

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8310	10:591. [Uncodified: June 3, 1916, ch. 134, §4a (less 3d and last sentences); added June 4, 1920, ch. 227, subch. I, §4 (3d par., less 3d and last sentences), 41 Stat. 761].	June 3, 1916, ch. 134, §4a (less 3d and last sentences); added June 4, 1920, ch. 227, subch. I, §4 (3d par., less 3d and last sentences), 41 Stat. 761.] Aug. 21, 1941, ch. 384, §2; restated May 29, 1954, ch. 249, §19(c), 68 Stat. 166.

The first sentence of section 4a of the act of June 3, 1916, cited above, is omitted as superseded by section 8213 of this title. The second sentence, less first nine words, of section 4a of that act, is omitted as superseded by 10:591.

[§§ 8312 to 8314. Repealed. Pub. L. 96-513, title II, § 204, Dec. 12, 1980, 94 Stat. 2880]

Section 8312, act Aug. 10, 1956, ch. 1041, 70A Stat. 519, provided that an officer who is promoted in Regular Air Force is considered to have accepted his promotion on date of order announcing it, unless he expressly declines it, without need to take the oath of office upon promotion if his service since last taking it has been continuous. See section 626 of this title.

Section 8313, act Aug. 10, 1956, ch. 1041, 70A Stat. 519, provided that in time of war or national emergency declared by Congress or President, the President may suspend operation of any provision of law relating to promotion, mandatory retirement, or separation of commissioned officers of Regular Air Force. See section 123(a), (b) of this title.

Section 8314, added Pub. L. 85-861, §1(177)(A), Sept. 2, 1958, 72 Stat. 1519, provided that promotion to a higher grade of a commissioned officer of Regular Air Force who is on a recommendation list awaiting promotion not be withheld or delayed because of original appointment of any other person to a commissioned grade in Regular Air Force and that this section does not apply to appointments as medical or dental officers or Air Force nurses or medical specialists. See section 624 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[CHAPTER 837—REPEALED]

[§ 8351. Renumbered § 12212]

[§ 8352. Renumbered § 12214]

[§§ 8353, 8354. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(c)(1), Oct. 5, 1994, 108 Stat. 2963]

Section 8353, added Pub. L. 85-861, §1(178)(A), Sept. 2, 1958, 72 Stat. 1520; amended Pub. L. 86-559, §1(49), June 30, 1960, 74 Stat. 275; Pub. L. 96-513, title II, §205(b), Dec. 12, 1980, 94 Stat. 2882; Pub. L. 97-22, §7, July 10, 1981, 95 Stat. 131; Pub. L. 98-94, title X, §1007(c)(5), Sept. 24, 1983, 97 Stat. 662; Pub. L. 100-180, div. A, title VII, §714(d), Dec. 4, 1987, 101 Stat. 1113; Pub. L. 103-160, div. A, title V, §509(d), Nov. 30, 1993, 107 Stat. 1648, related to service credit upon original appointment as reserve commissioned officer in Air Force. See section 12207 of this title.

Section 8354, acts Aug. 10, 1956, ch. 1041, 70A Stat. 520; Sept. 2, 1958, Pub. L. 85-861, §1(178)(B), 72 Stat. 1520, related to appointment of warrant officers and enlisted members of Air National Guard of United States as reserve officers.

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.

[§ 8355. Repealed. Pub. L. 88-647, title III, § 301(21), Oct. 13, 1964, 78 Stat. 1073]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 520; Sept. 2, 1958, Pub. L. 85-861, §33(a)(22), 72 Stat. 1565, related to appointment of graduates of junior or senior division of Air Force Reserve Officers' Training Corps as reserve commissioned officers.

[§ 8356. Repealed. Pub. L. 103-337, div. A, title XVI, § 1636(b), Oct. 5, 1994, 108 Stat. 2968]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 520, related to appointment and promotion of aviation cadets as commissioned officers in Air Force Reserve.

