

2009—Pub. L. 110-417, [div. A], title VI, § 601, Oct. 14, 2008, 122 Stat. 4482.

2008—Pub. L. 110-181, div. A, title VI, § 601, Jan. 28, 2008, 122 Stat. 145.

2007—Pub. L. 109-364, div. A, title VI, § 601, Oct. 17, 2006, 120 Stat. 2240.

2006—Pub. L. 109-163, div. A, title VI, § 601, Jan. 6, 2006, 119 Stat. 3286.

2005—Pub. L. 108-375, div. A, title VI, § 601, Oct. 28, 2004, 118 Stat. 1943.

2004—Pub. L. 108-136, div. A, title VI, § 601, Nov. 24, 2003, 117 Stat. 1495, as amended by Pub. L. 109-148, div. A, title VIII, § 8124(a)(1), Dec. 30, 2005, 119 Stat. 2727.

2003—Pub. L. 107-314, div. A, title VI, § 601, Dec. 2, 2002, 116 Stat. 2563.

2002—Pub. L. 107-107, div. A, title VI, § 601, Dec. 28, 2001, 115 Stat. 1129.

2001—Pub. L. 106-398, § 1 [[div. A], title VI, §§ 601, 602], Oct. 30, 2000, 114 Stat. 1654, 1654A-143.

2000—Pub. L. 106-65, div. A, title VI, § 601(a)-(c), Oct. 5, 1999, 113 Stat. 645, as amended by Pub. L. 106-398, § 1 [[div. A], title X, § 1087(c)(1)(C)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292.

1999—Pub. L. 105-261, div. A, title VI, § 601, Oct. 17, 1998, 112 Stat. 2036.

1998—Pub. L. 105-85, div. A, title VI, § 601, Nov. 18, 1997, 111 Stat. 1771.

1997—Pub. L. 104-201, div. A, title VI, § 601, Sept. 23, 1996, 110 Stat. 2539.

1996—Pub. L. 104-106, div. A, title VI, § 601, Feb. 10, 1996, 110 Stat. 356.

1995—Pub. L. 103-337, div. A, title VI, § 601(a), (b), Oct. 5, 1994, 108 Stat. 2779.

1994—Pub. L. 103-160, div. A, title VI, § 601, Nov. 30, 1993, 107 Stat. 1677.

1993—Pub. L. 102-484, div. A, title VI, § 601, Oct. 23, 1992, 106 Stat. 2420.

Pub. L. 102-484, div. D, title XLIV, § 4402, Oct. 23, 1992, 106 Stat. 2701, as amended by Pub. L. 103-160, div. A, title VI, § 602(a), (b)(1), Nov. 30, 1993, 107 Stat. 1678.

1992—Pub. L. 102-190, div. A, title VI, § 601, Dec. 5, 1991, 105 Stat. 1372.

Pub. L. 102-190, div. A, title XI, § 1111(c), Dec. 5, 1991, 105 Stat. 1491.

1991—Pub. L. 101-510, div. A, title VI, § 601, Nov. 5, 1990, 104 Stat. 1575.

1990—Pub. L. 101-189, div. A, title VI, § 601(a), (b), Nov. 29, 1989, 103 Stat. 1444.

1989—Pub. L. 100-456, div. A, title VI, § 601(a), (b), Sept. 29, 1988, 102 Stat. 1976.

1988—Pub. L. 100-180, div. A, title VI, § 601(a), (b), Dec. 4, 1987, 101 Stat. 1092, as amended by Pub. L. 100-202, § 110(b), Dec. 22, 1987, 101 Stat. 1329-436.

1987—Pub. L. 99-661, div. A, title VI, § 601(a), (b), title XIII, § 1310(c), Nov. 14, 1986, 100 Stat. 3873, 3983.

Pub. L. 99-500, § 144(b), Oct. 18, 1986, 100 Stat. 1783-350, and Pub. L. 99-591, § 144(b), Oct. 30, 1986, 100 Stat. 3341-353.

1986—Pub. L. 99-145, title VI, § 601, Nov. 8, 1985, 99 Stat. 635.

1985—Pub. L. 98-525, title VI, § 601, Oct. 19, 1984, 98 Stat. 2533.

1984—Pub. L. 98-94, title IX, § 901, Sept. 24, 1983, 97 Stat. 634.

