1994—Subsec. (a)(1). Pub. L. 103–337, §635(c)(2)(A), amended par. (1) generally. Prior to amendment, par. (1) contained table which provided two formulas for computing retired pay for cases covered under sections 8911, 8914, 8917, 8918, 8920, and 8924 of this title.

Subsec. (b)(1). Pub. L. 103–337, §635(c)(2)(B)(i), struck out ''of the table'' after ''than one formula''.

Subsec. (b)(3). Pub. L. 103–337, §635(c)(2)(B)(ii), struck out heading and text of par. (3). Text read as follows: ''Section references in the table in subsection (a) are to sections of this title.''

1986—Pub. L. 99–348 amended section generally by completely revising the formula for computation of retired pay to provide that the retired pay base as computed under section 1406(e) or section 1407 be multiplied by the retired pay multiplier prescribed in section 1409 for years of service credited under section 1405 for sections 8911, 8918, 8920, and 8924 and for the years of service credited under section 8925 for sections 8914 and 8917, eliminated monthly basic pay of a member's retired grade or to which a member was entitled on the day before he retired multiplied by 2½ percent of the years of service credited, subject to footnotes 1 to 4, as the basis for computing retired pay, incorporated provisions of column 3 and footnote 5 into subsec. (a)(2), struck out column 4, which provided that the excess over 75% of pay upon which the computation is based be subtracted, eliminated footnotes 1 to 4, and added subsec. (b).

1983—Pub. L. 98–94, §923(a)(1), (2)(H), in footnote 4 to table, substituted ''Before applying percentage factor, credit each full month of service that is in addition to the number of full years of service creditable to the member as one-twelfth of a year and disregard any remaining fractional part of a month'' for ''Before applying percentage factor, credit a part of a year that is six months or more as a whole year, and disregard a part of a year that is less than six months''.

Pub. L. 98–94, §922(a)(12), inserted ''The amount computed, if not a multiple of $1, shall be rounded to the next lower multiple of $1.''

1980—Pub. L. 96–513, §514(8), in heading for column 1 of table substituted ''after September 7, 1980'' for ''on or after the date of the enactment of the Department of Defense Authorization Act, 1981''.

Pub. L. 96–342 in heading for column 1 of table inserted provisions respecting applicability to persons after date of enactment of Department of Defense Authorization Act, 1981.

Pub. L. 96–513, §504(22), in table struck out Formula A and redesignated Formulas B, C, and D as A, B, and C, respectively.

1967—Pub. L. 90–207 inserted '', or if the member has served as chief master sergeant of the Air Force, compute at the highest basic pay applicable to him while he so served, if such basic pay is greater'' after ''retirement'' in footnote 3 of the table.

1963—Pub. L. 88–132 substituted in column 1 of Formula A in table ''Monthly basic pay² of member's retired grade¹'' for ''Monthly basic pay to which member would be entitled if he were on active duty in his retired grade¹'' and eliminated from footnote 2 to such table ''and adjust to reflect later changes in applicable permanent rates. However, if member's retired grade is determined under section 3963(a) or 3963(b), use pay to which member would be entitled if he were on active duty in his retired grade'' after ''date of retirement''.

1962—Pub. L. 87–651 substituted ''section 8962(b)'' for ''section 8962(c)'' in footnote 1.

1958—Formula B. Pub. L. 85–422, §11(a)(9), substituted ''credited to him under section 1405 of this title'' for ''credited to him in determining basic pay'' in column 2.

Formula C. Pub. L. 85–422, §6(8), substituted ''Monthly basic pay to which member was entitled on day before he retired'' for ''Monthly basic pay to which member was entitled on date when he applied for retirement'' in column 1.

Formula D. Pub. L. 85–422, §6(8), substituted ''Monthly basic pay to which member was entitled on day before he retired'' for ''Monthly basic pay of member's retired grade'' in column 1.

Footnote 1. Pub. L. 85–422, §6(6), permitted in case of an officer who has served as Chief of Staff, computation at highest rates of basic pay applicable to him while he served in that office.

