

Subsec. (c). Pub. L. 89-718, §72, substituted “pay” for “basic pay” as the amount which cannot be reduced below one-third through deductions from enlisted men of the Army or Air Force who have been administratively determined to owe the United States, payable by deductions in monthly installments.

EFFECTIVE DATE OF 1994 AMENDMENT

Section 371(d)(1) of Pub. L. 103-337 provided that: “(1) The amendment made by subsection (a) [amending this section] shall take effect on January 1, 1995, and apply to years that begin on or after that date.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-510 effective one year after Nov. 5, 1990, see section 1541 of Pub. L. 101-510, set out as an Effective Date note under section 401 of Title 24, Hospitals and Asylums.

EFFECTIVE DATE OF 1989 AMENDMENT

Section 343(b) of Pub. L. 101-189 provided that: “(1) Except as provided in paragraph (2), subsection (i) of section 1007 of title 37, United States Code, as added by subsection (a), shall take effect on the first day of the first month beginning after the date of the enactment of this Act [Nov. 29, 1989].

“(2) With respect to deductions from the pay of an enlisted member or warrant officer in the Navy, Marine Corps, or Coast Guard (when it is operating as a service in the Navy), such subsection shall take effect on October 1, 1990.”

EFFECTIVE DATE OF 1987 AMENDMENT

Section 633(b) of Pub. L. 100-180 provided that: “Subsection (h) of section 1007 of title 37, United States Code (as added by subsection (a)), shall apply with respect to debts incurred by members of the uniformed services after the date of the enactment of this Act [Dec. 4, 1987].”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5514; title 10 section 1055; title 24 sections 419, 424.

§ 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.

(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 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.

(Added Pub. L. 89-132, §2(a), Aug. 21, 1965, 79 Stat. 546; amended Pub. L. 104-106, div. A, title VI, §642(b), Feb. 10, 1996, 110 Stat. 368.)

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-106 struck out at end “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.”

EFFECTIVE DATE

Section effective Sept. 1, 1965, see section 10 of Pub. L. 89-132, set out as an Effective Date of 1965 Amendment note under section 203 of this title.

DELEGATION OF REPORTING FUNCTION

Memorandum of the President of the United States, June 9, 1989, 54 F.R. 25561, provided:

Memorandum for the Secretary of Defense

By virtue of the authority vested in me by the Constitution and laws of the United States, including Section 301 of Title 3 of the United States Code, I authorize you to submit to the Congress the report summarizing the results of the review of the principles and concepts of the compensation system for members of the uniformed services, as required by P.L. 89-132, Sec. 2(a), August 21, 1965 (37 U.S.C. 1008(b)).

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE BUSH.

§ 1009. Adjustments of monthly basic pay

(a) ADJUSTMENT REQUIRED.—Whenever the General Schedule of compensation for Federal classified employees, as contained in section 5332 of title 5, is adjusted upward as provided in section 5303 of such title, the President shall immediately make an upward adjustment in the monthly basic pay authorized members of the uniformed services by section 203(a) of this title.

(b) EFFECTIVENESS OF ADJUSTMENT.—An adjustment under this section shall—

(1) have the force and effect of law; and

(2) carry the same effective date as that applying to the compensation adjustments provided General Schedule employees.

(c) EQUAL PERCENTAGE INCREASE FOR ALL MEMBERS.—(1) Subject to subsection (d), an adjustment under this section shall provide all eligible members with an increase in the monthly basic pay which is of the same percentage as the overall average percentage increase in the General Schedule rates of both basic pay and locality pay for civilian employees.

(2) Notwithstanding paragraph (1), but subject to subsection (d), an adjustment taking effect under this section during each of fiscal years 2001 through 2006 shall provide all eligible members with an increase in the monthly basic pay by the percentage equal to the sum of—

(A) one percent; plus

(B) the percentage calculated as provided under section 5303(a) of title 5 for that fiscal year, without regard to whether rates of pay under the statutory pay systems are actually increased during that fiscal year under that section by the percentage so calculated.

(d) ALLOCATION OF INCREASE AMONG PAY GRADES AND YEARS-OF-SERVICE.—(1) Subject to paragraph (2), whenever the President determines such action to be in the best interest of the Government, he may allocate the overall percentage increase in the monthly basic pay under subsection (a) among such pay grade and years-of-service categories as he considers appropriate.

(2) In making any allocation of an overall percentage increase in basic pay under paragraph (1)—

(A) the amount of the increase in basic pay for any given pay grade and years-of-service category after any allocation made under this subsection may not be less than 75 percent of the amount of the increase in the monthly basic pay that would otherwise have been effective with respect to such pay grade and years-of-service category under subsection (c); and

(B) the percentage increase in the monthly basic pay in the case of any member of the uniformed services with four years or less service may not exceed the overall percentage increase in the General Schedule rates of basic pay for civilian employees.

(e) NOTICE OF ALLOCATIONS.—Whenever the President plans to exercise the authority of the President under subsection (d) with respect to any anticipated increase in the monthly basic pay of members of the uniformed services, the President shall advise Congress, at the earliest practicable time prior to the effective date of such increase, regarding the proposed allocation of such increase.

(f) PROTECTION OF MEMBER'S TOTAL COMPENSATION WHILE PERFORMING CERTAIN DUTY.—(1) The total daily equivalent amount of the elements of compensation described in paragraph (3), together with other pay and allowances under this title, to be paid to a member of the uniformed services who is temporarily assigned to duty away from the member's permanent duty station or to duty under field conditions at the member's permanent duty station shall not be less, for any day during the assignment period, than the total amount, for the day immediately preceding the date of the assignment, of the elements of compensation and other pay and allowances of the member.

(2) Paragraph (1) shall not apply with respect to an element of compensation or other pay or allowance of a member during an assignment described in such paragraph to the extent that the element of compensation or other pay or allowance is reduced or terminated due to circumstances unrelated to the assignment.

(3) The elements of compensation referred to in this subsection mean—

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

(B) the basic allowance for subsistence authorized members of the uniformed services by section 402 of this title; and

(C) the basic allowance for housing authorized members of the uniformed services by section 403 of this title.

(g) QUADRENNIAL ASSESSMENT OF ALLOCATIONS.—The allocations of increases made under this section shall be assessed in conjunction with the quadrennial review of military compensation required by section 1008(b) of this title.

(Added Pub. L. 93-419, §4, Sept. 19, 1974, 88 Stat. 1152; amended Pub. L. 94-361, title III, §303, July 14, 1976, 90 Stat. 925; Pub. L. 96-342, title VIII, §803, Sept. 8, 1980, 94 Stat. 1091; Pub. L. 96-513, title V, §516(24), Dec. 12, 1980, 94 Stat. 2939; Pub. L. 102-25, title VII, §702(b)(1), (2), (c), Apr. 6, 1991,

105 Stat. 117; Pub. L. 104-106, div. A, title VI, §642(c), Feb. 10, 1996, 110 Stat. 368; Pub. L. 105-85, div. A, title VI, §§604(a)(1), 605, Nov. 18, 1997, 111 Stat. 1783, 1784; Pub. L. 106-65, div. A, title VI, §602(a), Oct. 5, 1999, 113 Stat. 649.)

