

on same promotion list or not on a promotion list, and rank among graduates of each class at United States Military, Naval, or Air Force Academies who, upon graduation, are appointed to Regular Air Force. See section 741 of this title.

A prior section 8575 was renumbered section 9225 of this title.

A prior section 8576, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for command when different commands of Air Force and Marine Corps joined or served together, prior to repeal by Pub. L. 90-235, §5(a)(2), Jan. 2, 1968, 81 Stat. 761. See section 747 of this title.

A prior section 8577, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for the command of flying units by commissioned officers of Air Force who had received aeronautical ratings as pilots of service types of aircraft, prior to repeal by Pub. L. 93-525, Dec. 18, 1974, 88 Stat. 1695.

A prior section 8578, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for command when two or more commissioned officers of Air Force in same grade were on duty at same place, prior to repeal by Pub. L. 90-235, §5(a)(2), Jan. 2, 1968, 81 Stat. 761. See section 749 of this title.

A prior section 8579 was renumbered section 9229 of this title.

A prior section 8580, Aug. 10, 1956, ch. 1041, 70A Stat. 531, provided that Secretary of Air Force should prescribe military authority that female members of Air Force, except those designated under former section 8067 of this title to perform professional functions, might exercise, prior to repeal by Pub. L. 90-130, §1(30), Nov. 8, 1967, 81 Stat. 382.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7050 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 857—RETIREMENT OF CIVILIAN MEMBERS OF THE TEACHING STAFFS OF THE UNITED STATES NAVAL ACADEMY AND UNITED STATES NAVAL POSTGRADUATE SCHOOL

- Sec. 8581. Civilian member: definition; exceptions.
- 8582. Deferred annuity policy required.
- 8583. Annuity premium to be paid by monthly installments; government reimbursement.
- 8584. Age of retirement.
- 8585. Computation of life annuity.
- 8586. Physical disability retirement.
- 8587. Election of annuity for self and beneficiary.
- 8588. Regulations.

PRIOR PROVISIONS

A prior chapter 857, consisting of sections 8741 to 8756, related to decorations and awards in the Air Force, prior to renumbering as chapter 937 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §807(e)(3), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 607 of this title as this chapter and items 7081 to 7088 as 8581 to 8588, respectively.

2006—Pub. L. 109-364, div. A, title X, §1071(a)(35), Oct. 17, 2006, 120 Stat. 2400, substituted “Civilian member:” for “Civilian member;” in item 7081.

§ 8581. Civilian member: definition; exceptions

(a) In this chapter, the term “civilian member” means a civilian member of the teaching

staff of the United States Naval Academy or the United States Naval Postgraduate School. It includes the Provost and Academic Dean of the Postgraduate School, senior professors, professors, associate professors, assistant professors, chief instructors, assistant chief instructors, and instructors.

(b) This chapter does not apply to any civilian member who was employed at the Naval Academy or the Postgraduate School on January 16, 1936, and who did not elect to participate in the benefits provided by the Act of January 16, 1936, ch. 3 (49 Stat. 1092).

(c) This chapter does not apply to any person who was a civilian member after September 30, 1956.

(Aug. 10, 1956, ch. 1041, 70A Stat. 438, §7081; Pub. L. 85-861, §1(149), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 101-189, div. A, title XVI, §1622(e)(8), Nov. 29, 1989, 103 Stat. 1605; Pub. L. 108-375, div. A, title V, §557(b)(4), Oct. 28, 2004, 118 Stat. 1916; renumbered §8581, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7081(a)	34 U.S.C. 1073d. 34 U.S.C. 1074 (less 1st 98 words). 34 U.S.C. 1076b (last sentence).	Jan. 16, 1936, ch. 3, §5, 49 Stat. 1093; Nov. 28, 1943, ch. 331, §2, 57 Stat. 595. June 10, 1946, ch. 298 (less 1st 98 words), 60 Stat. 236. July 31, 1947, ch. 420, §3 (last sentence), 61 Stat. 760; Aug. 30, 1954, ch. 1076, §1(21), 68 Stat. 968. Jan. 16, 1936, ch. 3, §4, 49 Stat. 1092.
7081(b)	34 U.S.C. 1073c. 34 U.S.C. 1073c-1 (2d proviso).	Jan. 16, 1936, ch. 3, §4A (2d proviso); added Nov. 28, 1943, ch. 331, §1, 57 Stat. 594.