1982—Pub. L. 97-60, title I, § 101, Oct. 14, 1981, 95 Stat. 989, as amended by Pub. L. 98-557, § 35(a), (c), Oct. 30, 1984, 98 Stat. 2877, eff. Oct. 1, 1984; Pub. L. 100-180, div. A, title XIII, § 1314(d)(3), (e)(2), Dec. 4, 1987, 101 Stat. 1176, eff. Oct. 1, 1986.

1981—Pub. L. 96-342, title VIII, § 801, Sept. 8, 1980, 94 Stat. 1090.

1976—

Pub. L. 94-106, title VIII, § 819, Oct. 7, 1975, 89 Stat. 544.

1975—Pub. L. 93-419, §§ 5-7, Sept. 19, 1974, 88 Stat. 1153.

#### ADJUSTMENT OF PAY RATES

For adjustment of pay rates under this section, see the executive order detailing the adjustment of certain

rates of pay set out as a note under section 5332 of Title 5, Government Organization and Employees.

#### EXECUTIVE ORDER NO. 11812

Ex. Ord. No. 11812, Oct. 7, 1974, 39 F.R. 36307, which provided for the adjustment of pay rates effective Oct. 1, 1974, was superseded by Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091.

#### EXECUTIVE ORDER NO. 11998

Ex. Ord. No. 11998, June 27, 1977, 42 F.R. 33021, which related to the President's Commission on Military Compensation, was revoked by Ex. Ord. No. 12110, Dec. 28, 1978, 44 F.R. 1069, formerly set out as a note under section 14 of the Appendix to Title 5.

### § 1010. Commissioned officers: promotions; effective date for pay and allowances

An officer of a uniformed service who is promoted to a grade above second lieutenant or ensign is entitled to the pay and allowances of the grade to which promoted on the effective date of the promotion.

(Added Pub. L. 96-513, title IV, § 403(c), Dec. 12, 1980, 94 Stat. 2905; amended Pub. L. 109-364, div. A, title X, § 1071(c)(8), Oct. 17, 2006, 120 Stat. 2401.)

#### AMENDMENTS

2006—Pub. L. 109-364 substituted “promotions” for “promotion” in section catchline.

#### EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under this section effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of Title 10, Armed Forces.

### § 1011. Mess operation: reimbursement of expenses

(a) The Secretary of Defense shall, by regulation, establish rates for meals sold at messes to officers, civilians, and enlisted members. Such rates shall be established at a level sufficient to provide reimbursement of operating expenses and food costs to the appropriations concerned, but members of the uniformed services and civilians in a travel status receiving a per diem allowance in lieu of subsistence shall be charged at a rate of not less than \$2.50 per day. Notwithstanding the preceding sentence, if the Secretary determines that it is in the best interest of the United States, the Secretary may reduce a rate for meals established under this subsection by the amount of that rate attributable to operating expenses.

(b) For the purposes of this section, payment for meals at the rates established under this section may be made in cash or, in the case of enlisted members or civilian employees, by deduction from pay. Members of organized nonprofit youth groups sponsored at either the national or local level, when extended the privilege of visiting a military installation or when residing at a military installation pursuant to an agreement in effect on June 30, 1986, and permitted to eat in the general mess by the commanding officer of the installation, shall pay the commuted ration cost of such meal or meals.

(c) Spouses and dependent children of enlisted members in pay grades E-1, E-2, E-3, and E-4

may not be charged for meals sold at messes in excess of a level sufficient to cover food costs.

(d) When the Coast Guard is not operating as a service in the Navy, the Secretary of Homeland Security shall establish rates for meals sold at Coast Guard dining facilities, provide for reimbursement of operating expenses and food costs to the appropriations concerned, and reduce the rates for such meals when the Secretary determines that it is in the best interest of the United States to do so.

(Added Pub. L. 96-513, title IV, § 413, Dec. 12, 1980, 94 Stat. 2906; amended Pub. L. 99-145, title VIII, § 810(a), Nov. 8, 1985, 99 Stat. 681; Pub. L. 99-661, div. A, title VI, § 655, Nov. 14, 1986, 100 Stat. 3891; Pub. L. 101-189, div. A, title III, § 321, Nov. 29, 1989, 103 Stat. 1413; Pub. L. 104-324, title II, § 214(a), Oct. 19, 1996, 110 Stat. 3915; Pub. L. 107-296, title XVII, § 1704(c), Nov. 25, 2002, 116 Stat. 2314.)

#### AMENDMENTS

2002—Subsec. (d). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1996—Subsec. (d). Pub. L. 104-324 added subsec. (d).

