Public Law 96-579
96th Congress

An Act

To amend title 37, United States Code, to improve certain special pay and allowance benefits for members of the uniformed services, and for other purposes.

Dec. 23, 1980
[H.R. 7626]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Military Pay and Allowances Benefits Act of 1980.

SHORT TITLE

SECTION 1. This Act may be cited as the "Military Pay and Allowances Benefits Act of 1980". 37 USC 101 note.

SPECIAL PAY FOR NUCLEAR DUTY

SEC. 2. (a)(1) Subsection (a) of section 312 of title 37, United States Code, is amended by striking out "$5,000" and "$4,000" and inserting in lieu thereof "$7,000" and "$5,600".

(2) Subsection (e) of such section is amended by striking out "September 30, 1981" and inserting in lieu thereof "September 30, 1987".

(b)(1) Section 312b of such title is amended— 37 USC 312b.

(A) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (d), respectively; and

(B) by inserting above subsection (b), as redesignated by clause (A), the following new subsection (a):

"(a)(1) Under regulations prescribed by the Secretary of the Navy, an individual who is selected for officer naval nuclear power training and who executes a written agreement to participate in a program of training for duty in connection with the supervision, operation, and maintenance of naval nuclear submarine propulsion plants may be paid a bonus of $3,000 upon acceptance by the Secretary of the written agreement. Bonus.

"(2) Under such regulations, and subject to such exceptions, as the Secretary of the Navy may prescribe, an individual who has entered into an agreement with the Secretary under this subsection, who has been paid a bonus under this subsection, and who fails to commence or satisfactorily complete the nuclear power training specified in the agreement shall be required to refund such bonus.". Refund.

(2) Subsection (c) of section 312b of such title, as redesignated by paragraph (1)(A), is amended by striking out "subsection (a)" and inserting in lieu thereof "subsections (a) and (b)".

(3) Subsection (d) of section 312b of such title, as redesignated by paragraph (1)(A), is amended by striking out "September 30, 1981" and inserting in lieu thereof "September 30, 1987".

(c)(1) Subsection (a) of section 312c of such title is amended by striking out "$4,000 for each nuclear service year beginning after September 30, 1975, and ending before October 1, 1981" and inserting in lieu thereof "$6,000 for each nuclear service year ending before October 1, 1987". 37 USC 312c.

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(2) Subsection (b) of such section is amended by striking out "$2,400 for each nuclear service year beginning after September 30, 1975, and ending before October 1, 1981" and inserting in lieu thereof "$3,500 for each nuclear service year ending before October 1, 1987".

"Nuclear service year."

(3) Subsection (e) of such section is amended to read as follows:

"(e) For the purposes of this section, a 'nuclear service year' is any fiscal year beginning before October 1, 1987.".

Effective dates.
37 USC 312 note.

(d)(1) The amendments made by subsection (a)(1) shall apply only with respect to active-duty agreements under section 312 of title 37, United States Code, executed on or after the first day of the first month following the month in which this section is enacted.

37 USC 312b note.
Ante, p. 3359.

(2) The amendments made by subsection (b)(1) shall apply only with respect to agreements executed under section 312b(a) of title 37, United States Code, executed on or after the first day of the first month following the month in which this section is enacted.

37 USC 312c note.

(3) The amendments made by subsection (c) shall become effective on the first day of the first month following the month in which this section is enacted.

INCENTIVE PAY FOR SUBMARINE DUTY

SEC. 3. (a) Section 301(a) of title 37, United States Code, is amended by striking out clauses (2) and (3) and redesignating clauses (4) through (12) as clauses (2) through (10), respectively.

(b) Section 301(b) of such title is amended—

(1) by striking out "(1)" after the subsection designation "(b)"; and

(2) by striking out paragraph (2).

(c) Section 301(c) of such title is amended by striking out "clause (4), (5), (6), (7), (8), (9), (10), (11), or (12)" and inserting in lieu thereof "clause (2), (3), (4), (5), (6), (7), (8), (9), or (10)".

