

(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

- Sec.
9021. Air University: civilian faculty members.
[9022, 9023. Repealed.]
9025. Production of supplies and munitions: hours and pay of laborers and mechanics.
9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests.

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.

1989—Pub. L. 101-189, div. A, title XI, §1124(d)(2), Nov. 29, 1989, 103 Stat. 1560, added item 9021.

1983—Pub. L. 98-94, title IX, §932(c)(2), Sept. 24, 1983, 97 Stat. 650, struck out item 9022 “Contract surgeons”.

1962—Pub. L. 87-651, title I, §128(2), Sept. 7, 1962, 76 Stat. 514, struck out item 9023 “Service club and library services”.

1958—Pub. L. 85-861, §1(200), Sept. 2, 1958, 72 Stat. 1541, struck out item 9021 “Appointment: professional and scientific services”.

§ 9021. Air University: civilian faculty members

(a) AUTHORITY OF SECRETARY.—The Secretary of the Air Force may employ as many civilians as professors, instructors, and lecturers at a school of the Air University as the Secretary considers necessary.

(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Secretary.

(c) APPLICATION TO CERTAIN FACULTY MEMBERS.—(1) Except as provided in paragraph (2), this section shall apply with respect to persons who are selected by the Secretary for employment as professors, instructors, and lecturers at a school of the Air University after February 27, 1990.

(2) This section shall not apply with respect to professors, instructors, and lecturers employed at a school of the Air University if the duration of the principal course of instruction offered at that school is less than 10 months.

(Added Pub. L. 101-189, div. A, title XI, §1124(d)(1), Nov. 29, 1989, 103 Stat. 1559; amended Pub. L. 103-337, div. A, title X, §1070(a)(17), Oct. 5, 1994, 108 Stat. 2856.)

PRIOR PROVISIONS

A prior section 9021, act Aug. 10, 1956, ch. 1041, 70A Stat. 558, related to appointments in professional and scientific service, prior to repeal by Pub. L. 85-861, §36B(30), Sept. 2, 1958, 72 Stat. 1571.

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-337 substituted “after February 27, 1990” for “after the end of the 90-day period beginning on the date of the enactment of this section”.

[§ 9022. Repealed. Pub. L. 98-94, title IX, § 932(c)(1), Sept. 24, 1983, 97 Stat. 650]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 558, authorized Secretary of the Air Force to employ contract surgeons in an emergency. See section 1091 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1983, but with contracts entered into under the authority of this section before Oct. 1, 1983, which are in effect on Oct. 1, 1983, to remain in effect in accordance with the terms of such contracts, see section 932(f) of Pub. L. 98-94, set out as an Effective Date note under section 1091 of this title.

[§ 9023. Repealed. Pub. L. 87-651, title I, § 128(1), Sept. 7, 1962, 76 Stat. 514]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 558, related to employment of civilians in service club and library services.

§ 9025. Production of supplies and munitions: hours and pay of laborers and mechanics

During a national emergency declared by the President, the regular working hours of laborers

and mechanics of the Department of the Air Force producing military supplies or munitions are 8 hours a day or 40 hours a week. However, under regulations prescribed by the Secretary of the Air Force these hours may be exceeded. Each laborer or mechanic who works more than 40 hours in a workweek shall be paid at a rate not less than one and one-half times the regular hourly rate for each hour in excess of 40.

(Aug. 10, 1956, ch. 1041, 70A Stat. 558.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9025	5:189a.	July 2, 1940, ch. 508, §4 (b), 54 Stat. 714.

The words “Notwithstanding the provisions of any other law” are omitted as surplusage. The word “producing” is substituted for the words “who are engaged in the manufacture or production”. The last sentence is substituted for 5:189a (last 34 words).

§ 9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests

(a) AUTHORITY.—The Secretary of the Air Force may authorize any Department of the Air Force civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Air Force who is a special agent of the Air Force Office of Special Investigations (or a successor to that office) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Air Force.

(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Air Force and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Air Force, the Secretary of Defense, or the Attorney General.

(Added Pub. L. 106-398, §1 [[div. A], title V, §554(c)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-127.)

CHAPTER 875—MISCELLANEOUS INVESTIGATION REQUIREMENTS AND OTHER DUTIES

Sec. 9061. Fatality reviews.

§ 9061. Fatality reviews

(a) REVIEW OF FATALITIES.—The Secretary of the Air Force shall conduct a multidisciplinary, impartial review (referred to as a “fatality review”) in the case of each fatality known or suspected to have resulted from domestic violence or child abuse against any of the following:

(1) A member of the Air Force on active duty.