

for boards of inquiry, composed of three or more officers, to be convened at such places as Secretary of Air Force prescribes, to receive evidence and make findings and recommendations whether an officer, required to show cause under section 8781 of this title, should be retained on active list of Regular Air Force. See section 1182 of this title.

Section 8783, acts Aug. 10, 1956, ch. 1041, 70A Stat. 543; July 12, 1960, Pub. L. 86-616, §7(a), 74 Stat. 391, provided for boards of review, composed of three or more officers, to be convened by Secretary of Air Force, 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 Air Force.

Section 8784, acts Aug. 10, 1956, ch. 1041, 70A Stat. 543; July 12, 1960, Pub. L. 86-616, §7(a), 74 Stat. 392, authorized Secretary of Air Force to remove an officer from active list of Regular Air Force if his removal is recommended by a board of review and provided that decision of Secretary in such case is final and conclusive. See section 1184 of this title.

Section 8785, acts Aug. 10, 1956, ch. 1041, 70A Stat. 543; July 12, 1960, Pub. L. 86-616, §7(a), 74 Stat. 392, provided that each officer under consideration for removal from active list of Regular Air Force 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 a board of inquiry, and be allowed full access to, and furnished copies of, records relevant to his case at all stages of the proceeding. See section 1185 of this title.

Section 8786, acts Aug. 10, 1956, ch. 1041, 70A Stat. 544; July 12, 1960, Pub. L. 86-616, §7(a), 74 Stat. 392, authorized Secretary of Air Force, at any time during proceedings under this chapter and before removal of an officer from active list of Regular Air Force, 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 8787, added Pub. L. 86-616, §7(a), July 12, 1960, 74 Stat. 392, 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 860—REPEALED]

[§§ 8791 to 8797. Repealed. Pub. L. 96-513, title II, § 213, Dec. 12, 1980, 94 Stat. 2885]

Section 8791, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 393, authorized Secretary of Air Force to convene at any time a board of general officers to review record of any commissioned officer on active list of Regular Air Force to determine whether he should be required, because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security, to show cause for his retention on active list. See section 1181(b) of this title.

Section 8792, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 393, provided for boards of inquiry, composed of three or more general officers, to be convened at such places as Secretary of Air Force prescribes, to receive evidence and make findings and recommendations whether an officer, required to show cause under section 8791 of this title, should be retained on active list of the Regular Air Force. See section 1182 of this title.

Section 8793, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 393, provided for boards of review, composed of

three or more general officers, to be convened by Secretary of Air Force, at such places as he prescribes, to review the records of cases of officers recommended by boards of inquiry for removal from active list of Regular Air Force.

Section 8794, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 394, authorized Secretary of Air Force to remove an officer from active list of Regular Air Force 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 8795, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 394, provided that each officer under consideration for removal from active list of Regular Air Force 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 the board of inquiry, and be allowed full access to, and furnished copies of, records relevant to his case at all stages of the proceedings, except records that the Secretary determines be withheld in interests of national security, in which case, a summary, to the extent national security permits, be furnished. See section 1185 of this title.

Section 8796, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 394, authorized Secretary of Air Force, at any time during proceedings under this chapter and before removal of an officer from active list of Regular Air Force, 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 8797, added Pub. L. 86-616, §8(a), July 12, 1960, 74 Stat. 394, 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 the 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 861—SEPARATION FOR VARIOUS REASONS

Sec.

[8811 to 8816. Repealed.]

8817. Aviation cadets: discharge.

[8818 to 8820. Repealed.]

AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, §1674(b)(7), Oct. 5, 1994, 108 Stat. 3016, struck out items 8819 "Reserve officers: discharge for failure of promotion to first lieutenant" and 8820 "Air National Guard of United States officers: discharge".

1980—Pub. L. 96-513, title V, §504(16), Dec. 12, 1980, 94 Stat. 2917, struck out items 8814 "Regular commissioned officers: discharge during three-year probationary period" and 8818 "Regular female members: termination of appointment or enlistment".

1968—Pub. L. 90-235, §3(a)(5), (b)(7), Jan. 2, 1968, 81 Stat. 758, struck out items 8811 "Air Force enlisted members: discharge certificate; limitations on discharge", 8812 "Air Force enlisted members: during war or emergency; discharge", 8813 "Air Force enlisted members: dependency discharge", 8815 "Regular enlisted members: resignation of members enlisted on career basis; limitations", and 8816 "Regular enlisted members: minority discharge".

1958—Pub. L. 85-861, §1(191)(B), Sept. 2, 1958, 72 Stat. 1534, added item 8819.