this title, sections 1401, 1402, 3991, 6151, 6323, 6325 to 6327, 6381, 6383, 6390, 6394, 6396, 6398 to 6400, 6483, and 8991 of Title 10, section 423 of Title 14, Navy, the Department of the Interior, and sections 212 and 213A of Title 42, The Public Health and Welfare, repealing section 6149 of Title 10 and sections 2351 to 2356 of Title 16, Appendix, War and National Defense, and enacting provisions set out as notes under sections 201, 203, and 305 of this title, section 1402 of Title 10, and section 411 (now 1311) of Title 38, Veterans’ Benefits may be cited as the ‘Uniformed Services Pay Act of 1983’.

Transfer of Functions

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 469(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

CHAPTER 3—BASIC PAY

Sec. 201. Pay grades: assignment to; general rules.

202. Pay grades: retired Coast Guard rear admirals (lower half).

203. Rates.

204. Entitlement.

205. Computation: service creditable.

206. Reserve; members of National Guard: inactive-duty training.

207. Band leaders.

208. Repealed.

209. Members of precommissioning programs.

210. Pay of senior enlisted members during terminal leave and while hospitalized.

211. Participation in Thrift Savings Plan.

212. Advancement of basic pay; members deployed in combat zone for more than one year.

Amendments


§ 201. Pay grades: assignment to; general rules

(a) For the purpose of computing their basic pay, commissioned officers of the uniformed services (other than commissioned warrant officers) are assigned by the grade or rank in which serving to the following pay grades:

<table>
<thead>
<tr>
<th>Pay grade</th>
<th>Army, Air Force, and Marine Corps</th>
<th>Navy, Coast Guard, and National Oceanic and Atmospheric Administration</th>
<th>Public Health Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-10</td>
<td>General</td>
<td>Admiral</td>
<td>Assistant Secretary for Health</td>
</tr>
<tr>
<td>O-9</td>
<td>Lieutenant general</td>
<td>Vice admiral</td>
<td>Deputy Surgeon General</td>
</tr>
<tr>
<td>O-8</td>
<td>Major general</td>
<td>Rear admiral</td>
<td>Assistant Surgeon General</td>
</tr>
<tr>
<td>O-7</td>
<td>Brigadier general</td>
<td>Rear admiral (lower half)</td>
<td>Full grade</td>
</tr>
<tr>
<td>O-6</td>
<td>Colonel</td>
<td>Captain</td>
<td>Senior grade</td>
</tr>
<tr>
<td>O-5</td>
<td>Lieutenant colonel</td>
<td>Commander</td>
<td>Sergeant</td>
</tr>
<tr>
<td>O-4</td>
<td>Major</td>
<td>Lieutenant commander</td>
<td>Full grade</td>
</tr>
<tr>
<td>O-3</td>
<td>Captain</td>
<td>Lieutenant</td>
<td>Senior grade</td>
</tr>
<tr>
<td>O-2</td>
<td>1st lieutenant</td>
<td>Lieutenant (junior grade)</td>
<td>Assistant grade</td>
</tr>
<tr>
<td>O-1</td>
<td>2d lieutenant</td>
<td>Ensign</td>
<td>Junior assistant grade</td>
</tr>
</tbody>
</table>

(b) For the purpose of computing their basic pay, warrant officers of the armed forces are assigned, by the warrant officer grade in which serving, to the following pay grades:

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Warrant Officer Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-5</td>
<td>Chief Warrant Officer</td>
</tr>
<tr>
<td>W-4</td>
<td>Chief Warrant Officer</td>
</tr>
<tr>
<td>W-3</td>
<td>Chief Warrant Officer</td>
</tr>
<tr>
<td>W-2</td>
<td>Chief Warrant Officer</td>
</tr>
<tr>
<td>W-1</td>
<td>Warrant Officer</td>
</tr>
</tbody>
</table>

(c) Unless entitled to the basic pay of a higher pay grade, an aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to monthly basic pay at the lowest rate prescribed for pay grade E-4.

(d) Unless he is entitled to the basic pay of a higher pay grade, an aviation pilot of the Navy Reserve, Marine Corps Reserve, or Coast Guard Reserve is entitled to monthly basic pay at the lowest rate prescribed for pay grade E-4.