REFERENCES IN TEXT

The General Schedule, referred to in subsecs. (b)(2), (c)(1), and (d)(2)(B), is set out under section 5332 of Title 5, Government Organization and Employees.

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-65 designated existing provisions as par. (1) and added par. (2).

1997—Pub. L. 105-85, §604(a)(1), amended section generally. Prior to amendment, section consisted of subsecs. (a) to (f) relating to adjustments of compensation for members of the uniformed services.

Subsecs. (f), (g). Pub. L. 105-85, §605, added subsec. (f) and redesignated former subsec. (f) as (g).

1996—Subsec. (f). Pub. L. 104-106 struck out “, and a full report shall be made to the Congress summarizing the objectives and results of those allocations” after “of this title”.

1991—Subsecs. (b)(3), (c) to (e). Pub. L. 102-25 struck out “of this section” and “of this subsection” wherever appearing.

1980—Subsec. (a). Pub. L. 96-513, §516(24)(A), struck out “, United States Code,” after “5”.

Subsec. (b)(2). Pub. L. 96-513, §516(24)(B), struck out reference to section 8 of the Act of Dec. 16, 1967 (Pub. L. 90-207).

Subsec. (b)(3). Pub. L. 96-513, §803(1), substituted “subsections (c) and (d) of this section” for “subsection (c)”.

Subsec. (c). Pub. L. 96-342, §803(2), (3), redesignated existing provision as par. (1), inserted “of this section” after “subsection (b)(3)” in two places and after “subsection (a)”, substituted “75 percent” for “75 per centum”, redesignated subsec. (d) as par. (2), substituted “under paragraph (1) of this subsection” for “under subsection (c)” in two places, inserted “of this section” after “subsection (a)”, “subsection (c)”, and “subsection (b)(3)”, respectively, and “of this title” after “section 403(b) or (c)” in two places.

Subsec. (d). Pub. L. 96-342, §803(3), (4), added subsec. (d) and redesignated former subsec. (d) as (c)(2).

Subsec. (e). Pub. L. 96-342, §803(5), inserted “or (d) of this section” after “subsection (c)” and struck out “among the different elements of compensation” after “allocation of such increase”.

Subsec. (f). Pub. L. 96-342, §803(6), struck out “among the three elements of compensation” after “under this section” and inserted “of this title” after “section 1008(b)”.

1976—Subsec. (b)(3). Pub. L. 94-361, §303(a), inserted introductory phrase “subject to subsection (c)”.

Subsecs. (c) to (f). Pub. L. 94-361, §303(b), added subsecs. (c) to (f).

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-65, div. A, title VI, §602(b), Oct. 5, 1999, 113 Stat. 649, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 2000.”

EFFECTIVE DATE OF 1997 AMENDMENT

Section 604(b) of Pub. L. 105-85 provided that: “The amendments made by subsection (a) [amending this section] shall take effect on January 1, 1998.”

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

EFFECTIVE DATE

Section 9 of Pub. L. 93-419 provided that: “This Act [enacting this section, amending sections 101, 203, 402,

and 403 of this title, and enacting provisions set out as notes under this section] is effective upon enactment [Sept. 19, 1974].”

MILITARY PAY RAISE FOR FISCAL YEAR 2001

Pub. L. 106-398, §1 [[div. A], title VI, §601], Oct. 30, 2000, 114 Stat. 1654, 1654A-143, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2001 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

“(b) INCREASE IN BASIC PAY.—Effective on January 1, 2001, the rates of monthly basic pay for members of the uniformed services are increased by 3.7 percent.”

ADDITIONAL RESTRUCTURING OF BASIC PAY RATES FOR ENLISTED MEMBERS

Pub. L. 106-398, §1 [[div. A], title VI, §602], Oct. 30, 2000, 114 Stat. 1654, 1654A-143, provided that:

“(a) MINIMUM PAY INCREASES FOR MID-LEVEL ENLISTED GRADES.—(1) Subject to paragraph (2), effective on July 1, 2001, the rates of monthly basic pay for enlisted members of the Armed Forces in the pay grades E-7, E-6, and E-5 shall be as follows:

ENLISTED MEMBERS					
Years of service computed under section 205 of title 37, United States Code					
Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-7	1,831.20	1,999.20	2,075.10	2,149.80	2,228.10
E-6	1,575.00	1,740.30	1,817.40	1,891.80	1,969.80
E-5	1,381.80	1,549.20	1,623.90	1,701.00	1,779.30
	Over 8	Over 10	Over 12	Over 14	Over 16
E-7	2,362.20	2,437.80	2,512.80	2,588.10	2,666.10
E-6	2,097.30	2,174.10	2,248.80	2,325.00	2,379.60
E-5	1,888.50	1,962.90	2,040.30	2,040.30	2,040.30
	Over 18	Over 20	Over 22	Over 24	Over 26
E-7	2,742.00	2,817.90	2,949.60	3,034.80	3,250.50
E-6	2,421.30	2,421.30	2,421.30	2,421.30	2,421.30
E-5	2,040.30	2,040.30	2,040.30	2,040.30	2,040.30

“(2) The amounts specified in the table in paragraph (1) are subject to such revision as the Secretary of Defense and the Secretary of Transportation may prescribe under subsection (b)(1)(A).

“(b) SECRETARIAL AUTHORITY TO FURTHER REVISE.—(1) To ensure the efficient and effective operation of the military pay system, the Secretary of Defense, and the Secretary of Transportation with regard to the Coast Guard, may—

“(A) further increase any of the amounts specified in the table in subsection (a) for enlisted members of the Armed Forces in the pay grades E-7, E-6, and E-5; and

“(B) increase any of the amounts specified for other enlisted members in the table under the heading “ENLISTED MEMBERS” in section 601(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 648)[set out below], as adjusted on January 1, 2001, pursuant to section 601(b) of this Act [set out above].

“(2) The revisions in monthly basic pay made by the Secretary of Defense and the Secretary of Transportation under paragraph (1) shall take effect on July 1, 2001, but only if the Secretaries also comply with paragraph (3).

“(3) If the Secretary of Defense or the Secretary of Transportation exercises the authority provided by paragraph (1), the Secretaries shall include, in the budget justification materials submitted to Congress in support of the President's budget submitted under section 1105 of title 31, United States Code, for fiscal year 2002—

“(A) a revised pay table for enlisted members of the Armed Forces to reflect the increases in monthly basic pay to take effect on July 1, 2001; and

“(B) a description of the various increases made and the reasons therefor.”

