

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 489; Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 106-65, div. A, title VI, §672(a), Oct. 5, 1999, 113 Stat. 674; Pub. L. 112-81, div. A, title VI, §631(f)(4)(A), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 490; Pub. L. 112-81, div. A, title VI, §631(f)(4)(A), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1002(a)	37:301(b) (1st sentence, less last 75 words).	Oct. 12, 1949, ch. 681, §501(b), (e) (as applicable to duty without pay), 63 Stat. 826, 827; Aug. 10, 1956, ch. 1041, §20(f), 70A Stat. 629; June 30, 1960, Pub. L. 86-559, §8, 74 Stat. 282; Aug. 25, 1961, Pub. L. 87-164, 75 Stat. 401.
1002(b)	37:301(b) (last 75 words of 1st sentence).	
1002(c)	37:301(b) (less 1st sentence).	
1002(d)	37:301(e) (as applicable to duty without pay).	

In subsection (a), the words “A member of the National Guard, or of a reserve component” are substituted for the enumeration of those reserve categories to conform to other sections of this revised title.

In subsection (b), the words “section 404(a)–(d), and (f), of this title” are substituted for the words “section 253(a) of this title” to reflect the section of this revised title which restates that section.

Subsection (d) is substituted for section 301(e) of existing title 37.

Editorial Notes

AMENDMENTS

2013—Subsec. (b)(1). Pub. L. 112-239, §1076(a)(9), made technical amendment to directory language of Pub. L. 112-81, §631(f)(4)(A). See 2011 Amendment note below.

2011—Subsec. (b)(1). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “474” for “404”.

1999—Subsec. (b). Pub. L. 106-65 designated existing provisions as par. (1) and added par. (2).

1991—Subsec. (b). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-65, div. A, title VI, §672(c), Oct. 5, 1999, 113 Stat. 674, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as of February 10, 1996, as if included in section 1039 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 110 Stat. 432 [amending section 6323 of Title 5, Government Organization and Employees]).”

§ 1003. Assimilation of pay and allowances

Chapters 3 and 5 and sections 402-403b, 474-477, 479-481, and 414 of this title apply equally to persons who are not serving as members of a uniformed service but whose pay or allowances, or both, are assimilated under law or a regulation prescribed under law, to the pay or allowances, or both, of commissioned officers, warrant officers, or enlisted members of any grade, rank, or rating in any uniformed service.

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1003	37:309.	Oct. 12, 1949, ch. 681, §509; restated May 19, 1952, ch. 310, §3, 66 Stat. 80.

Editorial Notes

AMENDMENTS

2013—Pub. L. 112-239, §1076(a)(9), made technical amendment to directory language of Pub. L. 112-81, §631(f)(4)(A). See 2011 Amendment note below.

2011—Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “402-403b, 474-477” for “402-407” and “479-481” for “409-411”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

§ 1004. Computation of pay and allowances for month or part of month

A member of a uniformed service who is entitled to pay and allowances under this title for a continuous period of less than one month is entitled to his pay and allowances for each day of that period at the rate of 1/30 of the monthly amount of his pay and allowances. The thirty-first day of a calendar month may not be excluded from a computation under this section.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 490.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1004	37:310.	Oct. 12, 1949, ch. 681, §510, 63 Stat. 828.

§ 1005. Army, Air Force, and Space Force: prompt payments required

Members of the Army, the Air Force, and the Space Force shall be paid at such times that arrears will at no time be more than two months, unless circumstances make further arrears unavoidable.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 490; Pub. L. 116-283, div. A, title IX, §925(k)(1)(A), (B), Jan. 1, 2021, 134 Stat. 3829.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
1005	37:310b.	R.S. 1189.

The applicability of this section to members of the Air Force is based on Department of Defense Transfer Order No. 25, dated October 14, 1948.