

Public Law 89-132

AN ACT

To increase the basic pay for members of the uniformed services, and for other purposes.

August 21, 1965
[H. R. 9075]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a) of title 37, United States Code, is amended to read as follows:

“(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

Uniformed serv-
ices.
Salary in-
crease.
78 Stat. 395.

“COMMISSIONED OFFICERS

“Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
O-10 ¹	\$1,380.00	\$1,428.90	\$1,428.90	\$1,428.90	\$1,428.90	\$1,483.20	\$1,483.20	\$1,597.20
O-9	1,223.10	1,254.90	1,282.20	1,282.20	1,282.20	1,314.60	1,314.60	1,368.90
O-8	1,107.90	1,140.90	1,167.90	1,167.90	1,167.90	1,254.90	1,254.90	1,314.60
O-7	920.40	983.40	983.40	983.40	1,026.90	1,026.90	1,086.60	1,086.60
O-6	681.90	749.70	798.60	798.60	798.60	798.60	798.60	798.60
O-5	545.40	641.10	684.60	684.60	684.60	684.60	706.20	744.00
O-4	460.20	559.80	597.60	597.60	608.40	635.70	678.90	717.00
O-3 ²	427.80	477.90	510.60	565.20	592.20	613.80	646.50	678.90
O-2 ²	342.60	407.40	489.00	505.20	516.00	516.00	516.00	516.00
O-1 ²	294.60	325.80	407.40	407.40	407.40	407.40	407.40	407.40

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 ¹	\$1,597.20	\$1,711.20	\$1,711.20	\$1,825.20	\$1,825.20	\$1,939.50	\$1,939.50
O-9	1,368.90	1,483.20	1,483.20	1,597.20	1,597.20	1,711.20	1,711.20
O-8	1,314.60	1,368.90	1,428.90	1,483.20	1,542.90	1,542.90	1,542.90
O-7	1,140.90	1,254.90	1,341.90	1,341.90	1,341.90	1,341.90	1,341.90
O-6	825.90	956.10	1,005.00	1,026.90	1,086.60	1,178.70	1,178.70
O-5	793.20	852.90	901.80	928.80	961.50	961.50	961.50
O-4	749.70	782.40	804.00	804.00	804.00	804.00	804.00
O-3 ²	695.40	695.40	695.40	695.40	695.40	695.40	695.40
O-2 ²	516.00	516.00	516.00	516.00	516.00	516.00	516.00
O-1 ²	407.40	407.40	407.40	407.40	407.40	407.40	407.40

¹ While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is \$2,140.20 regardless of cumulative years of service computed under section 205 of this title.

² Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

“COMMISSIONED OFFICERS WHO HAVE BEEN CREDITED WITH OVER 4 YEARS' ACTIVE SERVICE AS AN ENLISTED MEMBER

“Pay grade	Years of service computed under section 205					
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O-3	\$565.20	\$592.20	\$613.80	\$646.50	\$678.90	\$706.20
O-2	505.20	516.00	532.20	559.80	581.40	597.60
O-1	407.40	434.70	450.90	467.10	483.30	505.20

“Pay grade	Years of service computed under section 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	\$706.20	\$706.20	\$706.20	\$706.20	\$706.20	\$706.20
O-2	597.60	597.60	597.60	597.60	597.60	597.60
O-1	505.20	505.20	505.20	505.20	505.20	505.20

"WARRANT OFFICERS"

"Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4.....	\$435.60	\$467.10	\$467.10	\$477.90	\$499.80	\$521.40	\$543.00	\$581.40
W-3.....	396.00	429.30	429.30	434.70	440.10	472.50	499.80	516.00
W-2.....	346.50	375.00	375.00	385.80	407.40	429.30	445.50	461.70
W-1.....	288.90	331.50	331.50	358.80	375.00	391.20	407.40	423.90

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4.....	\$608.40	\$630.30	\$646.50	\$668.10	\$690.00	\$744.00	\$744.00
W-3.....	532.20	548.40	565.20	586.80	608.40	630.30	630.30
W-2.....	477.90	494.40	510.60	526.80	548.40	548.40	548.40
W-1.....	440.10	456.30	472.50	489.00	489.00	489.00	489.00

