

otherwise qualified therefor, or for honorable discharge with severance benefits. See section 1186 of this title.

Section 3787, added Pub. L. 86-616, §2(a), July 12, 1960, 74 Stat. 388, provided that no officer serve on a board under this chapter unless he holds a regular or temporary grade above lieutenant colonel, and is senior in regular grade to, and outranks, any officer considered by board and that no person be a member of more than one board convened under this chapter for same officer. See section 1187 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[CHAPTER 360—REPEALED]

[[§ 3791 to 3797. Repealed. Pub. L. 96-513, title II, § 213, Dec. 12, 1980, 94 Stat. 2885]

Section 3791, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 388, authorized Secretary of the Army to convene at any time a board of general officers to review record of any commissioned officer on active list of Regular Army to determine whether he should be required, because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with interests of national security, to show cause for his retention on active list. See section 1181(b) of this title.

Section 3792, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 388, provided for boards of inquiry, composed of three or more general officers, to be convened at such places as Secretary of the Army prescribes, to receive evidence and make findings and recommendations whether an officer, required to show cause under section 3791 of this title, should be retained on active list of Regular Army. See section 1182 of this title.

Section 3793, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 389, provided for boards of review, composed of three or more general officers, to be convened by Secretary of the Army, at such places as he prescribes, to review records of cases of officers recommended by boards of inquiry for removal from active list of Regular Army.

Section 3794, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 389, authorized Secretary of the Army to remove an officer from active list of Regular Army if his removal is recommended by a board of review and provided that decision of Secretary in such a case is final and conclusive. See section 1184 of this title.

Section 3795, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 389, provided that each officer under consideration for removal from active list of Regular Army under this chapter be given written notification, at least 30 days prior to a board of inquiry hearing, that he is being required to show cause for retention on active list, be allowed reasonable time to prepare a defense, be allowed to appear in person and by counsel at proceedings before board of inquiry, and be allowed full access to, and furnished copies of, records relevant to his case at all stages of proceedings, except records that Secretary determines be withheld in interests of national security, in which case, a summary, to extent national security permits, be furnished. See section 1185 of this title.

Section 3796, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 389, authorized Secretary of the Army, at any time during proceedings under this chapter and before removal of an officer from active list of Regular Army, to grant that officer's request for voluntary retirement, if he is otherwise qualified therefor, or for honorable discharge with severance benefits. See section 1186 of this title.

Section 3797, added Pub. L. 86-616, §3(a), July 12, 1960, 74 Stat. 390, provided that no officer serve on a board under this chapter unless he holds a regular or temporary grade above lieutenant colonel, and is senior in regular grade to, and outranks, any officer considered

by that board and that no person be a member of more than one board convened under this chapter for same officer. See section 1187 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 361—REPEALED]

[[§ 3811 to 3813. Repealed. Pub. L. 90-235, § 3(a)(2), (b)(1), Jan. 2, 1968, 81 Stat. 757, 758]

Section 3811, act Aug. 10, 1956, ch. 1041, 70A Stat. 220, provided for discharge of enlisted members of Army and limitations thereon, and for issuance of discharge certificates. See section 1169 of this title.

Section 3812, act Aug. 1956, ch. 1041, 70A Stat. 220, provided for the discharge of members of the Army enlisted during war or emergency. See section 1172 of this title.

Section 3813, act Aug. 10, 1956, ch. 1041, 70A Stat. 220, provided for dependency discharges for enlisted members of the Army.

[[§ 3814. Repealed. Pub. L. 96-513, title II, § 214, Dec. 12, 1980, 94 Stat. 2885]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 220, authorized Secretary of the Army to discharge a regular commissioned officer who has less than three years of continuous service as a commissioned officer therein, provided that such officer not be dismissed because of his marriage, unless marriage occurred within one year after date of his original appointment. See section 630 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.

[[§ 3814a. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(a)(2), Oct. 5, 1994, 108 Stat. 2963]

Section, added Pub. L. 93-558, §1, Dec. 30, 1974, 88 Stat. 1793, related to discharge, during a reduction in force, of regular commissioned officers, second lieutenants, first lieutenants, and captains, and expired three years after its effective date, Dec. 30, 1974, in accordance with section 2 of Pub. L. 93-558.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

[[§ 3815, 3816. Repealed. Pub. L. 90-235, § 3(a)(2), (b)(1), Jan. 2, 1968, 81 Stat. 757, 758]

Section 3815, act Aug. 10, 1956, ch. 1041, 70A Stat. 220, provided for resignation of regular enlisted members of Army enlisted on a career basis and limitations thereon.

Section 3816, act Aug. 10, 1956, ch. 1041, 70A Stat. 221, provided for minority discharges for regular enlisted members of Army. See section 1170 of this title.

[[§ 3818. Repealed. Pub. L. 96-513, title II, § 236, Dec. 12, 1980, 94 Stat. 2887]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 221; Oct. 20, 1978, Pub. L. 95-485, title VIII, § 820(g), 92 Stat. 1627, authorized Secretary of the Army to terminate appointment of a female commissioned officer of Regular Army, other than by dismissal, under regulations prescribed by President, or to terminate the appointment of a female warrant officer or enlistment of a female member of Regular Army by discharge from the Army.

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.

[§§ 3819, 3820. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(a)(2), Oct. 5, 1994, 108 Stat. 2963]

Section 3819, added Pub. L. 85-861, §1(93)(A), Sept. 2, 1958, 72 Stat. 1482; amended Pub. L. 98-525, title V, §528(b), Oct. 19, 1984, 98 Stat. 2526, related to discharge of Army Reserve officers for failure of promotion to first lieutenant. See section 14503 of this title.