EFFECTIVE DATE OF REPEAL

Repeal effective Feb. 10, 1996, see section 1501(f)(1) of Pub. L. 104-106, set out as an Effective Date of 1994 Amendment note under section 12213 of this title.

[§§ 8358 to 8368. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(c)(1), Oct. 5, 1994, 108 Stat. 2963]

Section 8358, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1520, related to service credit upon original appointment as commissioned officer in grade below colonel. See section 12201 et seq. of this title.

Section 8359, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1521; amended Pub. L. 98-94, title X, §1014(b), Sept. 24, 1983, 97 Stat. 666; Pub. L. 98-525, title V, §521(b), Oct. 19, 1984, 98 Stat. 2522; Pub. L. 99-145, title V, §521(a), Nov. 8, 1985, 99 Stat. 631; Pub. L. 100-180, div. A, title V, §502(a), Dec. 4, 1987, 101 Stat. 1085; Pub. L. 101-189, div. A, title V, §503(a), Nov. 29, 1989, 103 Stat. 1437; Pub. L. 102-484, div. A, title V, §519(a), Oct. 23, 1992, 106 Stat. 2408; Pub. L. 103-160, div. A, title V, §514(a), Nov. 30, 1993, 107 Stat. 1649; Pub. L. 104-106, div. A, title V, §511(a), Feb. 10, 1996, 110 Stat. 298, related to determination of grade upon original appointment as reserve officer of Air Force. See section 12201 et seq. of this title.

Section 8360, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1521; amended Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 104-106, div. A, title XV, §1501(c)(30), Feb. 10, 1996, 110 Stat. 500, related to service required for promotion of reserve commissioned officers. See section 14001 et seq. of this title.

Section 8361, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1522; amended Pub. L. 86-559, §1(50), June 30, 1960, 74 Stat. 275, related to seniority for purposes of promotion of reserve commissioned officers. See section 14301 et seq. of this title.

Section 8362, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1522; amended Pub. L. 86-559, §1(51), June 30, 1960, 74 Stat. 275, related to convening of selection boards to consider reserve commissioned officers for promotion. See section 14101 et seq. of this title.

Section 8363, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1522; amended Pub. L. 86-559, §1(52), June 30, 1960, 74 Stat. 275; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to requirements and procedures for promotion of officers in reserve grades. See section 14301 et seq. of this title.

Section 8365, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1523, related to promotion of second lieutenants of Air Force Reserve. See section 14301 et seq. of this title.

Section 8366, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1523; amended Pub. L. 86-559, §1(53), June 30, 1960, 74 Stat. 275; Pub. L. 90-130, §1(28)(A), Nov. 8, 1967, 81 Stat. 382, related to promotion of first lieutenants.

ants, captains, and majors of Air Force Reserve or Air National Guard of United States. See section 14301 et seq. of this title.

Section 8367, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1525; amended Pub. L. 86-559, §1(54), June 30, 1960, 74 Stat. 276, related to selection board procedures for promotion of first lieutenants, captains, and majors of Air Force Reserve or Air National Guard of United States. See section 14001 et seq. of this title.

Section 8368, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1525; amended Pub. L. 86-559, §1(55), June 30, 1960, 74 Stat. 276; Pub. L. 90-130, §1(28)(B), Nov. 8, 1967, 81 Stat. 382; Pub. L. 100-180, div. A, title XII, §1231(19)(B), Dec. 4, 1987, 101 Stat. 1161, related to effect of failure of promotion of reserve officers in grades of first lieutenant, captain, and major. See section 14301 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.

[§ 8370. Repealed. Pub. L. 90-130, § 1(28)(C), Nov. 8, 1967, 81 Stat. 382]

Section, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1526; Pub. L. 86-559, §1(56), June 30, 1960, 74 Stat. 276, placed restrictions on promotion consideration of Air Force nurses, medical specialists, and female officers being considered for promotion to the Reserve grades of lieutenant colonel and colonel.

