

member attains 62 years of age, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if—

(1) increases in the retired pay of the member or former member under section 1401a(b) of this title had been computed as provided in paragraph (2) of that section (rather than under paragraph (3) of that section); and

(2) in the case of a member whose retired pay was subject to section 1409(b)(2) of this title, no reduction in the member's retired pay had been made under that section.

(Added Pub. L. 99-348, title I, §103, July 1, 1986, 100 Stat. 685; amended Pub. L. 100-224, §2, Dec. 30, 1987, 101 Stat. 1536; Pub. L. 101-189, div. A, title VI, §651(b)(4), Nov. 29, 1989, 103 Stat. 1460; Pub. L. 106-65, div. A, title VI, §§641(c), 643(b)(3)(A), Oct. 5, 1999, 113 Stat. 662, 664; Pub. L. 110-181, div. A, title VI, §661(b)(3), Jan. 28, 2008, 122 Stat. 178; Pub. L. 113-67, div. A, title IV, §403(b), Dec. 26, 2013, 127 Stat. 1186; Pub. L. 114-92, div. A, title VI, §631(d)(1), Nov. 25, 2015, 129 Stat. 845.)

Editorial Notes

REFERENCES IN TEXT

Section 322 of title 37 (as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2008), referred to in text, means section 322 of title 37 as in effect before enactment of Pub. L. 110-181. Section 322 of title 37 was renumbered as section 354 of title 37 and amended by Pub. L. 110-181, div. A, title VI, §661(b)(1), (2), Jan. 28, 2008, 122 Stat. 178.

AMENDMENTS

2015—Par. (1). Pub. L. 114-92, §631(d)(1), which was approved Nov. 25, 2015, provided that the amendment made by Pub. L. 113-67, §403(b), which was effective Dec. 1, 2015, would not take effect. See 2013 Amendment note below.

2013—Par. (1). Pub. L. 113-67, §403(b), which directed substitution of “paragraph (3) or (4)” for “paragraph (3)”, did not take effect pursuant to Pub. L. 114-92, §631(d)(1). See 2015 Amendment note above.

2008—Pub. L. 110-181, in introductory provisions, substituted “section 322 (as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2008) or section 354” for “section 322”.

1999—Pub. L. 106-65 inserted “certain” before “members” in section catchline and “who has elected to receive a bonus under section 322 of title 37,” after “August 1, 1986,” in introductory provisions.

1989—Pub. L. 101-189, §651(b)(4), in introductory provisions, inserted “or former member” after “In the case of a member”, “the retired pay of such member”, “after the member”, and “to which the member”, and in par. (1), substituted “retired pay of the member or former member” for “member's retired pay”.

1987—Pub. L. 100-224 struck out heading “(a) General rule”, substituted provisions that the amount equal to the amount of retired pay to which the member would be entitled on that date if (1) increases in the member's retired pay under section 1401a(b) of this title had been computed as provided in paragraph (2) of that section (rather than under paragraph (3) of that section); and (2) in the case of a member whose retired pay was subject to section 1409(b)(2) of this title, no reduction in the member's retired pay had been made under that section, for provisions that the amount equal to (1) the amount of the member's initial unreduced retired pay, increased by (2) the percent (adjusted to the nearest one-tenth of 1 percent) by which (A) the price index for the most recent base quarter ending more than 31 days before the date the member attains 62 years of age, ex-

ceeds (B) the price index for the calendar quarter immediately before the date the member first became entitled to retired pay, and struck out subsec. (b) which had directed that, in this section, the term “initial unreduced retired pay” meant the amount of retired pay (A) to which the member was entitled when the member first became entitled to retired pay; or (B) in the case of a member whose retired pay was subject to section 1409(b)(2) of this title, to which the member would have been entitled on the date of the member's retirement without regard to that section, and the definitions in subsection (g), and the provisions of subsection (h), of section 1401a of this title applied to this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-67 effective Dec. 1, 2015, see section 403(c) of Pub. L. 113-67, set out as a note under section 1401a of this title. Amendment did not take effect pursuant to section 631(d)(1) of Pub. L. 114-92, set out as a Repeal of Reduced Cost-of-living Adjustments for Members Under the Age of 62 note under section 1401a of this title.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-65 effective Oct. 1, 1999, see section 644 of Pub. L. 106-65, set out as a note under section 1401a of this title.

§ 1411. Rules of construction

(a) CONSTRUCTION OF “FIRST BECAME A MEMBER”.—For purposes of this chapter and other provisions of law providing for computation of retired or retainer pay of members of the uniformed services, a person shall be considered to first become a member of a uniformed service on the date the person is first enlisted, inducted, or appointed in a uniformed service.

(b) REFERENCES IN TABLES.—Section references in tables in this chapter are to sections of this title.

(Added Pub. L. 99-348, title I, §105, July 1, 1986, 100 Stat. 691.)

§ 1412. Administrative provisions

(a) ROUNDING.—Amounts computed under this chapter, if not a multiple of \$1, shall be rounded to the next lower multiple of \$1.

(b) PAYMENT DATE.—Amounts of retired pay and retainer pay due a retired member of the uniformed services shall be paid on the first day of each month beginning after the month in which the right to such pay accrues.

(Added Pub. L. 99-348, title I, §105, July 1, 1986, 100 Stat. 691; amended Pub. L. 111-383, div. A, title VI, §632(a), (b)(1), Jan. 7, 2011, 124 Stat. 4240.)

Editorial Notes

AMENDMENTS

2011—Pub. L. 111-383, §632(b)(1), substituted “Administrative provisions” for “Rounding to next lower dollar” in section catchline.

Pub. L. 111-383, §632(a), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title VI, §632(c), Jan. 7, 2011, 124 Stat. 4240, provided that: “Subsection (b) of section