

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 (b), was classified to sections 1073 to 1073f of former Title 34, Navy, and was repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641.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

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8585. Computation of life annuity

Each civilian member who retires under section 8584 of this title is entitled to a life annuity computed by multiplying his average annual compensation during any five consecutive years of allowable service, at his option, by his number of years of service, not exceeding 35, and dividing the product by 70. The retirement annuity payable to a retired civilian member under a policy required by section 8582 of this title is counted as part of the retirement annuity provided in this section. Any difference between the amount received by the retired civilian member under his annuity policy and the total annual amount to which he is entitled under this section shall be paid to him by the Secretary of the Navy from appropriations made for this purpose. (Aug. 10, 1956, ch. 1041, 70A Stat. 439, § 7085; renumbered § 8585 and amended Pub. L. 115-232, div. A, title VIII, §§ 807(c)(1), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7085	34 U.S.C. 1073c-1 (less 2d proviso).	Jan. 16, 1936, ch. 3, § 4A (less 2d proviso); added Nov. 28, 1943, ch. 331, § 1, 57 Stat. 594.

The words “terminable on his death at the rate of the following total annual amount” are omitted as surplusage, since they are covered by the words “life annuity”.

The words “basic salary, pay, or” are omitted as surplusage, since they are covered by the word “compensation”. The first proviso is omitted as unnecessary, since all existing rights and benefits of persons affected by this title are protected by a general saving provision.

AMENDMENTS

2018—Pub. L. 115-232, § 809(a), substituted “section 8584” for “section 7084” and “section 8582” for “section 7082”.

Pub. L. 115-232, § 807(c)(1), renumbered section 7085 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.

INCREASE IN ANNUITIES OF CIVILIAN MEMBERS WHO RETIRED BEFORE APRIL 1, 1948

Pub. L. 85-861, § 30, Sept. 2, 1958, 72 Stat. 1563, provided that:

“(a) A retired civilian member of the teaching staff of the United States Naval Academy or the United States Naval Postgraduate School who retired before April 1, 1948, is entitled to be paid, out of applicable current appropriations, \$300 a year in addition to the annuity to which he is entitled under section 7085 [now 8585] of title 10.

“(b) A retired civilian member whose annuity, when increased by \$300 under subsection (a), is less than \$1,860 is entitled to be paid an additional \$300 a year out of applicable current appropriations.

“(c) Additions to the annuities of retired civilian members under subsection (b) do not increase the annuities payable to the survivors of those members.”

INCREASE OF ANNUITIES—1957

Pub. L. 85-40, May 31, 1957, 71 Stat. 42, provided: “That the annuities, payable under chapter 607 [now 857] of title 10, United States Code, to civilian members of the teaching staff of the United States Naval Academy or the United States Naval Postgraduate School are increased as follows: That portion of an annuity which is not in excess of \$1,500 is increased by 12 per centum, and that portion of an annuity which is in excess of \$1,500 is increased by 8 per centum. These increases shall not exceed the sum necessary to increase the annuity to \$4,104, and are in addition to the increases authorized by Public Law 371, Eighty-fourth Congress. The monthly installments of each annuity shall be fixed at the nearest dollar.

“SEC. 2. The increases provided by section 1, when added to the annuities of retired civilian members of the teaching staff of the United States Naval Academy or the United States Naval Postgraduate School, do not increase the annuities of their survivors. The annuity of any such survivor, however, who is entitled to or becomes entitled to an annuity under chapter 607 [now 857] of title 10, United States Code, shall be increased in accordance with the following schedule:

“If annuity commences between—	Portion of annuity not in excess of \$1,500 shall be increased by—	Portion of annuity in excess of \$1,500 shall be increased by—
	per centum	per centum
Jan. 16, 1936, and June 30, 1955	12	8
July 1, 1955, and Dec. 31, 1955	10	7
Jan. 1, 1956, and June 30, 1956	8	6
July 1, 1956, and Dec. 31, 1956	6	4
Jan. 1, 1957, and June 30, 1957	4	2
July 1, 1957, and Dec. 31, 1957	2	1

“SEC. 3. Any provision of law, enacted after the effective date of this Act [May 31, 1957], which increases the annuities of retired employees and their survivors who are entitled to annuities under the Civil Service Retirement Act of May 29, 1930, as amended (5 U.S.C. 691 et seq.) [now covered by section 8331 et seq. 30 of Title 5], shall be applicable in like manner and to the same extent to civilian members of the teaching staff of the United States Naval Academy and of the United States Naval Postgraduate School and their survivors who are entitled to annuities under chapter 607 [now 857] of title 10, United States Code.”

§ 8586. Physical disability retirement

(a) Each civilian member who has served not less than five years, and who, before reaching the age of 65, becomes totally disabled for useful and efficient service in his position, by reason of disease or injury not due to his own vicious habits, intemperance, or willful misconduct shall, upon his application or upon the request of the Secretary of the Navy, be retired with a life annuity computed under section 8585 of this title.

(b) The amount that the Secretary shall pay annually under this section is the difference between the total amount to which the retired member is entitled under subsection (a) and the immediate life annuity to which he is entitled at the time of his disability retirement under the annuity policy required by section 8582 of this title.

(c) Each civilian member retired under this section, unless the disability for which he was retired is permanent in character, shall be examined by a board of medical officers designated by the Superintendent of the Naval Academy or of the Postgraduate School, as appropriate, one year after his retirement and annually thereafter, until he becomes 65 years of age.