FISCAL YEAR 2000 INCREASE IN MILITARY BASIC PAY AND REFORM OF BASIC PAY RATES

Pub. L. 106-65, div. A, title VI, §601(a)-(c), Oct. 5, 1999, 113 Stat. 645, as amended by Pub. L. 106-398, §1 [[div. A], title X, §1087(c)(1)(C)], Oct. 30, 2000, 114 Stat. 1654, 1654A-292, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2000 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

“(b) JANUARY 1, 2000, INCREASE IN BASIC PAY.—Effective on January 1, 2000, the rates of monthly basic pay for members of the uniformed services are increased by 4.8 percent.

“(c) REFORM OF BASIC PAY RATES.—Effective on July 1, 2000, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

COMMISSIONED OFFICERS¹

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-10 ² ..	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
O-9	0.00	0.00	0.00	0.00	0.00
O-8	6,594.30	6,810.30	6,953.10	6,993.30	7,171.80
O-7	5,479.50	5,851.80	5,851.80	5,894.40	6,114.60
O-6	4,061.10	4,461.60	4,754.40	4,754.40	4,772.40
O-5	3,248.40	3,813.90	4,077.90	4,127.70	4,291.80
O-4	2,737.80	3,333.90	3,556.20	3,606.00	3,812.40
O-3 ³ ...	2,544.00	2,884.20	3,112.80	3,364.80	3,525.90
O-2 ³ ...	2,218.80	2,527.20	2,910.90	3,009.00	3,071.10
O-1 ³ ...	1,926.30	2,004.90	2,423.10	2,423.10	2,423.10
	Over 8	Over 10	Over 12	Over 14	Over 16
O-10 ² ..	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
O-9	0.00	0.00	0.00	0.00	0.00
O-8	7,471.50	7,540.80	7,824.60	7,906.20	8,150.10
O-7	6,282.00	6,475.80	6,669.00	6,863.10	7,471.50
O-6	4,976.70	5,004.00	5,004.00	5,169.30	5,791.20
O-5	4,291.80	4,420.80	4,659.30	4,971.90	5,286.00
O-4	3,980.40	4,252.50	4,464.00	4,611.00	4,758.90
O-3 ³ ...	3,702.60	3,850.20	4,040.40	4,139.10	4,139.10
O-2 ³ ...	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O-1 ³ ...	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10
	Over 18	Over 20	Over 22	Over 24	Over 26
O-10 ² ..	\$0.00	\$10,655.10	\$10,707.60	\$10,930.20	\$11,318.40
O-9	0.00	9,319.50	9,453.60	9,647.70	9,986.40
O-8	8,503.80	8,830.20	9,048.00	9,048.00	9,048.00
O-7	7,985.40	7,985.40	7,985.40	7,985.40	8,025.60
O-6	6,086.10	6,381.30	6,549.00	6,719.10	7,049.10
O-5	5,436.00	5,583.60	5,751.90	5,751.90	5,751.90
O-4	4,808.70	4,808.70	4,808.70	4,808.70	4,808.70
O-3 ³ ...	4,139.10	4,139.10	4,139.10	4,139.10	4,139.10
O-2 ³ ...	3,071.10	3,071.10	3,071.10	3,071.10	3,071.10
O-1 ³ ...	2,423.10	2,423.10	2,423.10	2,423.10	2,423.10

¹Notwithstanding the pay rates specified in this table, the actual basic pay for commissioned officers in grades O-7 through O-10 may not exceed the rate of pay for level III of the Executive Schedule and the actual basic pay for all other officers, including warrant officers, may not exceed the rate of pay for level V of the Executive Schedule.

²Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be \$12,488.70, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

³This table does not apply to commissioned officers in the grade O-1, O-2, or O-3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-3E ...	\$0.00	\$0.00	\$0.00	\$3,364.80	\$3,525.90
O-2E ...	0.00	0.00	0.00	3,009.00	3,071.10

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE
DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT
OFFICER—ContinuedYears of service computed under section 205 of title 37, United
States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-1E ...	0.00	0.00	0.00	2,423.10	2,588.40
	Over 8	Over 10	Over 12	Over 14	Over 16
O-3E ...	\$3,702.60	\$3,850.20	\$4,040.40	\$4,200.30	\$4,291.80
O-2E ...	3,168.60	3,333.90	3,461.40	3,556.20	3,556.20
O-1E ...	2,683.80	2,781.30	2,877.60	3,009.00	3,009.00
	Over 18	Over 20	Over 22	Over 24	Over 26
O-3E ...	\$4,416.90	\$4,416.90	\$4,416.90	\$4,416.90	\$4,416.90
O-2E ...	3,556.20	3,556.20	3,556.20	3,556.20	3,556.20
O-1E ...	3,009.00	3,009.00	3,009.00	3,009.00	3,009.00

WARRANT OFFICERS

Years of service computed under section 205 of title 37, United
States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W-5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4	2,592.00	2,788.50	2,868.60	2,947.50	3,083.40
W-3	2,355.90	2,555.40	2,555.40	2,588.40	2,694.30
W-2	2,063.40	2,232.60	2,232.60	2,305.80	2,423.10
W-1	1,719.00	1,971.00	1,971.00	2,135.70	2,232.60
	Over 8	Over 10	Over 12	Over 14	Over 16
W-5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4	3,217.20	3,352.80	3,485.10	3,622.20	3,753.60
W-3	2,814.90	2,974.20	3,071.10	3,177.00	3,298.20
W-2	2,555.40	2,652.60	2,749.80	2,844.30	2,949.00
W-1	2,332.80	2,433.30	2,533.20	2,634.00	2,734.80
	Over 18	Over 20	Over 22	Over 24	Over 26
W-5	\$0.00	\$4,475.10	\$4,628.70	\$4,782.90	\$4,937.40
W-4	3,888.00	4,019.40	4,155.60	4,289.70	4,427.10
W-3	3,418.50	3,539.10	3,659.40	3,780.00	3,900.90
W-2	3,056.40	3,163.80	3,270.90	3,378.30	3,378.30
W-1	2,835.00	2,910.90	2,910.90	2,910.90	2,910.90

