. 1, 1999, see section 644 of Pub. L. 106-65, set out as a note under section 1401a of this title.

### § 1411. Rules of construction

(a) CONSTRUCTION OF "FIRST BECAME A MEMBER".—For purposes of this chapter and other provisions of law providing for computation of retired or retainer pay of members of the uniformed services, a person shall be considered to first become a member of a uniformed service on the date the person is first enlisted, inducted, or appointed in a uniformed service.

(b) REFERENCES IN TABLES.—Section references in tables in this chapter are to sections of this title.

(Added Pub. L. 99-348, title I, §105, July 1, 1986, 100 Stat. 691.)

### § 1412. Administrative provisions

(a) ROUNDING.—Amounts computed under this chapter, if not a multiple of \$1, shall be rounded to the next lower multiple of \$1.

(b) PAYMENT DATE.—Amounts of retired pay and retainer pay due a retired member of the uniformed services shall be paid on the first day of each month beginning after the month in which the right to such pay accrues.

(Added Pub. L. 99-348, title I, §105, July 1, 1986, 100 Stat. 691; amended Pub. L. 111-383, div. A, title VI, §632(a), (b)(1), Jan. 7, 2011, 124 Stat. 4240.)

#### AMENDMENTS

2011—Pub. L. 111-383, §632(b)(1), substituted "Administrative provisions" for "Rounding to next lower dollar" in section catchline.

Pub. L. 111-383, §632(a), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

#### EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title VI, §632(c), Jan. 7, 2011, 124 Stat. 4240, provided that: "Subsection (b) of section

1412 of title 10, United States Code, as added by subsection (a), shall apply beginning with the first month that begins more than 30 days after the date of the enactment of this Act [Jan. 7, 2011]."

### § 1413. Repealed. Pub. L. 108-136, div. A, title VI, § 641(b), Nov. 24, 2003, 117 Stat. 1514

Section, added Pub. L. 106-65, div. A, title VI, §658(a)(1), Oct. 5, 1999, 113 Stat. 668; amended Pub. L. 106-398, §1 [[div. A], title VI, §657(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-166; Pub. L. 107-107, div. A, title VI, §641(b), (e)(1), (2), Dec. 28, 2001, 115 Stat. 1150, 1151; Pub. L. 107-314, div. A, title VI, §636(b), Dec. 2, 2002, 116 Stat. 2576; Pub. L. 108-136, div. A, title VI, §641(c)(1), Nov. 24, 2003, 117 Stat. 1514, related to special compensation for certain severely disabled uniformed services retirees.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 2004, and applicable to payments for months beginning on or after that date, see section 641(e) of Pub. L. 108-136, set out as an Effective Date of 2003 Amendment note under section 1414 of this title.

### § 1413a. Combat-related special compensation

(a) AUTHORITY.—The Secretary concerned shall pay to each eligible combat-related disabled uniformed services retiree who elects benefits under this section a monthly amount for the combat-related disability of the retiree determined under subsection (b).

(b) AMOUNT.—

(1) DETERMINATION OF MONTHLY AMOUNT.—Subject to paragraphs (2) and (3), the monthly amount to be paid an eligible combat-related disabled uniformed services retiree under subsection (a) for any month is the amount of compensation to which the retiree is entitled under title 38 for that month, determined without regard to any disability of the retiree that is not a combat-related disability.

(2) MAXIMUM AMOUNT.—The amount paid to an eligible combat-related disabled uniformed services retiree for any month under paragraph (1) may not exceed the amount of the reduction in retired pay that is applicable to the retiree for that month under sections 5304 and 5305 of title 38.

(3) SPECIAL RULES FOR CHAPTER 61 DISABILITY RETIREES.—

(A) GENERAL RULE.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title, the amount of the payment under paragraph (1) for any month may not, when combined with the amount of retired pay payable to the retiree after any such reduction under sections 5304 and 5305 of title 38, cause the total of such combined payment to exceed the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

(B) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service, the amount of the payment under paragraph (1) for any month