(d) Title 37, United States Code, is amended by inserting after section 301b the following new section:

37 USC 301c.

§ 301c. Incentive pay: submarine duty

"(a)(1) Subject to regulations prescribed by the President, a member of the Navy who is entitled to basic pay is also entitled to submarine duty incentive pay in the amount set forth in subsection (b) of this section for the frequent and regular performance of operational submarine duty required by orders.

"(2) Submarine duty incentive pay shall be restricted to members who hold or are in training leading to a submarine duty designator and who are in and remain in the submarine service on a career basis.

"(3) To be entitled to continuous monthly submarine duty incentive pay through 26 years of service (as computed under section 205 of this title), a member must perform operational submarine duties for at least 6 of the first 12, and at least 10 of the first 18, years of his submarine service. However, if a member performs the prescribed operational submarine duties for at least 8 but less than 10 of the first 18 years of his submarine service, he is entitled to continuous monthly submarine duty incentive pay for the first 22 years of his service (as computed under section 205 of this title).

37 USC 205.

"(4) If upon completion of either 12 or 18 years of submarine service it is determined that a member has failed to perform the minimum prescribed operational submarine duty requirements during the prescribed periods of time, his entitlement to continuous monthly submarine duty incentive pay ceases. If entitlement to continuous monthly submarine duty incentive pay ceases upon completion of 12

years of submarine service, entitlement to that pay may again commence upon completion of 18 years of submarine service if the minimum operational submarine duty requirements have been met, and such pay shall continue for the period of time prescribed in accordance with this section. However, if entitlement to continuous monthly submarine duty incentive pay ceases in the case of any member at the completion of either 12 or 18 years of submarine service or 26 years of service (as computed under section 205 of this title), such member shall be entitled to that pay in the amount set forth in subsection (b) of this section for the performance of subsequent operational submarine duty, or for the performance of service as a member of a submarine operational command staff, if such member's duties require serving on a submarine during underway operations.

Definitions.

"(5) For the purposes of this section, the term—

"(A) 'Operational submarine duty' means duty—

"(i) while attached under competent orders to a submarine, while undergoing training preliminary to assignment to a nuclear-powered submarine, while undergoing rehabilitation after assignment to a nuclear-powered submarine, or, in the case of a member qualified in submarines, while attached as a member of a submarine operational command staff whose duties require serving on a submarine during underway operations—

"(I) during one calendar month: 48 hours, except that hours served underway in excess of 48 as a member of a submarine operational command staff during any of the immediately preceding five calendar months and not already used to qualify for incentive pay may be applied to satisfy the underway time requirements for the current month;

"(II) during any two consecutive calendar months when the requirements of subclause (I) of this clause have not been met: 96 hours; or

"(III) during any three consecutive calendar months when the requirements of subclause (II) of this clause have not been met: 144 hours;

"(ii) while receiving instruction to prepare for assignment to a submarine of advanced design, or

"(iii) while receiving instruction to prepare for a position of increased responsibility on a submarine.

"(B) 'Submarine service' means the service performed, under regulations prescribed by the Secretary of the Navy, by a member, and the years of submarine service are computed beginning with the effective date of the initial order to perform submarine service.

"(b) A member who meets the requirements prescribed in subsection (a) of this section is entitled to monthly submarine duty incentive pay as follows:

"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
E-9	$165	$165	$165	$200	$220	$230	$235
E-8	165	165	165	185	200	220	230
E-7	165	165	165	185	190	195	205

"ENLISTED MEMBERS—Continued

"Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E-6	115	125	130	160	170	180	190
E-5	105	115	115	130	140	145	145
E-4	60	70	75	125	130	130	130
E-3	60	65	70	70	105	65	65
E-2	55	65	65	65	65	65	65
E-1	55	55	55	55	55	55	55

"Pay grade	Years of service computed under section 205						
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E-9	$245	$255	$265	$265	$265	$265	$265
E-8	235	245	245	255	255	255	255
E-7	220	230	230	230	230	230	230
E-6	195	195	195	195	195	195	195
E-5	145	145	145	145	145	145	145
E-4	130	130	130	130	130	130	130
E-3	65	65	65	65	65	65	65
E-2	65	65	65	65	65	65	65
E-1	55	55	55	55	55	55	55