ENLISTED MEMBERS¹Years of service computed under section 205 of title 37, United
States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-9 ² ...	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
E-8	0.00	0.00	0.00	0.00	0.00
E-7	1,765.80	1,927.80	2,001.00	2,073.00	2,147.70
E-6	1,518.90	1,678.20	1,752.60	1,824.30	1,899.30
E-5	1,332.60	1,494.00	1,566.00	1,640.40	1,714.50
E-4	1,242.90	1,373.10	1,447.20	1,520.10	1,593.90
E-3	1,171.50	1,260.60	1,334.10	1,335.90	1,335.90
E-2	1,123.20	1,127.40	1,127.40	1,127.40	1,127.40
E-1	³ 1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 8	Over 10	Over 12	Over 14	Over 16
E-9 ² ...	\$0.00	\$3,015.30	\$3,083.40	\$3,169.80	\$3,271.50
E-8	2,528.40	2,601.60	2,669.70	2,751.60	2,840.10
E-7	2,220.90	2,294.10	2,367.30	2,439.30	2,514.00
E-6	1,973.10	2,047.20	2,118.60	2,191.50	2,244.60
E-5	1,789.50	1,861.50	1,936.20	1,936.20	1,936.20
E-4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E-3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E-2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E-1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60
	Over 18	Over 20	Over 22	Over 24	Over 26
E-9 ² ...	\$3,373.20	\$3,473.40	\$3,609.30	\$3,744.00	\$3,915.90
E-8	2,932.50	3,026.10	3,161.10	3,295.50	3,483.60
E-7	2,588.10	2,660.40	2,787.60	2,926.20	3,134.40
E-6	2,283.30	2,283.30	2,285.70	2,285.70	2,285.70
E-5	1,936.20	1,936.20	1,936.20	1,936.20	1,936.20
E-4	1,593.90	1,593.90	1,593.90	1,593.90	1,593.90
E-3	1,335.90	1,335.90	1,335.90	1,335.90	1,335.90
E-2	1,127.40	1,127.40	1,127.40	1,127.40	1,127.40
E-1	1,005.60	1,005.60	1,005.60	1,005.60	1,005.60

¹ Notwithstanding the pay rates specified in this table, the actual basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.² Subject to the preceding footnote, while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is \$4,719.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.³ In the case of members in the grade E-1 who have served less than 4 months on active duty, basic pay is \$930.30.

MILITARY PAY RAISE FOR FISCAL YEAR 1999

Pub. L. 105-261, div. A, title VI, §601, Oct. 17, 1998, 112 Stat. 2036, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Except as provided in subsection (b), the adjustment to become effective during fiscal year 1999 required by section 1009 of title 37, United States Code, in the rate of monthly basic pay authorized members of the uniformed services by section 203(a) of such title shall not be made.

“(b) INCREASE IN BASIC PAY.—Effective on January 1, 1999, the rates of basic pay of members of the uniformed services shall be increased by the greater of—

“(1) 3.6 percent; or

“(2) the percentage increase determined under subsection (c) of section 1009 of title 37, United States Code, by which the monthly basic pay of members would be adjusted under subsection (a) of that section on that date in the absence of subsection (a) of this section.”

MILITARY PAY RAISE FOR FISCAL YEAR 1998

Section 601 of Pub. L. 105-85 provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment, to become effective during fiscal year 1998, required by section 1009 of title 37, United States Code (as amended by section 604), in the rate of monthly basic pay authorized members of the uniformed services by section 203(a) of such title shall not be made.

“(b) INCREASE IN BASIC PAY.—Effective on January 1, 1998, the rates of basic pay of members of the uniformed services are increased by 2.8 percent.”

MILITARY PAY RAISE FOR FISCAL YEAR 1997

Pub. L. 104-201, div. A, title VI, §601, Sept. 23, 1996, 110 Stat. 2539, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1997 shall not be made.

“(b) INCREASE IN BASIC PAY AND BAS.—Effective on January 1, 1997, the rates of basic pay and basic allowance for subsistence of members of the uniformed services are increased by 3.0 percent.

“(c) INCREASE IN BAQ.—Effective on January 1, 1997, the rates of basic allowance for quarters of members of the uniformed services are increased by 4.6 percent.”

MILITARY PAY RAISE FOR FISCAL YEAR 1996

Section 601 of Pub. L. 104-106 provided that:

“(a) RESCISSION OF PRIOR SECTION 1009 ADJUSTMENT.—The adjustment made as of January 1, 1996, pursuant to section 4 of Executive Order No. 12984 (issued December 28, 1995) [5 U.S.C. 5332 note], in elements of compensation of members of the uniformed services pursuant to section 1009 of title 37, United States Code, is hereby rescinded.

“(b) INCREASE IN BASIC PAY AND BAS.—The rates of basic pay and basic allowance for subsistence of members of the uniformed services, as in effect on December 31, 1995, are hereby increased by 2.4 percent.

“(c) INCREASE IN BAQ.—The rates of basic allowance for quarters of members of the uniformed services, as in effect on December 31, 1995, are hereby increased by 5.2 percent.

“(d) EFFECTIVE DATE.—This section shall take effect as of January 1, 1996.”

MILITARY PAY RAISE FOR FISCAL YEAR 1995

Pub. L. 103-337, div. A, title VI, §601(a), (b), Oct. 5, 1994, 108 Stat. 2779, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1995 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1995, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 2.6 percent.”

MILITARY PAY RAISE FOR FISCAL YEAR 1994

Pub. L. 103-160, div. A, title VI, § 601, Nov. 30, 1993, 107 Stat. 1677, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1994 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1994, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 2.2 percent.”

MILITARY PAY RAISE FOR FISCAL YEAR 1993

Pub. L. 102-484, div. A, title VI, § 601, Oct. 23, 1992, 106 Stat. 2420, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1993 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1993, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 3.7 percent.”

RATE OF BASIC PAY APPLICABLE TO CERTAIN MEMBERS WITH OVER 24 YEARS OF SERVICE

Pub. L. 102-484, div. D, title XLIV, § 4402, Oct. 23, 1992, 106 Stat. 2701, as amended by Pub. L. 103-160, div. A, title VI, § 602(a), (b)(1), Nov. 30, 1993, 107 Stat. 1678, provided that:

“(a) RATE OF BASIC PAY.—Subject to subsection (b), the rate of monthly basic pay for a member of the uniformed services who is entitled to such pay under section 204 of title 37, United States Code, is in pay grade E-7, E-8, E-9, W-4, W-5, or O-6, and has over 24, but under 26, years of service (as computed under section 205 of such title) shall be as set forth in the following table:

“Rate of Monthly Basic Pay

Pay Grade	24-26 Years of Service
E-7	\$2,359.30
E-8	\$2,639.70
E-9	\$2,977.70
W-4	\$3,430.90
W-5	\$3,827.30
O-6	\$5,417.70

“(b) APPLICATION OF PAY RATE.—The rates of monthly basic pay established under subsection (a) shall be effective for months beginning after December 31, 1992.

“(c) ADJUSTMENTS OF COMPENSATION.—The rates of monthly basic pay established under subsection (a) shall be adjusted in accordance with section 1009 of title 37, United States Code, or other applicable provision of law, except that the increase in the rates of basic pay made by section 601(b) [set out above] shall not apply to the rates established under subsection (a).”

MILITARY PAY RAISE FOR FISCAL YEAR 1992

Pub. L. 102-190, div. A, title VI, § 601, Dec. 5, 1991, 105 Stat. 1372, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1992 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1992, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 4.2 percent.”