Footnote 2. Pub. L. 85–861 struck out reference to section 8962(b).

1957—Pub. L. 85–155 redesignated formulas ''B'' to ''E'' of table as formulas ''A'' to ''D''. Former formula ''A'', which related to computation of retirement pay for persons retired under former sections 8881, 8882, and 8912 of this title, was repealed by such Pub. L. 85–155.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–337 applicable to computation of retired pay of any enlisted member who retires on or after Oct. 5, 1994, to computation of retainer pay of any enlisted member who is transferred to Fleet Reserve or Fleet Marine Corps Reserve on or after Oct. 5, 1994, and to recomputation of retired pay of any enlisted member who is advanced on retired list on or after Oct. 5, 1994, see section 635(e) of Pub. L. 103–337, set out as a note under section 1405 of this title.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by section 922 of Pub. L. 98–94 effective Oct. 1, 1983, see section 922(e) of Pub. L. 98–94, set out as a note under section 1401 of this title.

Amendment by section 923 of Pub. L. 98–94 applicable with respect to the computation of retired or retainer pay of any individual who becomes entitled to that pay after Sept. 30, 1983, see section 923(g) of Pub. L. 98–94, set out as a note under section 1174 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by section 504(22) of Pub. L. 96–513 effective Sept. 15, 1981, and amendment by section 514(8) of Pub. L. 96–513 effective Dec. 12, 1980, see section 701 of Pub. L. 96–513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90–207 effective Oct. 1, 1967, see section 7 of Pub. L. 90–207, set out as a note under section 203 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1963 AMENDMENT

Amendment by Pub. L. 88–132 effective Oct. 1, 1963, see section 14 of Pub. L. 88–132, set out as a note under section 201 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by section 6(6), (8) of Pub. L. 85–422 inapplicable to retired persons or to persons to whom retired pay is granted before May 31, 1958, see section 6 of Pub. L. 85–422, set out in part under section 3991 of this title.

Amendment by Pub. L. 85–422 effective on June 1, 1958, see section 9 of Pub. L. 85–422.

COMPUTATION OF RETIRED PAY FOR CERTAIN ENLISTED MEMBERS RETIRED PRIOR TO JUNE 1, 1958

Members retired prior to June 1, 1958, authorized to include active service performed to the date of retirement as creditable service in computation of basic pay upon which retired pay is based, see Pub. L. 87–537, set out as a note under section 3991 of this title.

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

(a) ENTITLEMENT TO RECOMPUTATION.—An enlisted member or warrant officer of the Air Force who is advanced on the retired list under section 8964 of this title is entitled to recompute his retired pay in accordance with this section.

(b) FORMULA.—The monthly retired pay of a member entitled to recompute that pay under this section is computed by multiplying—

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

(2) 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.

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

(Aug. 10, 1956, ch. 1041, 70A Stat. 557; Pub. L. 96–342, title VIII, §813(e), Sept. 8, 1980, 94 Stat. 1109; Pub. L. 96–513, title V, §514(8), Dec. 12, 1980, 94 Stat. 2935; Pub. L. 97–295, §1(52), Oct. 12, 1982, 96 Stat. 1300; Pub. L. 98–94, title IX, §§922(a)(13), 923(a)(1), (2)(I), Sept. 24, 1983, 97 Stat. 642, 643; Pub. L. 99–348, title II, §204(b), July 1, 1986, 100 Stat. 698; Pub. L. 103–337, div. A, title VI, §635(c)(3), Oct. 5, 1994, 108 Stat. 2789.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8992	10:594 (last 39 words of 1st proviso). 10:1004 (30 words before proviso).	Aug. 21, 1941, ch. 384, §5 (last 39 words of 1st proviso); restated June 29, 1948, ch. 708, §203(c) (last 39 words of 1st proviso), 62 Stat. 1085; May 29, 1954, ch. 249, §19(f), 68 Stat. 167. June 29, 1948, ch. 708, §203(e) (30 words before proviso), 62 Stat. 1086.