(e) Except as provided by subsections (c) and (d), enlisted members of the uniformed services shall, for the purpose of computing their basic pay, be distributed by the Secretary concerned in the various enlisted pay grades set forth in section 203 of this title. However, except as provided by section 307 of this title, an enlisted member may not be placed in pay grade E-8 or E-9 until he has completed at least 8 years or 10 years, respectively, of enlisted service computed under section 205 of this title.
Army Aviation Cadet Act and the Naval Aviation Cadet Act of 1942. The word “basic” is inserted for clarity, since the word “pay” as defined in section 101(2) of this revised title includes special and incentive pays. Incentive pay for aviation cadets is provided in section 301(b) of this revised title.

In subsection (f), the words “While on active duty”, in section 6915(f) of title 10 and section 758a(f) of title 14, are omitted as covered by section 201 of this title which prescribes the conditions under which members of the uniformed services are entitled to basic pay. The words “Unless he is entitled to the basic pay of a higher pay grade” are substituted for the words “or that of his grade, whichever is greater” in section 6915(f) of title 10 and section 758a(f) of title 14.

In subsection (g), the words “Except as provided by subsections (e) and (f)” are inserted to reflect those subsections relating to enlisted aviation cadets or aviation pilots.

**AMENDMENTS**


Subsec. (c). Pub. L. 102–190, §1605, amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to monthly basic pay at the rate of 30 percent of the basic pay of a commissioned officer in pay grade O–1 with two or less years of service computed under section 205 of this title.”

Subsec. (e). Pub. L. 102–25 struck out “of this section” after “subsection (c) and (d)”.


1984—Subsec. (a). Pub. L. 98–557 substituted “Rear admiral” for “Rear admiral (upper half)” and “Coast Guard and National Oceanic and Atmospheric Administration” in third column of table in pay grade O–8 and in pay grade O–7 substituted “Commodore” for “Commander (Navy) and Rear admiral (lower half)” and commodore (Coast Guard and National Oceanic and Atmospheric Administration).

1983—Subsec. (b) to (f). Pub. L. 98–94 struck out subsec. (b) which related to basic pay for contract surgeons, redesignated subsec. (c) to (f) as (a) to (e), respectively, and in subsec. (e) as so redesignated substituted “subsections (c) and (d)” for “subsections (d) and (e)”.


1980—Subsec. (a). Pub. L. 96–513, §506(3), substituted in heading of third column of table “National Oceanic and Atmospheric Administration” for “Environmental Science Services Administration” and in third column “Rear admiral (Navy) and Rear admiral (upper half)” for “Rear admiral (upper half) (Coast Guard and National Oceanic and Atmospheric Administration)”.


1977—Subsecs. (c) to (g). Pub. L. 95–79 struck out subsec. (c) which related to the monthly rate of pay of cadets and midshipmen at the service academies, and redesignated subsecs. (d) to (g) as (c) to (f), respectively.
§ 202 Pay grades: retired Coast Guard rear admirals (lower half)

An officer of the Coast Guard holding a permanent appointment in the grade of rear admiral (lower half) on the retired list, and who in time of war or national emergency has served satisfactorily on active duty for two years in that grade or in a higher grade, is entitled when on active duty to the basic pay of a rear admiral.


HISTORICAL AND REVISION NOTES

In subsections (a)–(j), the words “and allowances” are omitted as surplusage, since, under chapter 7 of this revised title, entitlement to allowances is based upon entitlement to basic pay.

In subsection (f), the words “provided by law,” “this or any other,” and “for any reason” are omitted as surplusage.

In subsection (g), the words “Judge Advocate General of the Navy” are inserted to reflect section 5148 of title 10.

In subsection (i), the last 12 words of section 5145(c) of title 10 are omitted as covered by section 5134 of title 10.

AMENDMENTS

1965—Pub. L. 89–145 substituted “Pay grades: retired Coast Guard rear admirals (lower half)” for “Pay grade: retired Coast Guard commodores” in section catchline, and substituted “rear admiral (lower half)” for “commodore” in text.


1983—Pub. L. 97–417 substituted provision relating to the entitlement of retired list Coast Guard commodores to the basic pay of a retired rear admiral after two years emergency or wartime duty, for former subsections (a) and (b), which, respectively, related to the entitlement of retired Coast Guard rear admirals (other...