RATES OF PAY AND ALLOWANCES FOR CHIEF WARRANT OFFICERS

Pub. L. 102-190, div. A, title XI, § 1111(c), Dec. 5, 1991, 105 Stat. 1491, provided that: “A warrant officer who holds the grade of Chief Warrant Officer, W-5, is entitled to pay and allowances at the monthly rates as follows:

“BASIC PAY

	Years of service computed under section 205		
	22 or less	Over 22	Over 26
W-5	3455.90	3587.10	3846.30

“BASIC ALLOWANCE FOR QUARTERS

Pay grade	Without dependents		With dependents
	Full rate	Partial rate	
W-5	573.00	25.20	626.40

“BASIC ALLOWANCE FOR SUBSISTENCE 134.42”

[Section 1111(c) of Pub. L. 102-190, set out above, effective Feb. 1, 1992, see section 1132 of Pub. L. 102-190, set out as an Effective Date of 1991 Amendment note under section 521 of Title 10, Armed Forces.]

MILITARY PAY RAISE FOR FISCAL YEAR 1991

Pub. L. 101-510, div. A, title VI, § 601, Nov. 5, 1990, 104 Stat. 1575, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1991 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1991, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 4.1 percent.”

MILITARY PAY RAISE FOR FISCAL YEAR 1990

Pub. L. 101-189, div. A, title VI, § 601(a), (b), Nov. 29, 1989, 103 Stat. 1444, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1990 shall not be made.

“(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 3.6 percent effective on January 1, 1990.”

MILITARY PAY RAISE FOR FISCAL YEAR 1989

Pub. L. 100-456, div. A, title VI, § 601(a), (b), Sept. 29, 1988, 102 Stat. 1976, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1989 shall not be made.

“(b) INCREASE IN BASIC PAY AND BAS.—The rates of basic pay and basic allowance for subsistence of members of the uniformed services are increased by 4.1 percent effective on January 1, 1989.”

MILITARY PAY RAISE FOR FISCAL YEAR 1988

Pub. L. 100-180, div. A, title VI, §601(a), (b), Dec. 4, 1987, 101 Stat. 1092, as amended by Pub. L. 100-202, §110(b), Dec. 22, 1987, 101 Stat. 1329-436, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1988 shall not be made.

“(b) TWO PERCENT INCREASE IN BASIC PAY, BAQ, AND BAS.—The rates of basic pay, basic allowance for quarters, and basic allowance for subsistence of members of the uniformed services are increased by 2 percent effective on January 1, 1988.”

MILITARY PAY RAISE FOR FISCAL YEAR 1987

Pub. L. 99-661, div. A, title XIII, §1310(c), Nov. 14, 1986, 100 Stat. 3983, provided that: “Subject to the condition specified in subsection (a), the percentage of the increase in basic pay, basic allowance for quarters, and basic allowance for subsistence for members of the uniformed services, and the increase in pay for cadets and midshipmen, specified in sections 601(b) [set out below] and 601(c) [amending section 203 of this title], respectively, of this Act is hereby reduced from 3 percent to 2 percent.”

[The condition specified in subsection (a) is the condition specified in section 1310(a) of Pub. L. 99-661, which was not classified to the Code, but was met by enactment of section 1013 of this title by Pub. L. 99-500 and Pub. L. 99-591.]

Pub. L. 99-661, div. A, title VI, §601(a), (b), Nov. 14, 1986, 100 Stat. 3873, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1987 shall not be made.

“(b) THREE PERCENT INCREASE IN BASIC PAY, BASIC ALLOWANCE FOR QUARTERS, AND BASIC ALLOWANCE FOR SUBSISTENCE.—The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 3 percent effective on January 1, 1987.”

Substantially identical provisions were contained in Pub. L. 99-500, §144(b), Oct. 18, 1986, 100 Stat. 1783-350, and Pub. L. 99-591, §144(b), Oct. 30, 1986, 100 Stat. 3341-353.

MILITARY PAY RAISE FOR FISCAL YEAR 1986

Pub. L. 99-145, title VI, §601, Nov. 8, 1985, 99 Stat. 635, provided that:

“(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of the compensation of members of the uniformed services to become effective during fiscal year 1986 shall not be made.

“(b) THREE PERCENT PAY RAISE.—The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 3 percent effective on October 1, 1985.”

MILITARY PAY RAISES FOR FISCAL YEAR 1985

Pub. L. 98-525, title VI, §601, Oct. 19, 1984, 98 Stat. 2533, provided that:

“(a) Any adjustment required by section 1009 of title 37, United States Code, in elements of the compensation of members of the uniformed services to become effective during fiscal year 1985 shall not be made.

“(b)(1) Except as provided in paragraph (2), the rates of basic pay and basic allowances for subsistence for members of the uniformed services are increased by 4 percent effective on January 1, 1985.

“(2) The increase in rates of basic pay and basic allowances for subsistence provided for in paragraph (1) shall not apply to enlisted members in pay grade E-1 with less than 4 months active duty.”

DELAY UNTIL APRIL 1, 1984, OF PAY ADJUSTMENT OTHERWISE EFFECTIVE OCTOBER 1, 1983; LIMIT; CONDITIONS FOR EARLIER EFFECTIVE DATE

Pub. L. 98-94, title IX, §901, Sept. 24, 1983, 97 Stat. 634, provided that:

“(a) The adjustment required by section 1009 of title 37, United States Code, in certain elements of the compensation of members of the uniformed services to become effective on October 1, 1983, shall not be made.

“(b)(1) Subject to the provisions of paragraphs (2) and (3), each element of compensation specified in section 1009(a) of title 37, United States Code, shall be increased for members of the uniformed services by 4 percent effective on April 1, 1984.

“(2) The increase provided for in paragraph (1) shall not apply to enlisted members in pay grade E-1 with less than 4 months active duty.

“(3) The President may allocate the percentage increase specified under paragraphs (1) and (2) in the same manner and to the same extent the President is authorized under subsections (c) and (d) of section 1009 of title 37, United States Code, to allocate any percentage increase described in subsection (b)(3) of section 1009 of such title.

“(c) Notwithstanding the effective date of April 1, 1984, prescribed in subsection (b) for the increase in compensation of members of the uniformed services, if an adjustment is made after the date of the enactment of this Act [Sept. 24, 1983] in the General Schedule [5 U.S.C. 5332 note] of compensation for Federal classified employees and such adjustment is to become effective before April 1, 1984, the increase in the compensation of members of the uniformed services provided for in subsection (b) shall become effective on the first day of the first pay period for members of the uniformed services which begins on or after the effective date of the adjustment made in the compensation of Federal classified employees.”

PAY INCREASE OF 11.7 PERCENT FOR MEMBERS OF THE UNIFORMED SERVICES EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING AFTER SEPTEMBER 30, 1980

Section 801 of Pub. L. 96-342 provided that:

“(a) Any adjustment required under the provisions of section 1009 of title 37, United States Code, relating to adjustments in the compensation of members of the uniformed services, which would otherwise first become effective beginning with any pay period in fiscal year 1981 shall not become effective.

“(b)(1) Subject to the provisions of paragraph (2), each element of compensation specified in section 1009(a) of title 37, United States Code, shall be increased for members of the uniformed services by 11.7 percent effective with the first pay period beginning after September 30, 1980.

