

(b) **QUALIFYING GRANTS.**—A qualifying research grant under this section is a grant that is awarded on a competitive basis by an entity referred to in subsection (c) for a research project with a scientific, literary, or educational purpose.

(c) **ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.**—A grant may be accepted under this section only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

(d) **ADMINISTRATION OF GRANT FUNDS.**—The Secretary shall establish an account for administering funds received as research grants under this section. The President of the Naval Postgraduate School shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

(e) **RELATED EXPENSES.**—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Naval Postgraduate School may be used to pay expenses incurred by the School in applying for, and otherwise pursuing, the award of qualifying research grants.

(f) **REGULATIONS.**—The Secretary shall prescribe regulations for the administration of this section.

(Added Pub. L. 109-163, div. A, title V, §522(c)(1), Jan. 6, 2006, 119 Stat. 3241, §7050; renumbered §8550, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

#### PRIOR PROVISIONS

A prior section 8571, acts Aug. 10, 1956, ch. 1041, 70A Stat. 528; Sept. 2, 1958, Pub. L. 85-861, §§1(183), 33(a)(41), 72 Stat. 1533, 1566; June 30, 1960, Pub. L. 86-559, §1(64), 74 Stat. 278, provided that commissioned officers of Air Force on active duty in same grade rank themselves according to date of rank and specified procedures for determining date of rank, prior to repeal by Pub. L. 96-513, title II, §211, Dec. 12, 1980, 94 Stat. 2885, effective Sept. 15, 1981. See section 741 of this title.

A prior section 8572 was renumbered section 9222 of this title.

Prior sections 8573 and 8574 were repealed by Pub. L. 96-513, title II, §211, Dec. 12, 1980, 94 Stat. 2885.

Section 8573, act Aug. 10, 1956, ch. 1041, 70A Stat. 529, specified date of rank of an officer whose regular grade is brigadier general and date of rank of an officer whose regular grade is major general and provided that names of general officers of Regular Air Force be carried on a seniority list in order of seniority in both regular grade and date of rank. See section 741 of this title.

Section 8574, acts Aug. 10, 1956, ch. 1041, 70A Stat. 530; Sept. 2, 1958, Pub. L. 85-861, §§1(184), 33(a)(24), 72 Stat. 1533, 1565, provided for determination of rank of commissioned officers of same grade in Regular Air Force who are on same promotion list, rank of commissioned officers of same grade in Regular Air Force who are not 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

|       |   |
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#### 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.<br><br>34 U.S.C. 1074 (less 1st 98 words).<br><br>34 U.S.C. 1076b (last sentence). | Jan. 16, 1936, ch. 3, §5, 49 Stat. 1093; Nov. 26, 1943, ch. 331, §2, 57 Stat. 595.<br>June 10, 1946, ch. 298 (less 1st 98 words), 60 Stat. 236.<br>July 31, 1947, ch. 420, §3 (last sentence), 61 Stat. 760; Aug. 30, 1954, ch. 1076, §1(21), 68 Stat. 968.<br>Jan. 16, 1936, ch. 3, §4, 49 Stat. 1092. |
| 7081(b) .....   | 34 U.S.C. 1073c.<br><br>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.