

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 Repealed.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 Repealed.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 Repealed.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.

Section 3855, added Pub. L. 86-559, §1(31), June 30, 1960, 74 Stat. 273; amended Pub. L. 96-107, title IV, §403(a), Nov. 9, 1979, 93 Stat. 808; Pub. L. 96-513, title II, §215(a), Dec. 12, 1980, 94 Stat. 2885; Pub. L. 100-180, div. A, title VII, §717(a), (d)(1)(A), Dec. 4, 1987, 101 Stat. 1113, 1114; Pub. L. 101-189, div. A, title VII, §§710(a), 711(a), Nov. 29, 1989, 103 Stat. 1476, 1477, related to retention in active status of certain reserve officers. See section 14703(a)(1), (b) 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 365—REPEALED]

[§§ 3881, 3882. Repealed. Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390]

Section 3881, act Aug. 10, 1956, ch. 1041, 70A Stat. 222, authorized Secretary of the Army to retire regular commissioned officers of Army Nurse Corps or Women's Medical Specialist Corps whose regular grade is below major.

Section 3882, act Aug. 10, 1956, ch. 1041, 70A Stat. 222, authorized Secretary of the Army to retire regular commissioned officers of Army Nurse Corps or Women's Medical Specialist Corps whose regular grade is above captain.

[§§ 3883 to 3886. Repealed. Pub. L. 96-513, title II, § 216, Dec. 12, 1980, 94 Stat. 2886]

Section 3883, acts Aug. 10, 1956, ch. 1041, 70A Stat. 222; Aug. 6, 1958, Pub. L. 85-600, §1(6), 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 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.
[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 requirement under subsection (a) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary of the Army) of not less than eight years.

(2) The period specified in this paragraph is the period beginning on January 7, 2011, and ending on September 30, 2018.

(Aug. 10, 1956, ch. 1041, 70A Stat. 224; Pub. L. 101-510, div. A, title V, §523(a), Nov. 5, 1990, 104 Stat. 1562; Pub. L. 103-160, div. A, title V, §561(c), Nov. 30, 1993, 107 Stat. 1667; Pub. L. 105-261, div. A, title V, §561(e), Oct. 17, 1998, 112 Stat. 2025; Pub. L. 106-398, §1 [[div. A], title V, §571(e)], Oct. 30, 2000, 114 Stat. 1654, 1654A-134; Pub. L. 109-163, div. A, title V, §502(a), Jan. 6, 2006, 119 Stat. 3225; Pub. L. 109-364, div. A, title X, §1071(a)(27), Oct. 17, 2006, 120 Stat. 2399; Pub. L. 111-383, div. A, title V, §506(a), Jan. 7, 2011, 124 Stat. 4210; Pub. L. 112-239, div. A, title V, §505(a), title X, §1076(e)(6), Jan. 2, 2013, 126 Stat. 1715, 1951.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3911	10:943a. 10:971b (1st 100 words).	July 31, 1935, ch. 422, §5 (1st 101 words); re-stated June 13, 1940, ch. 344, §3 (1st 45 words), 54 Stat. 380; June 29, 1948, ch. 708, §202 (1st 105 words), 62 Stat. 1084; July 16, 1953, ch. 203, 67 Stat. 175.

The words “a regular or reserve commissioned officer of the Army” are substituted for the words “any officer on the active list of the Regular Army * * * or any officer of the reserve components of the Army of the United States”. The words “Philippine Scouts” are omitted as obsolete. The words “has at least 20” are substituted for the words “shall have completed not less than twenty”. The words “upon the officer's re-