“(2) The President may allocate the percentage increase specified under paragraph (1) in the same manner and to the same extent the President is authorized under subsections (c) and (d) of section 1009 of title 37, United States Code, as amended by section 803 of this Act, to allocate any percentage increase described in subsection (b)(3) of section 1009 of such title, except that—

“(A) the provisions of subsection (d)(2)(B) of such section shall not apply to this subsection or any action of the President under this subsection; and

“(B) the overall average percentage increase in the elements of compensation specified in subsection (a) of such section in the case of any member of the uni-

formed services with four years or less service may not exceed 11.7 percent.”

LIMITS OF UPWARD ADJUSTMENT OF COMPENSATION

Pub. L. 94-106, title VIII, §819, Oct. 7, 1975, 89 Stat. 544, provided that:

“(a) Notwithstanding any other provision of law, the aggregate amount of any upward adjustments in certain elements of compensation of members of the uniformed services required by section 1009 of title 37, United States Code, may not exceed 5 per centum during the period from January 1, 1975, through June 30, 1976, except that no such restriction shall apply unless a 5 per centum restriction on the aggregate amount of upward adjustments of the General Schedule of compensation for Federal classified employees as contained in section 5332 of title 5, United States Code, is also required during that period.

“(b) No reduction in compensation is required under subsection (a) of any upward adjustment that may have been put into effect under section 1009 of title 37, United States Code, between January 1, 1975, and the date of enactment of this section [Oct. 7, 1975].

“(c) Any upward adjustment in compensation which has been limited by subsection (a) of this section to an amount or amounts less than otherwise would have been in effect shall not be increased subsequent to June 30, 1976—

“(1) in order to compensate a member for the difference between the amounts he has received under the provisions of subsection (a) and the amounts he would have otherwise received; or

“(2) except in accordance with the normal procedures and timing which would have been in effect for any such pay increase subsequent to June 30, 1976, without regard to any limitation under subsection (a) of this section.”

RATES OF MONTHLY BASIC PAY

Section 5 of Pub. L. 93-419 provided that: “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 [Sept. 19, 1974], 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.”

RATES OF BASIC ALLOWANCE FOR SUBSISTENCE

Section 6 of Pub. L. 93-419 provided that: “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 [Sept. 19, 1974], 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.”

RATES OF BASIC ALLOWANCE FOR QUARTERS

Section 7 of Pub. L. 93-419 provided that: “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 [Sept. 19, 1974], 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.”

ADJUSTMENT OF PAY RATES EFFECTIVE OCTOBER 1, 1981

Pub. L. 97-60, title I, §101, Oct. 14, 1981, 95 Stat. 989, as amended by Pub. L. 98-557, §35(a), (c), Oct. 30, 1984,

98 Stat. 2877, eff. Oct. 1, 1984; Pub. L. 100-180, div. A, title XIII, §1314(d)(3), (e)(2), Dec. 4, 1987, 101 Stat. 1176, eff. Oct. 1, 1986, set forth tables specifying the increased rates of monthly basic pay for members of the uniformed services, effective Oct. 1, 1981, and provided that the adjustment required by section 1009 of this title in certain elements of the compensation of members of the uniformed services which was to become effective on Oct. 1, 1981, should not be made, and no adjustment of the compensation of any member of a uniformed service should be made pursuant to such section for the period beginning on Oct. 1, 1981, and ending on Oct. 14, 1981.

ADJUSTMENT OF PAY RATES EFFECTIVE JANUARY 1, 2001

Ex. Ord. No. 13182, Dec. 23, 2000, 65 F.R. 82879, 66 F.R. 10057, set out as a note under section 5332 of Title 5, Government Organization and Employees, provided for an adjustment of pay rates under this section effective Jan. 1, 2001. See Schedule set out below:

SCHEDULE 8

Pay of the Uniformed Services (Effective on January 1, 2001)

PART I—MONTHLY BASIC PAY

Years of Service (computed under 37 U.S.C. 205) Commissioned Officers

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-10 ¹ ..	\$8,518.80	\$8,818.50	\$8,818.50	\$8,818.50	\$8,818.50
O-9	7,550.10	7,747.80	7,912.80	7,912.80	7,912.80
O-8	6,838.20	7,062.30	7,210.50	7,252.20	7,437.30
O-7	5,682.30	6,068.40	6,068.40	6,112.50	6,340.80
O-6	4,211.40	4,626.60	4,930.20	4,930.20	4,949.10
O-5	3,368.70	3,954.90	4,228.80	4,280.40	4,450.50
O-4	2,839.20	3,457.20	4,687.90	3,739.50	3,953.40
O-3 ²	2,638.20	2,991.00	3,228.00	3,489.30	3,656.40
O-2 ²	2,301.00	2,620.80	3,018.60	3,120.30	3,184.80
O-1 ²	1,997.70	2,079.00	2,512.80	2,512.80	2,512.80
	Over 8	Over 10	Over 12	Over 14	Over 16
O-10 ¹ ..	\$9,156.90	\$9,156.90	\$9,664.20	\$9,664.20	\$10,356.00
O-9	8,114.10	8,114.10	8,451.60	8,451.60	9,156.90
O-8	7,747.80	7,819.80	8,114.10	8,198.70	8,451.60
O-7	6,514.50	6,715.50	6,915.90	7,116.90	7,747.80
O-6	5,160.90	5,189.10	5,189.10	5,305.70	6,005.40
O-5	4,450.50	4,584.30	4,831.80	5,155.80	5,481.60
O-4	4,127.70	4,409.70	4,629.30	4,781.70	4,935.00
O-3 ²	3,839.70	3,992.70	4,189.80	4,292.10	4,292.10
O-2 ²	3,184.80	3,184.80	3,184.80	3,184.80	3,184.80
O-1 ²	2,512.80	2,512.80	2,512.80	2,512.80	2,512.80
	Over 18	Over 20	Over 22	Over 24	Over 26
O-10 ¹ ..	\$10,356.00	\$11,049.30	\$11,103.90	\$11,334.60	*\$11,737.20
O-9	9,156.90	9,664.20	9,803.40	10,004.70	10,356.00
O-8	8,114.10	9,156.90	9,382.80	9,382.80	9,382.80
O-7	8,280.90	8,280.90	8,280.90	8,280.90	8,322.60
O-6	6,311.40	6,617.40	6,791.40	6,967.80	7,309.80
O-5	5,637.00	5,790.30	5,964.60	5,964.60	5,964.60
O-4	4,986.60	4,986.60	4,986.60	4,986.60	4,986.60
O-3 ²	4,292.10	4,292.10	4,292.10	4,292.10	4,292.10
O-2 ²	3,184.80	3,184.80	3,184.80	3,184.80	3,184.80
O-1 ²	2,512.80	2,512.80	2,512.80	2,512.80	2,512.80

¹For officers serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is calculated to be \$12,950.70 per month, regardless of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$11,141.70 per month.

²Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

*Basic pay for these officers is limited to the rate of basic pay for level III of the Executive Schedule, which is \$11,141.70 per month.