Section 3820, acts Aug. 10, 1956, ch. 1041, 70A Stat. 221; Sept. 2, 1958, Pub. L. 85-861, §1(93)(B), 72 Stat. 1482, related to discharge and withdrawal of Federal recognition of officers of Army National Guard of United States absent without leave. See section 14907 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

[CHAPTER 363—REPEALED]

[§§ 3841, 3842. Repealed. Pub. L. 86-559, § 1(22), June 30, 1960, 74 Stat. 271]

Section 3841, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1483, related to separation or transfer to retired reserve of reserve nurses and medical specialists at age 50 if in a reserve grade below major.

Section 3842, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1483, related to separation or transfer to Retired Reserve of Reserve nurses and medical specialists at age 55 if in a Reserve grade above captain.

[§§ 3843 to 3846. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(a)(3), Oct. 5, 1994, 108 Stat. 2963]

Section 3843, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1483; amended Pub. L. 86-559, §1(23), June 30, 1960, 74 Stat. 271; Pub. L. 99-145, title XIII, §1303(a)(20)(A), Nov. 8, 1985, 99 Stat. 739, related to transfer or discharge of reserve commissioned officers below grade of major general. See sections 14509 and 14510 of this title.

Section 3844, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1484; amended Pub. L. 86-559, §1(24), June 30, 1960, 74 Stat. 271, related to transfer or discharge of certain reserve major generals and brigadier generals who are 62 years old. See section 14511 of this title.

Section 3845, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1484; amended Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer or discharge of certain officers of Army National Guard of United States who are 64 years of age. See section 14512(a) of this title.

Section 3846, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1484, related to transfer or discharge of reserve first lieutenants, captains, and majors not recommended for promotion by two selection boards. See section 14501 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

[§ 3847. Repealed. Pub. L. 90-130, § 1(12)(A), Nov. 8, 1967, 81 Stat. 376]

Section, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1484; Pub. L. 86-559, §1(25), June 30, 1960, 74 Stat. 272, provided for transfer to Retired Reserve or dis-

charge from his reserve appointment, after July 1, 1960, of each officer in a reserve grade below lieutenant colonel with 25 years service assigned to Army Nurse Corps, Army Medical Specialist Corps, or Women's Army Corps who had not been recommended for promotion to reserve grade of lieutenant colonel or who has not remained on active duty since such a recommendation.

[§ 3848. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(a)(3), Oct. 5, 1994, 108 Stat. 2963]

Section 3848, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1485; amended Pub. L. 86-559, §1(26), June 30, 1960, 74 Stat. 272; Pub. L. 90-130, §1(12)(B), Nov. 8, 1967, 81 Stat. 376; Pub. L. 90-486, §9(1), Aug. 13, 1968, 82 Stat. 760; Pub. L. 95-485, title VIII, §820(h), Oct. 20, 1978, 92 Stat. 1627; Pub. L. 96-513, title V, §512(8), Dec. 12, 1980, 94 Stat. 2929; Pub. L. 99-145, title V, §522(a)(1), title XIII, §1303(a)(20)(B), Nov. 8, 1985, 99 Stat. 631, 739; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer or discharge of reserve first lieutenants, captains, majors, and lieutenant colonels with 28 years of service. See section 14501 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

[§ 3849. Repealed. Pub. L. 86-559, § 1(27), June 30, 1960, 74 Stat. 272]

Section, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1485, related to separation or transfer to retired reserve of officers in the reserve grade of lieutenant colonel assigned to the Women's Army Corps upon completion of 28 years of service.

[§§ 3850 to 3855. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(a)(3), Oct. 5, 1994, 108 Stat. 2963]

Section 3850, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1485; amended Pub. L. 104-106, div. A, title XV, §1501(c)(25), Feb. 10, 1996, 110 Stat. 499, related to transfer or discharge of excessive reserve commissioned officers in active status with thirty or more years of service. See sections 14514 and 14704 of this title.

Section 3851, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1486; amended Pub. L. 86-559, §1(28), June 30, 1960, 74 Stat. 272; Pub. L. 90-486, §9(1), Aug. 13, 1968, 82 Stat. 760; Pub. L. 96-513, title V, §512(8), Dec. 12, 1980, 94 Stat. 2929; Pub. L. 98-525, title V, §513, Oct. 19, 1984, 98 Stat. 2522; Pub. L. 99-145, title V, §522(a)(2), title XIII, §1303(a)(20)(B), Nov. 8, 1985, 99 Stat. 631, 739; Pub. L. 99-661, div. A, title XIII, §1342(g), Nov. 14, 1986, 100 Stat. 3992; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer or discharge of reserve colonels and brigadier generals with 30 years of service or five years in grade. See section 14508(a), (e) of this title.

Section 3852, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1486; amended Pub. L. 86-559, §1(29), June 30, 1960, 74 Stat. 272; Pub. L. 99-145, title V, §523, title XIII, §1303(a)(20)(B), Nov. 8, 1985, 99 Stat. 632, 739; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer or discharge of reserve major generals with 35 years of service or five years in grade. See section 14508(b), (f) of this title.

Section 3853, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1486; amended Pub. L. 86-559, §1(30), June 30, 1960, 74 Stat. 273; Pub. L. 86-651, title I, §115, Sept. 7, 1962, 76 Stat. 513; Pub. L. 96-513, title V, §512(9), Dec. 12, 1980, 94 Stat. 2929; Pub. L. 98-94, title X, §1016(a), Sept. 24, 1983, 97 Stat. 668; Pub. L. 103-337, div. A, title XVI, §1635(a), Oct. 5, 1994, 108 Stat. 2968, related to computation of years of service. See section 14706 of this title.

Section 3854, added Pub. L. 85-861, §1(94), Sept. 2, 1958, 72 Stat. 1486, authorized Secretary of the Army to prescribe regulations to carry out this chapter.