"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
O-10	$265	$265	$265	$265	$265	$265	$265
O-9	265	265	265	265	265	265	265
O-8	265	265	265	265	265	265	265
O-7	265	265	265	265	265	265	265
O-6	440	440	440	440	440	440	440
O-5	440	440	440	440	440	440	440
O-4	270	270	270	300	440	440	440
O-3	265	265	265	290	440	440	440
O-2	175	175	175	175	175	175	265
O-1	130	130	130	130	130	130	265

"Pay grade	Years of service computed under section 205						
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-10	$265	$265	$265	$265	$265	$265	$265
O-9	265	265	265	265	265	265	265
O-8	265	265	265	265	265	265	265
O-7	265	265	400	395	395	305	265
O-6	440	440	440	395	395	305	265
O-5	440	440	440	395	395	350	265
O-4	440	440	440	395	395	350	265
O-3	440	440	440	395	395	350	265
O-2	265	265	265	265	265	265	265
O-1	265	265	265	265	265	265	265

"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
W-4	$175	$230	$230	$230	$265	$265	$265
W-3	175	230	230	230	265	265	265
W-2	175	230	230	230	265	265	265
W-1	175	230	230	230	265	265	265

"Pay grade	Years of service computed under section 205						
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W-4	$265	$265	$265	$265	$265	$265	$265
W-3	265	265	265	265	265	265	265
W-2	265	265	265	265	265	265	265
W-1	265	265	265	265	265	265	265

"(c)(1) An officer who fails of selection for assignment as an executive officer or commanding officer of a submarine or who declines to serve in either such position may not be paid submarine duty incentive pay except for periods during which the officer is serving on a submarine during underway operations.

"(2) An enlisted member may not be paid continuous submarine duty incentive pay while serving ashore between submarine sea duty assignments unless the member has a sufficient period of enlistment (including any extension of an enlistment) remaining to be reassigned to submarine sea duty.

"(d) Under regulations prescribed by the President and to the extent provided for by appropriations, when a member of the Naval Reserve who is entitled to compensation under section 206 of this title, performs, under orders, duty on a submarine during underway operations, he is eligible for an increase in such compensation equal to one-thirtieth of the monthly incentive pay authorized by subsection (b) of this section for the performance of that duty by a member of a corresponding grade and years of service who is entitled to basic pay. Such a member is eligible for the increase for each day served, for as long as he is qualified for it, during each regular period of appropriate duty. 37 USC 206.

"(e) The Secretary of Defense shall report to the Congress before January 1 each year— Report to Congress.

"(1) the number of enlisted members and officers, by pay grade, who, during the preceding fiscal year, had at least 12 but less than 18 years of submarine service and who were entitled to continuous monthly submarine duty incentive pay under subsection (a) of this section; and

"(2) the number of enlisted members and officers, by pay grade, who, during such fiscal year, had at least 18 years of submarine service and who were entitled to such incentive pay.

The Secretary shall include in each such report the number of enlisted members and the number of officers in each category referred to in the first sentence of this subsection, the number of such officers who, during the fiscal year concerned, were performing operational submarine duties, who were performing submarine command staff duties, and who were not performing submarine duties at all.".

(e) The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 301b the following new item:

"301c. Incentive pay: submarine duty.".

37 USC 308.

(f) Section 308 of such title is amended by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and by inserting after subsection (d) the following new subsection (e):

"(e) Any period of enlistment (including any extension of an enlistment)—

"(1) which is incurred by a member for the purpose of continuing to qualify for continuous submarine duty incentive pay under section 301c of this title; and

"(2) for which no bonus is otherwise payable under this section, may, under regulations prescribed by the Secretary of the Navy, be considered as part of an immediately subsequent term of reenlistment, or as part of an immediately subsequent voluntary extension of an enlistment, for the purpose of determining the eligibility of the member for a bonus under this section and for the purpose of computing the amount of such bonus.".

Effective date. 37 USC 301c note.

(g) The amendments made by this subsection shall become effective on the first day of the first month following the month in which this Act is enacted.

SPECIAL PAY FOR CAREER SEA DUTY

SEC. 4. (a) Section 305a of title 37, United States Code, is amended to read as follows:

"§ 305a. Special pay: career sea pay

"(a) Under regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled, while on sea duty, to special pay at the applicable rate under subsection (b) of this section.