Commissioned officers with over 4 years of active duty service as an enlisted member or warrant officer

Pay Grade	Over 4	Over 6	Over 8	Over 10
O-3E	\$3,489.30	\$3,656.40	\$3,839.70	\$3,992.70
O-2E	3,120.30	3,184.80	3,285.90	3,457.20
O-1E	2,512.80	2,684.10	2,783.10	2,884.20

Commissioned officers with over 4 years of active duty service as an enlisted member or warrant officer—Continued

Pay Grade	Over 4	Over 6	Over 8	Over 10
	Over 12	Over 14	Over 16	Over 18
O-3E	\$4,189.80	\$4,355.70	\$4,450.50	\$4,580.40
O-2E	3,589.50	3,687.90	3,687.90	3,687.90
O-1E	2,984.10	3,120.30	3,120.30	3,120.30
	Over 20	Over 22	Over 24	Over 26
O-3E	\$4,580.40	\$4,580.40	\$4,580.40	\$4,580.40
O-2E	3,687.90	3,687.90	3,687.90	3,687.90
O-1E	3,120.30	3,120.30	3,120.30	3,120.30

Warrant Officers

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W-5 .....	.....	.....	.....	.....	.....
W-4	\$2,688.00	\$2,891.70	\$2,974.80	\$3,056.70	\$3,197.40
W-3	2,443.20	2,649.90	2,649.90	2,684.10	2,793.90
W-2	2,139.60	2,315.10	2,315.10	2,391.00	2,512.80
W-1	1,782.60	2,043.90	2,043.90	2,214.60	2,315.10
	Over 8	Over 10	Over 12	Over 14	Over 16
W-5	\$3,336.30	\$3,477.00	\$3,614.10	\$3,756.30	\$3,892.50
W-4	2,919.00	3,084.30	3,184.80	3,294.60	3,420.30
W-3	2,649.90	2,750.70	2,851.50	2,949.60	3,058.20
W-2	2,419.20	2,523.30	2,626.80	2,731.50	2,835.90
	Over 18	Over 20	Over 22	Over 24	Over 26
W-5	\$4,640.70	\$4,800.00	\$4,959.90	\$5,120.10	
W-4	\$4,032.00	4,168.20	4,309.50	4,448.40	4,590.90
W-3	3,545.10	3,669.90	3,794.70	3,919.80	4,045.20
W-2	3,169.50	3,280.80	3,391.80	3,503.40	3,503.40
W-1	2,940.00	3,018.60	3,018.60	3,018.60	3,018.60

Enlisted Members

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-9 ¹ .....	.....	.....	.....	.....	.....
E-8 .....	.....	.....	.....	.....	.....
E-7	\$1,831.20	\$1,999.20	\$2,075.10	\$2,149.80	\$2,227.20
E-6	1,575.00	1,740.30	1,817.40	1,891.80	1,969.50
E-5	1,381.80	1,549.20	1,623.90	1,701.00	1,777.80
E-4	1,288.80	1,423.80	1,500.60	1,576.20	1,653.00
E-3	1,214.70	1,307.10	1,383.60	1,385.40	1,385.40
E-2	1,169.10	1,169.10	1,169.10	1,169.10	1,169.10
E-1 ²	1,042.80	1,042.80	1,042.80	1,042.80	1,042.80
E-1 ³	964.80	.....	.....	.....	.....
	Over 8	Over 10	Over 12	Over 14	Over 16
E-9 ¹	\$3,126.90	\$3,197.40	\$3,287.10	\$3,392.40	
E-8	\$2,622.00	2,697.90	2,768.40	2,853.30	2,945.10
E-7	2,303.10	2,379.00	2,454.90	2,529.60	2,607.00
E-6	2,046.00	2,122.80	2,196.90	2,272.50	2,327.70
E-5	1,855.80	1,930.50	2,007.90	2,007.90	2,007.90
E-4	1,653.00	1,653.00	1,653.00	1,653.00	1,653.00
E-3	1,385.40	1,385.40	1,385.40	1,385.40	1,385.40
E-2	1,169.10	1,169.10	1,169.10	1,169.10	1,169.10
E-1 ²	1,042.80	1,042.80	1,042.80	1,042.80	1,042.80
E-1 ³ .....	.....	.....	.....	.....	.....
	Over 18	Over 20	Over 22	Over 24	Over 26
E-9 ¹	\$3,498.00	\$3,601.80	\$3,742.80	\$3,882.60	\$4,060.80
E-8	3,041.10	3,138.00	3,278.10	3,417.30	3,612.60
E-7	2,683.80	2,758.80	2,890.80	3,034.50	3,250.50
E-6	2,367.90	2,367.90	2,370.30	2,370.30	2,370.30
E-5	2,007.90	2,007.90	2,007.90	2,007.90	2,007.90
E-4	1,653.00	1,653.00	1,653.00	1,653.00	1,653.00
E-3	1,385.40	1,385.40	1,385.40	1,385.40	1,385.40
E-2	1,169.10	1,169.10	1,169.10	1,169.10	1,169.10
E-1 ²	1,042.80	1,042.80	1,042.80	1,042.80	1,042.80
E-1 ³ .....	.....	.....	.....	.....	.....

¹For noncommissioned officers serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$4,893.60 per month, regardless of cumulative years of service under section 205 of title 37, United States Code.

²Applies to personnel who have served 4 months or more on active duty.

³Applies to personnel who have served less than 4 months on active duty.

PART II—RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) of title 37, United States Code, is \$600.00.

NOTE: As a result of the enactment of sections 602-604 of Public Law 105-85 [see Tables for classification], the National Defense Authorization Act for Fiscal Year 1998, the Secretary of Defense now has the authority to adjust the rates of basic allowances for subsistence and housing. Therefore, these allowances are no longer adjusted by the President in conjunction with the adjustment of basic pay for members of the uniformed services. Accordingly, the tables of allowances included in previous orders are not included here.

EXECUTIVE ORDER No. 11812

Ex. Ord. No. 11812, Oct. 7, 1974, 39 F.R. 36307, which provided for the adjustment of pay rates effective Oct. 1, 1974, was superseded by Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091.

EXECUTIVE ORDER No. 11883

Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091, which provided for the adjustment of pay rates effective Oct. 1, 1975, was superseded by Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43889, formerly set out as a note under section 5332 of Title 5, Government Organization and Employees.

EXECUTIVE ORDER No. 11941

Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43899, as amended by Ex. Ord. No. 11943, Oct. 25, 1976, 41 F.R. 47213, which provided for the adjustment of pay rates effective Oct. 1, 1976, was superseded by Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 11998

Ex. Ord. No. 11998, June 27, 1977, 42 F.R. 33021, which related to the President's Commission on Military Compensation, was revoked by Ex. Ord. No. 12110, Dec. 28, 1978, 44 F.R. 1069, formerly set out as a note under section 14 of the Appendix to Title 5.