"ENLISTED MEMBERS"

"Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9							\$494.70	\$506.10
E-8						\$415.20	426.60	438.00
E-7	\$261.00	\$312.90	\$324.30	\$335.70	\$347.10	358.20	369.60	381.30
E-6	225.00	273.00	284.40	295.80	307.50	318.60	330.00	347.10
E-5	194.10	239.10	250.50	261.60	278.70	290.10	301.50	312.90
E-4	163.50	204.90	216.00	233.10	244.80	244.80	244.80	244.80
E-3	117.90	164.70	176.40	187.80	187.80	187.80	187.80	187.80
E-2	97.50	136.50	136.50	136.50	136.50	136.50	136.50	136.50
E-1	93.90	125.10	125.10	125.10	125.10	125.10	125.10	125.10
E-1 (under 4 months)	87.90							

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	\$517.80	\$529.20	\$540.60	\$551.70	\$580.50	\$636.90	\$636.90
E-8	449.40	460.80	472.20	483.60	512.10	568.80	568.80
E-7	398.40	409.50	420.90	426.60	455.10	512.10	512.10
E-6	358.20	369.60	375.60	375.60	375.60	375.60	375.60
E-5	318.60	318.60	318.60	318.60	318.60	318.60	318.60
E-4	244.80	244.80	244.80	244.80	244.80	244.80	244.80
E-3	187.80	187.80	187.80	187.80	187.80	187.80	187.80
E-2	136.50	136.50	136.50	136.50	136.50	136.50	136.50
E-1	125.10	125.10	125.10	125.10	125.10	125.10	125.10."

Pay and allowances, annual review,
76 Stat. 489.

SEC. 2. (a) Chapter 19, title 37, United States Code, is amended by adding the following new section at the end thereof:

"§ 1008. Presidential recommendations concerning adjustments and changes in pay and allowances

"(a) The President shall direct an annual review of the adequacy of the pays and allowances authorized by this title for members of the uniformed services. Upon completion of this review, but not later than March 31 of each year, the President shall submit to Congress a detailed report summarizing the results of such annual review together with any recommendations for adjustments in the rates of pay and allowances authorized by this title.

"(b) Whenever the President considers it appropriate, but in no event later than January 1, 1967, and not less than once each four years thereafter, he shall direct a complete review of the principles and concepts of the compensation system for members of the uniformed services. Upon completion of such review he shall submit a detailed report to Congress summarizing the results of such review

Report to Congress.

Report to Congress.

together with any recommendations he may have proposing changes in the statutory salary system and other elements of the compensation structure provided members of the uniformed services."

(b) The chapter analysis of chapter 19, title 37, United States Code, is amended by adding the following new item:

"1008. Presidential recommendations concerning adjustments and changes in pay and allowances."

SEC. 3. Section 308 of title 37, United States Code, is amended by adding the following:

"(g) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is designated as having a critical military skill and who is entitled to a bonus computed under subsection (a) of this section upon his first reenlistment may be paid an additional amount not more than four times the amount of that bonus. The additional amount shall be paid in equal yearly installments in each year of the reenlistment period. However, in meritorious cases the additional amount may be paid in fewer installments if the Secretary concerned determines it to be in the best interest of the members. An amount paid under this subsection does not count against the limitation prescribed by subsection (c) of this section on the total amount that may be paid under this section."

Critical military skills, additional bonus.
76 Stat. 467.

SEC. 4. Section 310(a) of title 37, United States Code, is amended by striking out "\$55" and inserting in place thereof "\$65".

Hostile fire pay.
77 Stat. 216.
Retired pay, increase.

SEC. 5. (a) The retired pay or retainer pay of a member or former member of a uniformed service who is entitled to that pay computed under rates of basic pay in effect before the effective date of this Act shall be increased, effective that date, by the per centum (adjusted to the nearest one-tenth of 1 per centum) that the Consumer Price Index (all items—United States city average), published by the Bureau of Labor Statistics, for the calendar month immediately preceding the effective date of this Act has increased over the average monthly index for calendar year 1962.