"(b) The monthly rates for special pay under subsection (a) of this section are as follows:

"ENLISTED MEMBERS

"Pay grade	Years of sea duty						
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6
E-4	$50	$60	$125	$160	$175	$175	$175
E-5	60	70	140	175	185	190	205
E-6	125	135	170	190	210	215	225
E-7	135	145	215	235	255	260	265
E-8	165	180	225	255	265	270	280
E-9	175	195	235	265	280	290	310

"Pay grade	Years of sea duty					
	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12
E-4	$175	$175	$175	$175	$175	$175
E-5	220	220	220	220	220	220
E-6	235	245	255	255	255	255
E-7	265	270	275	280	300	310
E-8	285	290	300	310	310	310
E-9	310	310	310	310	310	310

"WARRANT OFFICERS

"Pay grade	Years of sea duty						
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6
W-1	$130	$135	$140	$150	$170	$175	$200
W-2	150	150	150	150	170	260	265
W-3	150	150	150	150	170	270	280
W-4	150	150	150	150	170	290	310

"Pay grade	Years of sea duty					
	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12
W-1	$250	$270	$275	$280	$290	$300
W-2	265	270	275	280	290	310
W-3	285	290	300	310	310	310
W-4	310	310	310	310	310	310

"COMMISSIONED OFFICERS

"Pay grade	Years of sea duty				
	Over 3	Over 4	Over 5	Over 6	Over 7
O-1[1]	$150	$160	$185	$190	$195
O-2[1]	150	160	185	190	195
O-3	150	160	185	190	195
O-4	185	190	200	205	215
O-5	225	225	225	225	230
O-6	225	230	230	240	255

"Pay grade	Years of sea duty				
	Over 8	Over 9	Over 10	Over 11	Over 12
O-1[1]	$205	$215	$225	$225	$240
O-2[1]	205	215	225	225	240
O-3	205	215	225	225	240
O-4	215	220	225	225	240
O-5	245	250	260	265	265
O-6	265	280	290	300	310

"[1] Commissioned officers with at least four years of active service as enlisted members or as noncommissioned warrant officers.

"(c) Under regulations prescribed by the President, a member of a uniformed service who is entitled to career sea pay under this section who has served 36 consecutive months of sea duty is entitled to a career sea pay premium of $100 a month for the thirty-seventh consecutive month and each subsequent consecutive month of sea duty served by such member.

"(d) For the purposes of this section, the term 'sea duty' means duty performed by a member— "Sea duty."

"(1) while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and while serving on a ship the primary mission of which is accomplished while underway; or

"(2) while permanently or temporarily assigned to a ship or ship-based staff and while serving on a ship the primary mission of which is normally accomplished while in port, but only during

a period that the ship is away from its homeport for 30 consecutive days or more.

A ship is considered away from its homeport for purposes of clause (B) of the first sentence when it is at sea or in a port that is more than 50 miles from its homeport.".

Effective date. 37 USC 305a note.

(b) The amendment made by this section shall be effective with respect to special pay payable under section 305a of title 37, United States Code, for months after the month in which this section is enacted.

INCENTIVES FOR ENLISTED MEMBERS TO EXTEND TOURS OF DUTY OVERSEAS

SEC. 5. (a)(1) Chapter 5 of title 37, United States Code, is amended by adding at the end thereof the following new section:

37 USC 314.

"§ 314. Special pay: qualified enlisted members extending duty at designated locations overseas

"(a) Under regulations prescribed by the Secretary concerned, an enlisted member of an armed force who—

"(1) is entitled to basic pay;

"(2) has a specialty that is designated by the Secretary concerned for the purposes of this section;

"(3) has completed a tour of duty (as defined in accordance with regulations prescribed by the Secretary concerned) at a location outside the 48 contiguous States and the District of Columbia that is designated by the Secretary concerned for the purposes of this section; and

"(4) at the end of that tour of duty executes an agreement to extend that tour for a period of not less than one year;

is entitled, upon acceptance of the agreement providing for such extension by the Secretary concerned, to special pay for duty performed during the period of the extension at a rate of not more than $50 per month, as prescribed by the Secretary concerned.