EXECUTIVE ORDER No. 12010

Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, which provided for the adjustment of pay rates effective Oct. 1, 1977, was superseded by Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12087

Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, which provided for the adjustment of pay rates effective Oct. 1, 1978, was superseded by Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 58671, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12165

Ex. Ord. No. 12165, Oct. 9, 1979, 44 F.R. 58671, as amended by Ex. Ord. No. 12200, Mar. 12, 1980, 44 F.R. 16443, which provided for the adjustment of pay rates effective Oct. 1, 1979, was superseded by Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12248

Ex. Ord. No. 12248, Oct. 16, 1980, 45 F.R. 69199, which provided for adjustment of pay rates effective Oct. 1, 1981, was superseded by Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12330

Ex. Ord. No. 12330, Oct. 15, 1981, 46 F.R. 50921, which provided for adjustment of pay rates effective Oct. 1, 1981, was superseded by Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12387

Ex. Ord. No. 12387, Oct. 8, 1982, 47 F.R. 44981, which provided for the adjustment of pay rates effective Oct.

1, 1982, was superseded by Ex. Ord. No. 12456, Dec. 30, 1983, 49 F.R. 347, as amended Ex. Ord. No. 12477, May 23, 1984, 49 F.R. 22041; Ex. Ord. No. 12487, Sept. 14, 1984, 49 F.R. 36493, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12456

Ex. Ord. No. 12456, Dec. 30, 1983, 49 F.R. 347, as amended by Ex. Ord. No. 12477, May 23, 1984, 49 F.R. 22041; Ex. Ord. No. 12487, Sept. 14, 1984, 49 F.R. 36493, which provided for adjustment of pay rates effective Jan. 1, 1984, was superseded by Ex. Ord. No. 12496, Dec. 28, 1984, 50 F.R. 211, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12496

Ex. Ord. No. 12496, Dec. 28, 1984, 50 F.R. 211, as amended by Ex. Ord. No. 12540, Dec. 30, 1985, 51 F.R. 577, which provided for the adjustment of pay rates effective Jan. 1, 1985, was superseded by Ex. Ord. No. 12578, Dec. 31, 1986, 52 F.R. 505, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12578

Ex. Ord. No. 12578, Dec. 31, 1986, 52 F.R. 505, which provided for the adjustment of pay rates effective Jan. 1, 1987, was superseded by Ex. Ord. No. 12622, Dec. 31, 1987, 53 F.R. 222, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12622

Ex. Ord. No. 12622, Dec. 31, 1987, 53 F.R. 222, which provided for the adjustment of pay rates effective Jan. 1, 1988, was superseded by Ex. Ord. No. 12663, Jan. 6, 1989, 54 F.R. 791, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12663

Ex. Ord. No. 12663, Jan. 6, 1989, 54 F.R. 791, which provided for the adjustment of pay rates effective Jan. 1, 1989, was superseded by Ex. Ord. No. 12698, Dec. 23, 1989, 54 F.R. 53473, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12698

Ex. Ord. No. 12698, Dec. 23, 1989, 54 F.R. 53473, which provided for adjustments of pay rates effective Jan. 1, 1990, and Feb. 1, 1990, was superseded by Ex. Ord. No. 12736, Dec. 12, 1990, 55 F.R. 51385, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12736

Ex. Ord. No. 12736, Dec. 12, 1990, 55 F.R. 51385, which provided for the adjustment of pay rates effective Jan. 1, 1991, was superseded by Ex. Ord. No. 12786, Dec. 26, 1991, 56 F.R. 67453, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12786

Ex. Ord. No. 12786, Dec. 26, 1991, 56 F.R. 67453, which provided for the adjustment of pay rates effective Jan. 1, 1992, was superseded by Ex. Ord. No. 12826, Dec. 30, 1992, 57 F.R. 62909, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12826

Ex. Ord. No. 12826, Dec. 30, 1992, 57 F.R. 62909, which provided for the adjustment of pay rates effective Jan. 1, 1993, was superseded by Ex. Ord. No. 12944, Dec. 28, 1994, 60 F.R. 309, formerly set out as a note under section 5332 of Title 5. Previously § 4 and schedule 8 of Ex. Ord. No. 12826 were superseded by Ex. Ord. No. 12886, Dec. 23, 1993, 58 F.R. 68709, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12886

Ex. Ord. No. 12886, Dec. 23, 1993, 58 F.R. 68709, which provided for the adjustment of pay rates effective Jan.

1, 1994, was superseded by Ex. Ord. No. 12944, Dec. 28, 1994, 60 F.R. 309, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12944

Ex. Ord. No. 12944, Dec. 28, 1994, 60 F.R. 309, which provided for the adjustment of pay rates effective Jan. 1, 1995, was superseded by Ex. Ord. No. 12984, Dec. 28, 1995, 61 F.R. 237, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12984

Ex. Ord. No. 12984, § 4, schedule 8, Dec. 28, 1995, 61 F.R. 237, 243, which provided for the adjustment of pay rates effective Jan. 1, 1996, was superseded by Ex. Ord. No. 12990, Feb. 29, 1996, 61 F.R. 8467, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 12990

Ex. Ord. No. 12990, Feb. 29, 1996, 61 F.R. 8467, which provided for the adjustment of pay rates effective Jan. 1, 1996, was superseded by Ex. Ord. No. 13033, Dec. 27, 1996, 61 F.R. 68987, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 13033

Ex. Ord. No. 13033, Dec. 27, 1996, 61 F.R. 68987, which provided for the adjustment of pay rates effective Jan. 1, 1997, was superseded by Ex. Ord. No. 13071, Dec. 29, 1997, 62 F.R. 68521, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 13071

Ex. Ord. No. 13071, Dec. 29, 1997, 62 F.R. 68521, which provided for the adjustment of pay rates effective Jan. 1, 1998, was superseded by Ex. Ord. No. 13106, Dec. 7, 1998, 63 F.R. 68151, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 13106

Ex. Ord. No. 13106, Dec. 7, 1998, 63 F.R. 68151, which provided for the adjustment of pay rates effective Jan. 1, 1999, was substantially superseded by Ex. Ord. No. 13144, Dec. 21, 1999, 64 F.R. 72237, formerly set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 13144

Ex. Ord. No. 13144, Dec. 21, 1999, 64 F.R. 72237, which provided for the adjustment of pay rates effective Jan. 1, 2000, was superseded by Ex. Ord. No. 13182, Dec. 23, 2000, 65 F.R. 82879, set out as a note under section 5332 of Title 5.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 203, 403 of this title; title 2 section 906; title 26 section 3121; title 42 section 409.

§ 1010. Commissioned officers: promotion; effective date for pay and allowances

An officer of a uniformed service who is promoted to a grade above second lieutenant or ensign is entitled to the pay and allowances of the grade to which promoted on the effective date of the promotion.

(Added Pub. L. 96-513, title IV, § 403(c), Dec. 12, 1980, 94 Stat. 2905.)

EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under this section effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of Title 10, Armed Forces.