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1221.	Separation	12681
1223.	Retired Pay for Non-Regular Service	12731
1225.	Retired Grade	12771

AMENDMENTS

1997—Pub. L. 105–85, div. A, title V, § 515(b), Nov. 18, 1997, 111 Stat. 1733, substituted “12551” for “[No present sections]” in item for chapter 1215.

1996—Pub. L. 104–106, div. A, title V, § 512(a)(2), Feb. 10, 1996, 110 Stat. 305, added item for chapter 1214.

CHAPTER 1201—AUTHORIZED STRENGTHS AND DISTRIBUTION IN GRADE

Sec.	
12001.	Authorized strengths: reserve components.
12002.	Authorized strengths: Army and Air Force reserve components, exclusive of members on active duty.
12003.	Authorized strengths: commissioned officers in an active status.
12004.	Strength in grade: reserve general and flag officers in an active status.
12005.	Strength in grade: commissioned officers in grades below brigadier general or rear admiral (lower half) in an active status.
12006.	Strength limitations: authority to waive in time of war or national emergency.
12007.	Reserve officers of the Army: distribution.
12008.	Army Reserve and Air Force Reserve: warrant officers.
12009.	Army and Air Force reserve components: temporary increases.
12010.	Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result.
12011.	Authorized strengths: reserve officers on active duty or on full-time National Guard duty for administration of the reserves or the National Guard.
12012.	Authorized strengths: senior enlisted members on active duty or on full-time National Guard duty for administration of the reserves or the National Guard.

AMENDMENTS

2006—Pub. L. 109–163, div. A, title V, § 515(b)(4)(H), Jan. 6, 2006, 119 Stat. 3235, substituted “Navy Reserve” for “Naval Reserve” in item 12010.

1999—Pub. L. 106–65, div. A, title X, § 1066(a)(31), Oct. 5, 1999, 113 Stat. 772, inserted “in an” after “officers” in item 12003.

§ 12001. Authorized strengths: reserve components

(a) Whenever the authorized strength of a reserve component (other than the Coast Guard Reserve) is not prescribed by law, it shall be prescribed by the President.

(b) Subject to the authorized strength of the reserve component concerned, the authorized strength of each reserve component (other than the Coast Guard Reserve) in members in each grade is that which the Secretary concerned determines to be necessary to provide for mobilization requirements. The Secretary shall review these determinations at least once each year and revise them if he considers it necessary. However, a member of the reserve component concerned may not, as a result of such a determination, be reduced in the member’s reserve grade without the member’s consent.

(Added Pub. L. 103–337, div. A, title XVI, § 1662(a)(1), Oct. 5, 1994, 108 Stat. 2983.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3221, 3224, 5413, 5456, 8221, and 8224 of this title, prior to repeal by Pub. L. 103–337, § 1662(a)(3).

EFFECTIVE DATE

Chapter effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103–337, set out as a note under section 10001 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

END STRENGTHS FOR SELECTED RESERVE AND FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF RESERVES

Pub. L. 109–163, div. A, title IV, §§ 411, 412, Jan. 6, 2006, 119 Stat. 3220, 3221, which authorized end strengths for Selected Reserve personnel of the reserve components and for Reserves on active duty in support of the Reserves as of the last day of a fiscal year was from the National Defense Authorization Act for Fiscal Year 2006 and was repeated in provisions of subsequent authorization acts which are not set out in the Code. Similar provisions were contained in the following prior authorization acts:

Pub. L. 108–375, div. A, title IV, §§ 411, 412, Oct. 28, 2004, 118 Stat. 1864, 1865.

Pub. L. 108–136, div. A, title IV, §§ 411, 412, Nov. 24, 2003, 117 Stat. 1452, 1453.

Pub. L. 107–314, div. A, title IV, §§ 411, 412, Dec. 2, 2002, 116 Stat. 2526, 2527.

Pub. L. 107–107, div. A, title IV, §§ 411, 412, Dec. 28, 2001, 115 Stat. 1069, 1070.

Pub. L. 106–398, § 1 [[div. A], title IV, §§ 411, 412], Oct. 30, 2000, 114 Stat. 1654, 1654A–93.

Pub. L. 106–65, div. A, title IV, §§ 411, 412, Oct. 5, 1999, 113 Stat. 585, 586.

Pub. L. 105–261, div. A, title IV, §§ 411, 412, Oct. 17, 1998, 112 Stat. 1997.

Pub. L. 105–85, div. A, title IV, §§ 411, 412, Nov. 18, 1997, 111 Stat. 1719, 1720.

Pub. L. 104–201, div. A, title IV, §§ 411, 412, Sept. 23, 1996, 110 Stat. 2506, 2507.

Pub. L. 104–106, div. A, title IV, §§ 411, 412, Feb. 10, 1996, 110 Stat. 287, 288.

Pub. L. 103–337, div. A, title IV, §§ 411, 412, Oct. 5, 1994, 108 Stat. 2746.

Pub. L. 103–160, div. A, title IV, §§ 411, 412, Nov. 30, 1993, 107 Stat. 1641, 1642.

Pub. L. 102–484, div. A, title IV, §§ 411, 412, Oct. 23, 1992, 106 Stat. 2399.

Pub. L. 102–190, div. A, title IV, §§ 411, 412, Dec. 5, 1991, 105 Stat. 1351.

Pub. L. 101–510, div. A, title IV, §§ 411(a)–(c), 412, Nov. 5, 1990, 104 Stat. 1546, 1547; Pub. L. 102–25, title II, §§ 201(a), 202, 205(a), Apr. 6, 1991, 105 Stat. 79, 80; Pub. L. 102–190, div. A, title IV, § 414(e), Dec. 5, 1991, 105 Stat. 1353; Pub. L. 103–160, div. A, title V, § 513, Nov. 30, 1993, 107 Stat. 1649.

Pub. L. 101–189, div. A, title IV, §§ 411, 412, Nov. 29, 1989, 103 Stat. 1432, as amended by Pub. L. 101–510, div. A, title IV, § 411(d), Nov. 5, 1990, 104 Stat. 1547.

Pub. L. 100–456, div. A, title IV, §§ 411(a), 412, Sept. 29, 1988, 102 Stat. 1964.

Pub. L. 100–180, div. A, title IV, §§ 411, 412, Dec. 4, 1987, 101 Stat. 1082, 1083, as amended by Pub. L. 100–456, div. A, title IV, § 411(b), Sept. 29, 1988, 102 Stat. 1964.

Pub. L. 99–661, div. A, title IV, §§ 411(a)–(c), 412(a), Nov. 14, 1986, 100 Stat. 3860, 3861.

Pub. L. 99–145, title IV, §§ 411, 412, Nov. 8, 1985, 99 Stat. 618, 619.