

Public Law 93-419

September 19, 1974
[H. R. 15406]

AN ACT

To amend title 37, United States Code, to refine the procedures for adjustments in military compensation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 37, United States Code, is amended by amending section 101 as follows:

Uniformed serv-
ices.
Compensation
adjustments.

"Regular com-
pensation" and
"regular mili-
tary compensation
(RMC)."

"(25) 'regular compensation' or 'regular military compensation (RMC)' means the total of the following elements that a member of a uniformed service accrues or receives, directly or indirectly, in cash or in kind every payday: basic pay, basic allowance for quarters, basic allowance for subsistence; and Federal tax advantage accruing to the aforementioned allowances because they are not subject to Federal income tax."

Basic pay
rates.

SEC. 2. Chapter 3 of title 37, United States Code, is amended by amending section 203(a) to read as follows:

"(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are those prescribed in accordance with section 1009 of this title."

Infra.

SEC. 3. Chapter 7 of title 37, United States Code, is amended as follows:

Basic subsist-
ence allowance.
37 USC 402.

(1) By amending section 402(a) to read as follows:

"(a) Except as otherwise provided by law, each member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for subsistence as set forth in this section."

(2) By amending the fourth sentence of section 402(b) to read as follows: "The allowance for an enlisted member who is authorized to receive the basic allowance for subsistence under this subsection is at the rate prescribed in accordance with section 1009 of this title."

(3) By amending the first sentence of section 402(c) to read as follows: "An officer of a uniformed service who is entitled to basic pay is, at all times, entitled to the basic allowance for subsistence at the monthly rate prescribed in accordance with section 1009 of this title."

Repeal.

(4) By repealing section 402(d).

(5) By redesignating section 402(e) as section 402(d), and section 402(f) as section 402(e).

Basic quarters
allowance.
37 USC 403.

(6) By amending section 403(a) to read as follows:

"(a) Except as otherwise provided by law, a member of a uniformed service who is entitled to basic pay is entitled to a basic allowance for quarters at the monthly rates prescribed in accordance with section 1009 of this title, according to the pay grade in which he is assigned or distributed for basic pay purposes."

SEC. 4. Chapter 19 of title 37, United States Code, is amended by adding the following new section after section 1008 and inserting a corresponding item in the chapter analysis:

37 USC 1009.

"§ 1009. Adjustments of compensation

"(a) Whenever the General Schedule of compensation for Federal classified employees as contained in section 5332 of title 5, United States Code, is adjusted upward, the President shall immediately make an upward adjustment in the—

5 USC 5332
note.

"(1) monthly basic pay authorized members of the uniformed services by section 203(a) of this title;

"(2) basic allowance for subsistence authorized enlisted members and officers by section 402 of this title; and

"(3) basic allowance for quarters authorized members of the uniformed services by section 403(a) of this title.

Supra.

Supra.

Supra.

“(b) An adjustment under this section shall have the force and effect of law and shall—

“(1) carry the same effective date as that applying to the compensation adjustments provided General Schedule employees;

“(2) be based on the rates of the various elements of compensation as defined in, or made under, section 8 of the Act of December 16, 1967 (Public Law 90-207; 81 Stat. 654), section 402 or 403 of this title, or this section; and

“(3) provide all eligible members with an increase in each element of compensation, set forth in subsection (a) of this section, which is of the same percentage as the overall average percentage increase in the General Schedule rates of basic pay for civilian employees.”

SEC. 5. Until the effective date of the first upward adjustment in the rates of monthly basic pay for members of the uniformed services made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates of monthly basic pay for members of the uniformed services authorized by section 203(a) of that title are those prescribed by Executive Order 11740 of October 3, 1973, which became effective on October 1, 1973.

SEC. 6. Until the effective date of the first upward adjustment in the rates of basic allowance for subsistence for enlisted members and officers made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates prescribed under section 402 of title 37, United States Code, as it existed on the date before the effective date of this Act, shall continue in effect.

SEC. 7. Until the effective date of the first adjustment in the rates of basic allowance for quarters for members of the uniformed services made by the President under section 1009 of title 37, United States Code, as added by section 4 of this Act, after the effective date of this Act, the rates of basic allowance for quarters prescribed in section 403 (a) of title 37, United States Code, as it existed on the day before the effective date of this Act, shall continue in effect.

SEC. 8. Section 8 of the Act of December 16, 1967 (Public Law 90-207; 81 Stat. 654), is repealed.

SEC. 9. This Act is effective upon enactment.

Approved September 19, 1974.

Public Law 93-420

AN ACT

To amend the Act of October 13, 1972.

September 19, 1974
[S. 3052]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 13, 1972 (86 Stat. 807) is amended as follows:

(a) Section (2) of section 6 of such Act is amended by striking out “fifteen months” and inserting in lieu thereof “twenty-four months”.

(b) Section 7 of such Act is amended by striking out “not more than \$270,000” and inserting in lieu thereof “not more than \$606,000”.

Approved September 19, 1974.

5 USC 5332
note.

Infra.

Ante, p. 1152.

37 USC 1009
note.

Ante, p. 1152.

Ante, p. 1152.

37 USC 203
note.

37 USC 1009
note.

37 USC 1009
note.

Repeal.
37 USC 203
note.

Effective date.
37 USC 1009
note.

Commission on
Revision of the
Federal Court Ap-
pellate System.
28 USC 41 note.