"(b) A member who elects to receive rest and recuperative absence or transportation at Government expense, or any combination thereof, under section 705 of title 10 is not entitled to the special pay authorized by this section for the period of extension of duty for which the rest and recuperative absence or transportation is authorized.".

Infra.

(2) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"314. Special pay: qualified enlisted members extending duty at designated locations overseas.".

(b)(1) Chapter 40 of title 10, United States Code, is amended by adding at the end thereof the following new section:

10 USC 705.

"§ 705. Rest and recuperative absence for qualified enlisted members extending duty at designated locations overseas

"(a) Under regulations prescribed by the Secretary concerned, an enlisted member of an armed force who—

"(1) is entitled to basic pay;

"(2) has a specialty that is designated by the Secretary concerned for the purposes of this section;

"(3) has completed a tour of duty (as defined in accordance with regulations prescribed by the Secretary concerned) at a location

outside the 48 contiguous States and the District of Columbia that is designated by the Secretary concerned for the purposes of this section; and

"(4) at the end of that tour of duty executes an agreement to extend that tour for a period of not less than one year;

may, in lieu of receiving special pay under section 314 of title 37 for duty performed during such extension of duty, elect to receive one of the benefits specified in subsection (b). Receipt of any such benefit is in addition to any other leave or transportation to which the member may be entitled.

"(b) The benefits authorized by subsection (a) are—

"(1) a period of rest and recuperative absence for not more than 30 days; or

"(2) a period of rest and recuperative absence for not more than 15 days and round-trip transportation at Government expense from the location of the extended tour of duty to the nearest port in the 48 contiguous States and return.

"(c) The provisions of this section shall not be effective unless the Secretary concerned determines that the application of this section will not adversely affect combat or unit readiness.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"705. Rest and recuperative absence for qualified enlisted members extending duty at designated locations overseas.".

Effective dates. 37 USC 314 note.

(c)(1) Section 314 of title 37, United States Code, as added by subsection (a), shall take effect on the first day of the first month following the month in which this section is enacted and shall apply to periods of extended duty overseas beginning before, on, or after such date, but no payment may be made under such section for any month before the first day of the first month following the month in which this section is enacted.

10 USC 705 note.

(2) Section 705 of title 10, United States Code, as added by subsection (b), shall take effect upon the date of the enactment of this section and shall apply only with respect to periods of extended duty overseas beginning on or after such date of enactment.

BASIC ALLOWANCE FOR QUARTERS IN LIEU OF ASSIGNED QUARTERS FOR CERTAIN MEMBERS WITHOUT DEPENDENTS

SEC. 6. (a) The second sentence of subsection (b) of section 403 of title 37, United States Code, is amended—

(1) by striking out "except as provided by regulations prescribed under" and inserting in lieu thereof "subject to the provisions of"; and

(2) by striking out "commissioned officer" and "C-3" and inserting in lieu thereof "member" and "F-6", respectively.

(b) Subsection (c) of such section is amended to read as follows:

"(c)(1) A member of a uniformed service without dependents is not entitled to a basic allowance for quarters while he is on field duty unless his commanding officer certifies that the member was necessarily required to procure quarters at his expense.

"(2) A member of a uniformed service without dependents who is in a pay grade below pay grade E-7 is not entitled to a basic allowance for quarters while he is on sea duty. A member of a uniformed service without dependents who is in a pay grade above E-6 and who is on sea duty is not entitled to a basic allowance for quarters while the unit to which he is assigned is deployed for a period in excess of 90 days.

"(3) For the purposes of this subsection, duty for a period of less than three months is not considered to be field duty or sea duty.".

(c) Subsection (j) of such section is amended—

(1) by inserting "(1)" after the subsection designation "(j)"; and

(2) by adding the following new paragraph:

"(2) The Secretary concerned may deny the right to make an election under subsection (b) of this section if he determines that the exercise of such an election would adversely affect military discipline or military readiness.".

37 USC 403 note.

(d) The amendments made by this section shall only apply to payment of basic allowance for quarters for months after September 1980.