The words "basic pay * * * as the case may be" are inserted to conform to the terminology of the Career Compensation Act of 1949, 63 Stat. 802 (37 U.S.C. 231 et seq.). The words "at the rate prescribed by law for his length of service", in 10:1004, are omitted as covered by the words "base and longevity pay". The words "base and longevity pay" are retained to cover the cases of members retired before the enactment of the Career Compensation Act of 1949, and advanced on the retired list after the enactment of that act. The words "and disregard a part of a year that is less than six months" are inserted to conform to footnote 4 of section 8991 of this title.

1982 ACT

This amends 10:8992 to correct an inadvertent error in the codification of title 10 in 1956 relating to retirement pay of warrant officers advanced on the retired list. For further details, see the explanation for amendment of 10:1405 made by section 1(17).

AMENDMENTS

1994—Pub. L. 103–337 amended section generally. Prior to amendment, section contained table with two formulas for recomputing retired pay of enlisted members and warrant officers of Air Force to reflect advancement on retired list.

1986—Pub. L. 99–348 revised table generally by striking out provision in column 1 that for a person who first became a member of a uniformed service, as defined in section 1407(a)(2), after Sept. 7, 1980, one multiplier is the monthly retired pay base as computed under section 1407(e), substituting in formulas A and B provision that the retired pay base as computed under section 1406(e) or 1407 of this title be multiplied by the retired pay multiplier prescribed in section 1409 of this title for the number of years credited for provisions

that the monthly basic pay or base and longevity pay, as the case may be, subject to footnote 1, of the grade to which the member is advanced on the retired list be multiplied by 2½% of years of service credited, subject to footnote 2, and have subtracted from it the excess over 75% of pay upon which the computation is based, struck out footnote 1, which provided that the computation be at the rate applicable on the date of retirement, and redesignated footnote 2 as 1 and substituted "In determining retired pay multiplier" for "Before applying percentage factor" and "1/12" for "one-twelfth".

1983—Pub. L. 98–94, §923(a)(1), (2)(I), in footnote 2 to table, substituted "Before applying percentage factor, credit each full month of service that is in addition to the number of full years of service creditable to the member as one-twelfth of a year and disregard any remaining fractional part of a month" for "Before applying percentage factor, credit a part of a year that is six months or more as a whole year, and disregard a part of a year that is less than six months".

Pub. L. 98–94, §922(a)(13), inserted "The amount recomputed, if not a multiple of $1, shall be rounded to the next lower multiple of $1."

1982—Pub. L. 97–295 inserted "enlisted" before "member of the Air Force" and formula B relating to warrant officers.

1980—Pub. L. 96–513 in heading for column 1 of table substituted "after September 7, 1980" for "on or after the date of the enactment of the Department of Defense Authorization Act, 1981".

Pub. L. 96–342 in heading for column 1 of table inserted provisions respecting applicability to persons after date of enactment of Department of Defense Authorization Act, 1981.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–337 applicable to computation of retired pay of any enlisted member who retires on or after Oct. 5, 1994, to computation of retainer pay of any enlisted member who is transferred to Fleet Reserve or Fleet Marine Corps Reserve on or after Oct. 5, 1994, and to recomputation of retired pay of any enlisted member who is advanced on retired list on or after Oct. 5, 1994, see section 635(e) of Pub. L. 103–337, set out as a note under section 1405 of this title.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by section 922 of Pub. L. 98–94 effective Oct. 1, 1983, see section 922(e) of Pub. L. 98–94, set out as a note under section 1401 of this title.

Amendment by section 923 of Pub. L. 98–94 applicable with respect to (1) the computation of retired or retainer pay of any individual who becomes entitled to that pay after Sept. 30, 1983, and (2) the recomputation of retired pay under this section, of any individual who after Sept. 30, 1983, becomes entitled to recompute retired pay under this section, see section 923(g) of Pub. L. 98–94, set out as a note under section 1174 of this title.

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.

CHAPTER 873—CIVILIAN EMPLOYEES

AMENDMENTS

2000—Pub. L. 106–398, §1 [[div. A], title V, §554(c)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A–127, added item 9027.