

Subsec. (a)(3), (4). Pub. L. 101-189, § 652(a)(7)(A)(iii), struck out pars. (3) and (4) which read as follows:

“(3) all service computed under section 8683 of this title; and

“(4) if an officer of the Regular Air Force, all active service performed as an officer of the Philippine Constabulary.”

Subsec. (d). Pub. L. 101-189, § 652(a)(7)(B), struck out subsec. (d) which read as follows: “For the purpose of determining whether an Air Force nurse or medical specialist may be retired under section 8911 of this title, all service computed under section 8683 of this title, shall be treated as if it was service as a commissioned officer.”

1959—Subsec. (d). Pub. L. 86-197 added subsec. (d).

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.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective Feb. 10, 1996, and applicable to any period of time covered by section 972 of this title that occurs after that date, see section 561(e) of Pub. L. 104-106, set out as a note under section 972 of this title.

§ 9329. Computation of retired pay: law applicable

A member of the Air Force or the Space Force retired under this chapter is entitled to retired pay computed under chapter 945 of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 554, § 8929; renumbered § 9329 and amended Pub. L. 115-232, div. A, title VIII, §§ 806(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840; Pub. L. 116-283, div. A, title IX, § 923(c)(20), Jan. 1, 2021, 134 Stat. 3812.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 8929, [No source], [No source].

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.

PRIOR PROVISIONS

Prior sections 9331 to 9336 were renumbered sections 9431 to 9436 of this title, respectively.

A prior section 9337, act Aug. 10, 1956, ch. 1041, 70A Stat. 562; Pub. L. 87-651, title I, § 117, Sept. 7, 1962, 76 Stat. 513, related to United States Air Force Academy chaplain, prior to repeal by Pub. L. 114-328, div. A, title V, § 591(a), Dec. 23, 2016, 130 Stat. 2152.

A prior section 9338 was renumbered section 9438 of this title.

AMENDMENTS

2021—Pub. L. 116-283 inserted “or the Space Force” after “Air Force”.

2018—Pub. L. 115-232 renumbered section 8929 of this title as this section and substituted “chapter 945” for “chapter 871”.

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 943—RETIRED GRADE

Sec.

- 9341. General rule.
9342. Higher grade for service in special positions.
9343. Highest grade held satisfactorily: Reserve enlisted members reduced in grade not as a result of the member's misconduct.
9344. Higher grade after 30 years of service: warrant officers and enlisted members.
9345. Restoration to former grade: retired warrant officers and enlisted members.
9346. Retired lists.

PRIOR PROVISIONS

A prior chapter 943, consisting of sections 9681 to 9686, related to disposal of obsolete or surplus material, prior to renumbering as chapter 973 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 806(d)(3)(B)(ii), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 869 of this title as this chapter and items 8961 to 8966 as 9341 to 9346, respectively.

1996—Pub. L. 104-201, div. A, title V, § 532(c)(2), Sept. 23, 1996, 110 Stat. 2520, added item 8963.

1988—Pub. L. 100-456, div. A, title XII, § 1233(i)(2)(B), Sept. 29, 1988, 102 Stat. 2058, substituted “retired” for “Regular Air Force” in item 8965.

1987—Pub. L. 100-180, div. A, title V, § 512(e)(3), Dec. 4, 1987, 101 Stat. 1091, substituted “warrant officers and enlisted members” for “Air Force warrant officers; regular enlisted members” in item 8964.

1985—Pub. L. 99-145, title XIII, § 1301(d)(2)(B), Nov. 8, 1985, 99 Stat. 736, struck out item 8963 “Higher grade for service during certain periods: regular and reserve commissioned officers”.

1980—Pub. L. 96-343, § 13(b)(3), Sept. 8, 1980, 94 Stat. 1131, substituted “positions” for “positions: regular commissioned officers” in item 8962.

§ 9341. General rule

(a)(1) The retired grade of a regular commissioned officer of the Air Force or the Space Force who retires other than for physical disability is determined under section 1370 of this title.

(2) The retired grade of a reserve commissioned officer of the Air Force or the Space Force who retires other than for physical disability is determined under section 1370a of this title.

(b) Unless entitled to a higher retired grade under some other provision of law, a Regular or Reserve of the Air Force or a Regular or Reserve of the Space Force not covered by subsection (a) who retires other than for physical disability retires in the regular or reserve grade that the member holds on the date of the member's retirement.

(Aug. 10, 1956, ch. 1041, 70A Stat. 554, § 8961; Pub. L. 96-513, title V, § 504(19), Dec. 12, 1980, 94 Stat. 2917; Pub. L. 103-337, div. A, title XVI, § 1674(c)(2), Oct. 5, 1994, 108 Stat. 3016; Pub. L. 106-398, § 1 [[div. A], title V, § 506(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-102; renumbered § 9341, Pub. L. 115-232, div. A, title VIII, § 806(b)(14), Aug. 13, 2018, 132 Stat. 1833; Pub. L. 116-283, div. A, title V, § 508(b)(4), Jan. 1, 2021, 134 Stat. 3585.)