

cer” in section 101(14) of this title. The words “condition is such that” are substituted for the words “reconstruction has reached a point where”.

AMENDMENTS

1991—Par. (2). Pub. L. 102-25 struck out “as” before “provided by law”.

1989—Pub. L. 101-189 amended section generally. Prior to amendment, section read as follows: “Notwithstanding any other provision of law, the President may retain on active duty any disabled officer until his physical condition is such that he will not be further benefited by retention in a military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law.”

1958—Pub. L. 85-861 substituted “may retain on active duty any disabled officer” for “shall retain on active duty any disabled officer who has only a temporary appointment”, and “military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law”, for “military hospital or in the Army”.

§ 8447. Repealed. Pub. L. 96-513, title II, § 207, Dec. 12, 1980, 94 Stat. 2884]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 523; Sept. 2, 1958, Pub. L. 85-861, §1(180)(D), 72 Stat. 1532; Sept. 28, 1971, Pub. L. 92-129, title VI, §604, 85 Stat. 362, provided that temporary appointment of a person be made without reference to any other appointment that he may hold in the Air Force, temporary appointments of commissioned officers in the Regular Air Force be made by the President alone in grades below lieutenant colonel and by the President, by and with the consent of the Senate, in grades of lieutenant colonel and above, temporary appointments of commissioned officers in the reserve components of the Air Force be made by the President alone in grades below lieutenant colonel and by the President, by and with the consent of the Senate, in grades above major, and that the President may vacate at any time a temporary appointment in a commissioned grade. See section 601 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.

§§ 8448, 8449. Repealed. Pub. L. 96-513, title II, § 208, Dec. 12, 1980, 94 Stat. 2884]

Section 8448, acts Aug. 10, 1956, ch. 1041, 70A Stat. 523; Aug. 8, 1958, Pub. L. 85-603, §1(4), 72 Stat. 526; Sept. 2, 1958, Pub. L. 85-861, §33(a)(39), 72 Stat. 1566, authorized Secretary of the Air Force, upon his determination of need, to appoint qualified persons as warrant officers, with such appointments to continue at pleasure of Secretary, and such warrant officers entitled to count all periods of active duty under appointment as warrant or enlisted service for all purposes and to benefits of all laws and regulations applicable to retirement, pensions, and disability of members of Air Force on active duty. See section 602 of this title.

Section 8449, act Aug. 10, 1956, ch. 1041, 70A Stat. 523, provided that temporary promotions in warrant officer grades be governed by such regulations as the Secretary of the Air Force prescribe. See section 602 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.

§ 8450. Repealed. Pub. L. 90-235, § 3(b)(1), Jan. 2, 1968, 81 Stat. 758]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 523, provided for suspension of laws for promotion or manda-

tory retirement or separation during war or emergency of temporary warrant officers of Air Force.

§§ 8451, 8452. Repealed. Pub. L. 96-513, title II, § 207, Dec. 12, 1980, 94 Stat. 2884]

Section 8451, act Aug. 10, 1956, ch. 1041, 70A Stat. 524, provided that an officer who is promoted to a temporary grade is considered to have accepted his promotion on date of order announcing it, unless he expressly declines promotion.

Section 8452, added Pub. L. 85-861, §1(180)(E), Sept. 2, 1958, 72 Stat. 1532, provided that, notwithstanding any other provision of law, a medical or dental officer may be promoted to temporary grade of captain at any time after first anniversary of date upon which he graduated from a medical, osteopathic, or dental school.

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 841—ACTIVE DUTY

Sec.
8491. Non-regular officers: status.
[8492 to 8502. Repealed.]
8503. Retired commissioned officers: status.
[8504. Repealed.]

AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, §1674(b)(4), Oct. 5, 1994, 108 Stat. 3016, struck out items 8495 “Air National Guard of United States: status”, 8496 “Air National Guard of United States: commissioned officers; duty in National Guard Bureau”, 8497 “Air National Guard of United States: members; status in which ordered into Federal service”, 8498 “Air National Guard of United States: mobilization; maintenance of organization”, 8499 “Air National Guard in Federal service: status”, 8500 “Air National Guard in Federal service: call”, 8501 “Air National Guard in Federal service: period of service; apportionment”, and 8502 “Air National Guard in Federal service: physical examination”.

1980—Pub. L. 96-513, title V, §504(13), Dec. 12, 1980, 94 Stat. 2917, struck out items 8494 “Commissioned officers: grade in which ordered to active duty” and 8504 “Retired commissioned officers: status”.

1968—Pub. L. 90-235, §1(a)(4), Jan. 2, 1968, 81 Stat. 753, struck out item 8492 “Members: service extension during war”.

1967—Pub. L. 90-130, §1(29)(B), Nov. 8, 1967, 81 Stat. 382, struck out “: limitations; grade” after “Retired members” in item 8504.

1958—Pub. L. 85-861, §1(181)(B), Sept. 2, 1958, 72 Stat. 1533, added item 8494.

§ 8491. Non-regular officers: status

A commissioned officer of the Air Force, other than of the Regular Air Force, who is on active duty in any commissioned grade has the rights and privileges, and is entitled to the benefits, provided by law for a commissioned officer of the Air Force Reserve—

- (1) whose reserve grade is that in which the officer not of the Regular Air Force is serving;
- (2) who has the same length of service as the officer not of the Regular Air Force; and
- (3) who is on active duty in his reserve grade.

(Aug. 10, 1956, ch. 1041, 70A Stat. 524.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8491	10:506d(h).	Aug. 7, 1947, ch. 512, § 515(h), 61 Stat. 908.