

However, a member whose pay is forfeited for more than one month is entitled to \$5 for personal expenses for each full month that the member's pay is forfeited. Determinations of periods and causes of absence under this section shall be made as prescribed by the Secretary concerned, and are final.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 485; Pub. L. 116-283, div. A, title IX, § 925(i)(1), Jan. 1, 2021, 134 Stat. 3828.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
802	10:3632. 10:6111. 10:8632.	[None.] [None.] [None.]

The words “Navy . . . or Marine Corps” are substituted for the words “naval service”, in section 6111 of title 10, to conform to the definition of that term in section 5001(a)(3) of title 10. The words “and conclusive” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “Marine Corps, or Space Force” for “or Marine Corps” and substituted “the member’s” for “his” wherever appearing.

§ 803. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls

A commissioned officer of the Army, the Air Force, or the Space Force who is dropped from the rolls under section 1161(b) of title 10 for absence without authority for three months forfeits all pay due or to become due.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486; Pub. L. 116-283, div. A, title IX, § 925(i)(2)(A), (B), Jan. 1, 2021, 134 Stat. 3828.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
803	10:3633. 10:8633.	[None.] [None.]

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls” for “Commissioned officers of Army or Air Force: forfeiture of pay when dropped from rolls” in section catchline and “, the Air Force, or the Space Force” for “or the Air Force” in text.

[§ 804. Repealed. Pub. L. 104-106, div. A, title XI, § 1122(c)(1), Feb. 10, 1996, 110 Stat. 463]

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486, provided that pay and allowances do not accrue to enlisted member of Army or Air Force who is in confinement under sentence of dishonorable discharge, while execution of sentence to discharge is suspended.

[§ 805. Repealed. Pub. L. 99-145, title VI, § 683(b)(1), Nov. 8, 1985, 99 Stat. 665]

Section, Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486, required commanding officer to discourage the sale of

pay by members of naval service. See section 701 of this title.

CHAPTER 17—MISCELLANEOUS RIGHTS AND BENEFITS

Sec.

- 901. Wartime pay of officer of armed force exercising command higher than his grade.
- 902. Pay of crews of wrecked or lost naval vessels.
- 903. Retired members recalled to active duty; former members.
- [904. Repealed.]
- 905. Reserve officers of the Navy or Marine Corps not on the active-duty list: effective date of pay and allowances.
- 906. Extension of enlistment: effect on pay and allowances.
- 907. Enlisted members and warrant officers appointed as officers: pay and allowances stabilized.
- 908. Reserves and retired members: acceptance of employment, payments, and awards from foreign governments.
- 909. Special and incentive pay: payment at unreduced rates during suspension of personnel laws.
- 910. Replacement of lost income: involuntarily mobilized reserve component members subject to extended and frequent active duty service.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, div. A, title VI, § 641(c)(2), Jan. 1, 2021, 134 Stat. 3684, substituted “Reserves and retired members: acceptance of employment, payments, and awards from foreign governments” for “Employment of reserves and retired members by foreign governments” in item 908.

2006—Pub. L. 109-163, div. A, title VI, § 614(b), Jan. 6, 2006, 119 Stat. 3293, added item 910.

2001—Pub. L. 107-107, div. A, title VI, § 623(a)(2), Dec. 28, 2001, 115 Stat. 1143, added item 909.

1990—Pub. L. 101-510, div. A, title XIV, § 1484(f)(1), Nov. 5, 1990, 104 Stat. 1717, revised chapter heading so as to appear in all capital letters.

1982—Pub. L. 97-295, § 3(6)(B), Oct. 12, 1982, 96 Stat. 1304, added item 908.

1980—Pub. L. 96-513, title V, § 506(8), Dec. 12, 1980, 94 Stat. 2919, struck out item 904 “Officers of Navy or Marine Corps promoted under chapter 545 of title 10: effective date of beginning of pay and allowances” and substituted “Reserve officers of the Navy or Marine Corps not on the active-duty list: effective date of pay and allowances” for “Officers of Navy or Marine Corps not covered by section 904 of this title: effective date of beginning of pay and allowances” in item 905.

Pub. L. 96-343, § 6(a)(2), Sept. 8, 1980, 94 Stat. 1127, substituted “and warrant officers appointed as officers:” for “appointed as officers:” in item 907.

1970—Pub. L. 91-484, § 1(2), Oct. 21, 1970, 84 Stat. 1084, added item 907.

§ 901. Wartime pay of officer of armed force exercising command higher than his grade

In time of war, an officer of an armed force who is serving with troops operating against an enemy and who exercises, under assignment in orders issued by competent authority, a command above that pertaining to his grade, is entitled to the pay and allowances (not above that of pay grade O-7) appropriate to the command so exercised.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 486.)