(b) Section 1401a(b) of title 10, United States Code, is amended to read as follows:

Consumer Price Index, increases.
77 Stat. 213.

"(b) The Secretary of Defense shall determine the per centum that the Consumer Price Index for each calendar month after the calendar month immediately preceding the effective date of this Act has increased over the base Consumer Price Index (that for the calendar month immediately preceding the effective date of this Act or, if later, that used as the basis for the most recent adjustment of retired pay and retainer pay under this subsection). If the Secretary determines that, for three consecutive calendar months, the index has shown an increase of at least 3 per centum over the base index, the retired pay and retainer pay of members or former members of the Armed Forces who became entitled to that pay before the first day of the third calendar month beginning after the expiration of those three months shall be increased, effective that day, by the highest per centum of increase in the index during those three months, adjusted to the nearest one-tenth of 1 per centum."

SEC. 6. Column 1 of formula 1 and column 1 of formula 2 of section 1401 of title 10, United States Code, are each amended by striking out "increased, for members credited with two or less years of service for basic pay purposes, by 6%".

70A Stat. 106;
72 Stat. 129.

SEC. 7. Notwithstanding any other provision of law, a member of an armed force who was entitled to pay and allowances under any of the following provisions of law on the day before the effective date of this Act shall continue to receive the pay and allowances to which he was entitled on that day:

Continuation provision.

- (1) The Act of March 23, 1946, chapter 112 (60 Stat. 59).
- (2) The Act of June 26, 1948, chapter 677 (62 Stat. 1052).
- (3) The Act of September 18, 1950, chapter 952 (64 Stat. A224).

SEC. 8. The enactment of this Act does not reduce—

(1) the rate of dependency and indemnity compensation under section 411 of title 38, United States Code, that any person was receiving on the day before the effective date of this Act or which thereafter becomes payable for that day by reason of a subsequent determination; or

(2) the basic pay or the retired pay or retainer pay to which a member or former member of a uniformed service was entitled on the day before the effective date of this Act.

SEC. 9. (a) Chapter 53 of title 10, United States Code (relating to miscellaneous rights and benefits of members of the Armed Forces), is amended by adding at the end thereof the following new section:

“§ 1040. Free postage from combat zones

“Any first-class mail matter admissible to the mails as ordinary mail matter which is sent by any member of the Armed Forces from—

“(1) Vietnam, until such time as the President determines that Vietnam is no longer an area in which members of the Armed Forces are engaged in combat, and

“(2) any other area or areas in which the President determines members of the Armed Forces are engaged in combat, to any person in the United States (including Puerto Rico or any possession of the United States) shall be transmitted in the mails free of postage, subject to such regulations as the Secretary of Defense may prescribe after consultation with the Postmaster General.”

(b) The analysis of such chapter 53 is amended by adding at the end thereof the following:

“1040. Free postage from combat zones.”

SEC. 10. This Act becomes effective on the first day of the first calendar month beginning after the date of enactment of this Act.

Approved August 21, 1965.

Public Law 89-133

JOINT RESOLUTION

To provide for the designation of the period from August 31 through September 6 in 1965, as “National American Legion Baseball Week”.

Whereas a nationwide organization of American Legion junior baseball was first proposed as a program of service to the youth of America at the annual department convention of the American Legion held in Milbank, South Dakota, in 1925; and

Whereas, since the organization of this program, which has been established throughout the United States, there have been more than fifteen million youths of eighteen years of age and under who have participated in the program; and

Whereas the American Legion junior baseball program performs a vital service to our youth by offering them outstanding opportunities to acquire physical fitness, to develop personal responsibility and good citizenship, to learn the value of teamwork and mutual cooperation, as well as to acquire individual proficiency and an opportunity to advance to a professional career in the sport of baseball; and

Savings provision.

72 Stat. 1127;
77 Stat. 17, 223.

Free postage.
70A Stat. 80.

Effective date.

August 23, 1965
[S. J. Res. 100]