

1966, Pub. L. 89-718, §3, 80 Stat. 1115; Oct. 30, 1978, Pub. L. 95-551, §2, 92 Stat. 2069, provided that, unless retired or separated at an earlier date, each commissioned officer whose regular grade is below major general, other than a professor or the director of admissions of the United States Military Academy, be retired when he becomes 60 years of age, except as provided by section 8301 of title 5. See section 1251 of this title.

Section 3884, acts Aug. 10, 1956, ch. 1041, 70A Stat. 222; Nov. 2, 1966, Pub. L. 89-718, §3, 80 Stat. 1115, provided that, unless retired or separated at an earlier date, each commissioned officer whose regular grade is major general, and whose retirement under section 3923 of this title has been deferred under cl. (1) of that section, be retired when he becomes 60 years of age, except as provided by section 8301 of title 5. See section 1251 of this title.

Section 3885, acts Aug. 10, 1956, ch. 1041, 70A Stat. 222; Nov. 2, 1966, Pub. L. 89-718, §3, 80 Stat. 1115, provided that, unless retired or separated at an earlier date or unless retained under section 3923(2) of this title, each commissioned officer whose regular grade is major general be retired when he becomes 62 years of age, except as provided by section 8301 of title 5. See section 1251 of this title.

Section 3886, acts Aug. 10, 1956, ch. 1041, 70A Stat. 222; Aug. 6, 1958, Pub. L. 85-600, §1(7), 72 Stat. 522; Nov. 2, 1966, Pub. L. 89-718, §3, 80 Stat. 1115; Oct. 30, 1978, Pub. L. 95-551, §2, 92 Stat. 2069, provided that, unless retired or separated at an earlier date, each commissioned officer whose regular grade is major general, and whose retirement under section 3923 of this title has been deferred under cl. (2) of that section, and each permanent professor and the director of admissions of the United States Military Academy, be retired when he becomes 64 years of age, except as provided by section 8301 of title 5. See section 1251 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

[§ 3887. Repealed. Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 223, related to computation of years of service of commissioned officers of Army Nurse Corps or Women's Medical Specialist Corps for purposes of retirement under former sections 3881 or 3882 of this title, or retirement pay under section 3991 of this title.

[§§ 3888, 3889. Repealed. Pub. L. 96-513, title II, § 216, Dec. 12, 1980, 94 Stat. 2886]

Section 3888, acts Aug. 10, 1956, ch. 1041, 70A Stat. 223; Aug. 21, 1957, Pub. L. 85-155, title I, §101(18), 71 Stat. 379; May 20, 1958, Pub. L. 85-422, §11(a)(3), 72 Stat. 131; Sept. 2, 1958, Pub. L. 85-861, §1(96), 72 Stat. 1487, related to computation of service for determining retired pay of a commissioned officer of Regular Army retired under section 3883, 3884, 3885, or 3886 of this title. See section 1405 of this title.

Section 3889, act Aug. 10, 1956, ch. 1041, 70A Stat. 224, provided that a member of Army retired under this chapter be entitled to retired pay computed under chapter 371 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

CHAPTER 367—RETIREMENT FOR LENGTH OF SERVICE

Sec.
3911. Twenty years or more: regular or reserve commissioned officers.

Sec.
[3912, 3913. Repealed.]
3914. Twenty to thirty years: enlisted members.
[3915, 3916. Repealed.]
3917. Thirty years or more: regular enlisted members.
3918. Thirty years or more: regular commissioned officers.
[3919. Repealed.]
3920. More than thirty years: permanent professors and the Director of Admissions of the United States Military Academy.
3921. Mandatory retirement: Superintendent of the United States Military Academy; waiver authority.
[3922, 3923. Repealed.]
3924. Forty years or more: Army officers.
3925. Computation of years of service: voluntary retirement; enlisted members.
3926. Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
[3927, 3928. Repealed.]
3929. Computation of retired pay: law applicable.

AMENDMENTS

2004—Pub. L. 108-375, div. A, title V, §541(c)(1)(B), Oct. 28, 2004, 118 Stat. 1904, inserted “; waiver authority” after “Academy” in item 3921.

1999—Pub. L. 106-65, div. A, title V, §532(a)(4)(A), Oct. 5, 1999, 113 Stat. 603, added item 3921.

1996—Pub. L. 104-106, div. A, title V, §509(a)(2), Feb. 10, 1996, 110 Stat. 298, substituted “permanent professors and the Director of Admissions of the United States Military Academy” for “permanent professors of United States Military Academy” in item 3920.

1981—Pub. L. 97-22, §10(b)(5), July 10, 1981, 95 Stat. 137, struck out item 3922 “Thirty years or five years in grade: regular brigadier generals”.

1980—Pub. L. 96-513, title V, §502(16), Dec. 12, 1980, 94 Stat. 2910, struck out item 3913 “Twenty years or more: deferred officers not recommended for promotion”, item 3916 “Twenty-eight years: promotion-list lieutenant colonels”, item 3919 “Thirty years or more: regular commissioned officers; excessive number”, item 3921 “Thirty years or five years in grade: promotion-list colonels”, item 3923 “Thirty-five years or five years in grade: regular major generals”, and item 3927 “Computation of years of service: mandatory retirement; regular commissioned officers”.

Pub. L. 96-343, §9(a)(3), Sept. 8, 1980, 94 Stat. 1128, struck out “regular” before “enlisted members” in items 3914 and 3925.

1967—Pub. L. 90-130, §1(13), Nov. 8, 1967, 81 Stat. 376, struck out item 3915 “Twenty-five years: regular majors; Women's Army Corps, Army Nurse Corps and Army Medical Specialist Corps”.

1957—Pub. L. 85-155, title I, §101(20), title IV, §401(3), Aug. 21, 1957, 71 Stat. 380, 390, included the Army Nurse Corps and the Army Medical Specialist Corps within item 3915, and struck out item 3912 “Twenty years or more: regular commissioned officers; Army Nurse Corps and Women's Medical Specialist Corps” and item 3928 “Computation of years of service: voluntary retirement; regular commissioned officers; Army Nurse Corps and Women's Medical Specialist Corps”.

§ 3911. Twenty years or more: regular or reserve commissioned officers

(a) The Secretary of the Army may, upon the officer's request, retire a regular or reserve commissioned officer of the Army who has at least 20 years of service computed under section 3926 of this title, at least 10 years of which have been active service as a commissioned officer.

(b)(1) The Secretary of Defense may authorize the Secretary of the Army, during the period specified in paragraph (2), to reduce the require-