CHARGES FOR PARKING FACILITIES FOR HOUSE TRAILERS AND MOBILE HOMES

SEC. 7. Section 403 of title 37, United States Code, is amended by adding at the end thereof the following new subsection:

"(k) Parking facilities (including utility connections) provided members of the uniformed services for house trailers and mobile homes not owned by the Government shall not be considered to be quarters for the purposes of this section or any other provision of law. Any fee established by the Government for the use of such a facility shall be established in an amount sufficient to cover the cost of maintenance, services, and utilities and to amortize the cost of construction of the facility over the 15-year period beginning with the completion of such construction.".

PERMANENT AUTHORITY FOR SUBSISTENCE ALLOWANCES FOR MEMBERS OF MARINE CORPS OFFICER CANDIDATE PROGRAMS

SEC. 8. Section 209(d) of title 37, United States Code, relating to members of precommissioning programs, is amended—

(1) by striking out "(1)" after the subsection designation "(b)"; and

(2) by striking out paragraph (2).

REPEAL OF AUTHORITY TO WAIVE CERTAIN PROVISIONS RELATING TO THE ENLISTMENT AND INDUCTION OF PERSONS INTO THE ARMED FORCES

SEC. 9. Section 520 of title 10, United States Code, is amended—

(1) by striking out the subsection designation "(a)"; and

(2) by striking out subsection (b).

ACCRUED LEAVE

SEC. 10. Section 701(f) of title 10, United States Code, is amended by inserting "or a member assigned to a deployable ship, mobile unit, or to other duty designated for the purpose of this section," after "title 37".

REVISION ON DEFINITION OF "REGULAR COMPENSATION" AND "REGULAR MILITARY COMPENSATION (RMC)"

SEC. 11. Paragraph (25) of section 101 of title 37, United States Code, is amended by inserting "(including any variable housing allowance or station housing allowance)" after "basic allowance for quarters".

TERMS OF OFFICE OF JUDGES OF THE UNITED STATES COURT OF MILITARY APPEALS; APPLICATION OF THE ETHICS IN GOVERNMENT ACT OF 1978 TO THE JUDGES AND EMPLOYEES OF SUCH COURT

SEC. 12. (a) Section 867(a)(1) (article 67(a)(1)) of title 10, United States Code, is amended by striking out the third sentence.

(b) The term of office of a judge of the United States Court of Military Appeals serving on such court on the date of the enactment of this Act shall expire (1) on the date the term of such judge would have expired under the law in effect on the day before such date of enactment, or (2) ten years after the date on which such judge took office as a judge of the United States Court of Military Appeals, whichever is later. 10 USC 867 note.

(c) Section 308 of the Ethics in Government Act of 1978 (28 U.S.C. App. 308) is amended—

(1) by inserting "United States Court of Military Appeals;" in paragraph (9) after "Tax Court;"; and

(2) by striking out "or of the Tax Court" in paragraph (10) and inserting in lieu thereof ", of the Tax Court, or of the United States Court of Military Appeals".

TERMS OF CERTAIN MEMBERS OF THE BOARD OF VISITORS TO THE SERVICE ACADEMIES

SEC. 13. (a) Section 4355(b) of title 10, United States Code, is amended to read as follows:

"(b) The persons designated by the President serve for three years each except that any member whose term of office has expired shall continue to serve until his successor is appointed. The President shall designate two persons each year to succeed the members whose terms expire that year.".

(b) Section 6968(b) of such title is amended to read as follows: 10 USC 6968.

"(b) The persons designated by the President serve for three years each except that any member whose term of office has expired shall continue to serve until his successor is appointed. The President shall designate two persons each year to succeed the members whose terms expire that year.".

(c) Section 9355(b) of such title is amended to read as follows: 10 USC 9355.

"(b) The persons designated by the President serve for three years each except that any member whose term of office has expired shall continue to serve until his successor is appointed. The President shall designate two persons each year to succeed the members whose terms expire that year.".

Approved December 23, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT: No. 96-1230 (Comm. on Armed Services).
SENATE REPORT: No. 96-1051 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 126 (1980):
Sept. 15, considered and passed House.
Dec. 4, considered and passed Senate, amended.
Dec. 5, House concurred in Senate amendment.