Section 4 of the Act of January 16, 1936, ch. 3, 49 Stat. 1092, provided that persons who were then members of the teaching staff should have the right to participate in benefits under the Act if they requested such participation within 60 days. Members who were then under the civil-service retirement system were required to choose whether they would remain under it or would participate in the system established by the 1936 Act. They could not come under both. The section also authorized the Secretary of the Navy to supplement the retired income of members who elected to come under the 1936 Act and whose age in 1936 was such that they could not purchase adequate annuities before retiring. The provisions whereby members could elect to participate were temporary and are executed. The provisions relating to retired income are superseded by §4A, added by the Act of November 28, 1943, ch. 331, 57 Stat. 594. The only remaining effect of §4 and the second proviso of §4A is to exclude from the benefits and requirements of the 1936 Act persons who were members of the teaching staff in 1936 and did not elect to participate.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7081(c)	[No source].	[No source].

Subsection (c) is added to reflect the effect on chapter 607 of this title of the Act of July 31, 1956, ch. 804, §402(a) (70 Stat. 760) which brought the civilian faculties of the Naval Academy and Naval Postgraduate School under the Civil Service Retirement Act effective October 1, 1956, and provided that on and after that

date the Act of January 16, 1936, ch. 3 (49 Stat. 1092) would no longer apply to civilians employed at those schools on or after that date.

REFERENCES IN TEXT

Act of January 16, 1936, ch. 3 (49 Stat. 1092), referred to in subsec. (b), was classified to sections 1073 to 1073f of former Title 34, Navy, and was repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. See section 7081 et seq. of this title.

PRIOR PROVISIONS

A prior section 8581 was renumbered section 9231 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7081 of this title as this section.

2004—Subsec. (a). Pub. L. 108–375 substituted “Provost and Academic Dean” for “Academic Dean”.

1989—Subsec. (a). Pub. L. 101–189 inserted “, the term” after “In this chapter”.

1958—Subsec. (c). Pub. L. 85–861 added subsec. (c).

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8582. Deferred annuity policy required

Each civilian member, as a part of his contract of employment, shall carry, during his employment, a deferred annuity policy, having no cash surrender or loan provision, in a joint-stock life insurance corporation that is incorporated under the laws of a State and has a charter restriction that its business must be conducted without profit to its stockholders.

(Aug. 10, 1956, ch. 1041, 70A Stat. 439, §7082; renumbered §8582, Pub. L. 115–232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7082	34 U.S.C. 1073.	Jan. 16, 1936, ch. 3, §1, 49 Stat. 1092.

The words “whose employment commences from and after the date of approval of this act” are omitted as surplusage. Under §4 of the Act, members already employed when the Act was approved were given 60 days in which to decide whether or not they wished to participate in the benefits provided by the Act. Those who chose not to participate are excluded from the application of this chapter by §7081 of this title.

PRIOR PROVISIONS

A prior section 8582, act Aug. 10, 1956, ch. 1041, 70A Stat. 531, provided that a retired officer has no right to command except when on active duty, prior to repeal by Pub. L. 96–513, title II, §211, Dec. 12, 1980, 94 Stat. 2885, effective Sept. 15, 1981. See section 750 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7082 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8583. Annuity premium to be paid by monthly installments; government reimbursement

Each civilian member shall make a monthly allotment in an amount equal to 10 percent of his monthly basic salary toward the purchase of his deferred annuity policy. For each month the allotment is in force, the pay account of the civilian member shall be credited monthly from appropriations made for this purpose with an additional amount equal to 5 percent of his monthly basic salary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 439, §7083; Pub. L. 89–718, §39, Nov. 2, 1966, 80 Stat. 1120; renumbered §8583, Pub. L. 115–232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7083	34 U.S.C. 1073a.	Jan. 16, 1936, ch. 3, §2, 49 Stat. 1092.

The words “Chief, Field Branch, Bureau of Supplies and Accounts” are substituted for the words “Navy Allotment Office, Navy Department, Washington, District of Columbia”, to designate the agency through which allotments are now made.

PRIOR PROVISIONS

A prior section 8583 was renumbered section 9233 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7083 of this title as this section.

1966—Pub. L. 89–718 removed requirement that the 10 percent monthly allotment be made through the Chief, Field Branch, Bureau of Supplies and Accounts.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8584. Age of retirement

A civilian member may be retired at any time after his sixty-fifth birthday, and shall be retired by June 30 following that birthday. However, in any special case the Secretary of the Navy may defer the retirement of a member until a date not later than the member’s seventh birthday.

(Aug. 10, 1956, ch. 1041, 70A Stat. 439, §7084; renumbered §8584, Pub. L. 115–232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7084	34 U.S.C. 1073b.	Jan. 16, 1936, ch. 3, §3, 49 Stat. 1092.

The words “individual and” are omitted as surplusage.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7084 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and