

In subsection (b), the words “The Secretary concerned may defer” are substituted for the words “may, in the discretion of the Secretary, be deferred”. The words “determination of his” are inserted for clarity. The words “not more than” are substituted for the words “a period not to exceed”. The words “he would otherwise be required to retire under this section” are substituted for the words “retirement * * * would otherwise be required”. The words “which is required”, “possible”, “proper”, and “a period of” are omitted as surplusage.

(Aug. 10, 1956, ch. 1041, 70A Stat. 101; Pub. L. 87-649, §6(f)(3), Sept. 7, 1962, 76 Stat. 494.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1293	10:600(d) (as applicable to 10:600(a)). 10:600(a). 34:135(d) (as applicable to 34:430(a)). 34:430(a).	May 29, 1954, ch. 249, §§2(d) (as applicable to §14(a)), 14(a), 68 Stat. 157, 162.

REFERENCES IN TEXT

Section 511 of the Career Compensation Act of 1949, referred to in subsec. (a), is section 511 of act Oct. 12, 1949, ch. 681, which was formerly set out as a note under section 580 of this title.

The words, “The Secretary concerned may * * * retire” are substituted for the words “may * * * and in the discretion of the Secretary, be retired”. 10:600(a) (last 14 words) and 34:430(a) (last 14 words) are omitted as covered by section 1315 of this title.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-484 substituted “580 note” for “564 note”.

REFERENCES IN TEXT

Section 511 of the Career Compensation Act of 1949, referred to in text, is section 511 of act Oct. 12, 1949, ch. 681, which was formerly set out as a note under section 580 of this title.

1980—Subsec. (a). Pub. L. 96-513 substituted “511 of the Career Compensation Act of 1949, as amended (70 Stat. 114; 10 U.S.C. 564 note)” for “311 of title 37”.

AMENDMENTS

1967—Subsec. (a). Pub. L. 90-130 struck out reference to section 1255 of this title.

1962—Pub. L. 87-649 substituted “section 511 of the Career Compensation Act of 1949, as amended (70 Stat. 114)” for “section 311 of title 37.”

1966—Subsec. (a). Pub. L. 89-718 substituted “8301” for “47a”.

EFFECTIVE DATE OF 1980 AMENDMENT

EFFECTIVE DATE OF 1962 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.

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

§ 1275. Computation of retired pay: law applicable

RENEWAL OF TEMPORARY EARLY RETIREMENT AUTHORITY

A member of the armed forces retired under this chapter is entitled to retired pay computed under chapter 71 of this title.

Pub. L. 112-213, title II, §219, Dec. 20, 2012, 126 Stat. 1558, as amended by Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8213, Jan. 1, 2021, 134 Stat. 4650, provided that: “For fiscal years 2019 through 2025—

(Aug. 10, 1956, ch. 1041, 70A Stat. 101.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1275	[No source].	[No source].

“(1) notwithstanding subsection (c)(1) of section 4403 of the National Defense Authorization Act for Fiscal Year 1993 [Pub. L. 102-484] (10 U.S.C. 1293 note), such section shall apply to the Coast Guard in the same manner and to the same extent it applies to the Department of Defense, except that—

The revised section is based on the various retirement provisions in this chapter and is inserted to make explicit the entitlement to retired pay upon retirement.

CHAPTER 65—RETIREMENT OF WARRANT OFFICERS FOR LENGTH OF SERVICE

“(A) the Secretary of Homeland Security shall implement such section with respect to the Coast Guard and, for purposes of that implementation, shall apply the applicable provisions of title 14, United States Code, relating to retirement of Coast Guard personnel; and

- Sec. 1293. Twenty years or more: warrant officers.
- 1305. Thirty years or more: regular warrant officers.
- 1315. Computation of retired pay: law applicable.

“(B) the total number of commissioned officers who retire pursuant to this section may not exceed 200, and the total number of enlisted members who retire pursuant to this section may not exceed 300; and

AMENDMENTS

“(2) only appropriations available for necessary expenses for the operation and maintenance of the Coast Guard shall be expended for the retired pay of personnel who retire pursuant to this section.”

1980—Pub. L. 96-513, title V, §501(19), Dec. 12, 1980, 94 Stat. 2908, substituted “RETIREMENT OF WARRANT OFFICERS FOR LENGTH OF SERVICE” for “RETIREMENT FOR LENGTH OF SERVICE” as chapter heading.

TEMPORARY EARLY RETIREMENT AUTHORITY

§ 1293. Twenty years or more: warrant officers

Pub. L. 104-208, div. A, title I, §101(b) [title VIII, §8053], Sept. 30, 1996, 110 Stat. 3009-71, 3009-99, provided that: “During the current fiscal year and hereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.”

The Secretary concerned may, upon the warrant officer’s request, retire a warrant officer of any armed force under his jurisdiction who has at least 20 years of active service that could be credited to him under section 511 of the Career Compensation Act of 1949, as amended (70 Stat. 114).

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 104-61, title VIII, §8066, Dec. 1, 1995, 109 Stat. 664.

Pub. L. 103-335, title VIII, §8077, Sept. 30, 1994, 108 Stat. 2636.