1989—Subsec. (a). Pub. L. 101-189 substituted “and enlisted members” for “or enlisted members entitled to a per diem transportation allowance determined under section 404(d)(2) of this title” and inserted at end “Notwithstanding the preceding sentence, if the Secretary determines that it is in the best interest of the United States, the Secretary may reduce a rate for meals established under this subsection by the amount of that rate attributable to operating expenses.”

1986—Subsec. (b). Pub. L. 99-661 inserted “or when residing at a military installation pursuant to an agreement in effect on June 30, 1986,” in second sentence.

1985—Subsec. (c). Pub. L. 99-145 added subsec. (c).

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-145 effective Oct. 1, 1985, see section 813 of Pub. L. 99-145, formerly set out in a Military Family Policy and Programs note under section 113 of Title 10, Armed Forces.

#### EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under this section effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of Title 10, Armed Forces.

### § 1012. Disbursement and accounting: pay of enlisted members of the National Guard

Amounts appropriated for the pay, under subsections (a), (b), and (d) of section 206, section 301(f), section 402(e), and section 1002 of this title, of enlisted members of the Army National Guard of the United States or the Air National Guard of the United States for attending regular periods of duty and instruction shall be disbursed and accounted for by the Secretary of Defense. All such disbursements shall be made for 3-month periods for units of the Army National Guard or Air National Guard under regu-

lations prescribed by the Secretary of Defense, and on pay rolls prepared and authenticated as prescribed in those regulations.

(Added Pub. L. 97-258, § 2(i)(2)(B), Sept. 13, 1982, 96 Stat. 1061; amended Pub. L. 99-145, title XIII, § 1303(b)(13)(A), (B), Nov. 8, 1985, 99 Stat. 741; Pub. L. 104-106, div. A, title VI, § 602(c)(2), title IX, § 913(c)(1), Feb. 10, 1996, 110 Stat. 357, 411; Pub. L. 106-398, § 1 [[div. A], title X, § 1087(b)(5)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292.)

#### HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large)                    |
|-----------------|--------------------|---|
| 1012 .....      | 31:698a.           | Aug. 10, 1956, ch. 1041, § 31, 70A Stat. 632. |

The words “the Secretary concerned” are substituted for “officers and agents of the Finance Corps of the Army or finance officers of the Air Force, as the case may be” and “the Secretary of the Army or the Secretary of the Air Force, as the case may be” for consistency in the title. The words “various” and “issued” are omitted as surplus.

#### AMENDMENTS

2000—Pub. L. 106-398 substituted “section 402(e)” for “section 402(b)(3)”.

1996—Pub. L. 104-106 substituted “section 402(b)(3)” for “the last sentence of section 402(b)” and substituted “Secretary of Defense” for “Secretary concerned” in two places.

1985—Pub. L. 99-145 inserted “: pay of enlisted members of the National Guard” in section catchline, and substituted “for the pay, under subsections (a), (b), and (d) of section 206, section 301(f), the last sentence of section 402(b), and section 1002 of this title,” for “under sections 206(a), (b), and (d), 301(f), 309, 402(b) (last sentence), and 1002 of this title for pay”, “All such disbursements” for “Disbursements”, and “as prescribed in those” for “under the”.

#### EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-145, title XIII, § 1303(b)(13)(D), Nov. 8, 1985, 99 Stat. 741, provided that: “The amendments made by this paragraph [amending this section] shall take effect as if included in the enactment of section 2(i) of Public Law 97-258 [enacting this section].”

### § 1013. Payment of compensation for victims of terrorism

Any benefit or payment pursuant to section 559 of this title, or section 1032 or 1095a or chapter 110 of title 10, shall be paid out of funds available to the Secretary concerned for military personnel.

(Added Pub. L. 99-399, title VIII, § 801(e)(1), Aug. 27, 1986, 100 Stat. 888; amended Pub. L. 100-456, div. A, title XII, § 1233(g)(4), Sept. 29, 1988, 102 Stat. 2058; Pub. L. 101-510, div. A, title XIV, § 1484(h)(6), Nov. 5, 1990, 104 Stat. 1718.)

#### CODIFICATION

Another section 1013 was renumbered section 1014 of this title.

#### AMENDMENTS

1990—Pub. L. 101-510 substituted “1095a” for “1095”.

1988—Pub. L. 100-456 substituted “section 1032” for “section 1051”.

### § 1014. Payment date for pay and allowances

(a) Amounts of basic pay, basic allowance for housing, basic allowance for subsistence, and