[§§ 8371 to 8378. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(c)(1), Oct. 5, 1994, 108 Stat. 2963]

Section 8371, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1527, related to promotion of officers to grade of colonel to fill vacancies in Air Force Reserve. See section 14301 et seq. of this title.

Section 8372, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1527; amended Pub. L. 86-559, §1(57), June 30, 1960, 74 Stat. 276, related to promotion of officers with special qualifications to grade of captain, major, lieutenant colonel, or colonel of Air Force Reserve. See section 14301 et seq. of this title.

Section 8373, added Pub. L. 89-172, §1, Sept. 8, 1965, 79 Stat. 662, related to promotion of officers to grades of brigadier general and major general of Air Force Reserve. See section 14315 of this title.

A prior section 8373, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1528; amended Pub. L. 86-559, §1(58), June 30, 1960, 74 Stat. 277, containing similar subject matter, expired by its own terms on June 30, 1964.

Section 8374, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1528, provided that promotion of reserve commissioned officers be effective upon Federal recognition in next higher grade of Air National Guard. See section 14308(f) of this title.

Section 8375, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1528; amended Pub. L. 86-559, §1(59), June 30, 1960, 74 Stat. 277; Pub. L. 96-513, title V, §514(3), Dec. 12, 1980, 94 Stat. 2935, related to transfer or discharge of officers promoted to reserve grade of brigadier general or major general ceasing to occupy those positions. See section 14314(a), (c) of this title.

Section 8376, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1528; amended Pub. L. 86-559, §1(60), June 30, 1960, 74 Stat. 277, related to promotion of commissioned officers of Air Force Reserve or Air National Guard of United States to higher reserve grades after temporary appointments. See section 14301 et seq. of this title.

Section 8377, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1529; amended Pub. L. 86-559, §1(61), June 30, 1960, 74 Stat. 277, related to effect of removal of reserve commissioned officer from recommended promotion list by President. See section 14301 et seq. of this title.

Section 8378, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1530, related to promotion of reserve commissioned officers removed from active status. See section 14317(a) 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.

[§ 8379. Repealed. Pub. L. 103-337, div. A, title XVI, § 1636(c), Oct. 5, 1994, 108 Stat. 2968]

Section, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1530, provided that appointing commissioned officers of Air National Guard was function of governors.

EFFECTIVE DATE OF REPEAL

Repeal effective Feb. 10, 1996, see section 1501(f)(1) of Pub. L. 104-106, set out as an Effective Date of 1994 Amendment note under section 12213 of this title.

[§§ 8380 to 8396. Repealed. Pub. L. 103-337, div. A, title XVI, § 1629(c)(1), Oct. 5, 1994, 108 Stat. 2963]

Section 8380, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1530; amended Pub. L. 86-559, §1(62), June 30, 1960, 74 Stat. 277; Pub. L. 98-94, title X, §1015(b)(1), Sept. 24, 1983, 97 Stat. 667; Pub. L. 99-145, title V, §521(b), Nov. 8, 1985, 99 Stat. 631; Pub. L. 100-180, div. A, title V, §502(b)(1), Dec. 4, 1987, 101 Stat. 1085; Pub. L. 101-189, div. A, title V, §503(b)(1), Nov. 29, 1989, 103 Stat. 1437; Pub. L. 102-484, div. A, title V, §519(b), Oct. 23, 1992, 106 Stat. 2408; Pub. L. 103-160, div. A, title V, §514(b), Nov. 30, 1993, 107 Stat. 1649; Pub. L. 104-106, div. A, title V, §511(b), title XV, §1501(c)(31), Feb. 10, 1996, 110 Stat. 298, 500, related to promotion of reserve commissioned officers on active duty and not on the active duty list. See section 14311(e) of this title.

Section 8381, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1531; amended Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer, discharge, or withdrawal of Federal recognition of reserve officers ceasing to occupy position of adjutant general or assistant adjutant general. See section 14314(b), (c) of this title.

Section 8392, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1531; amended Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to appointment of adjutant general or assistant adjutant general in reserve commissioned grade in which Federal recognition in Air National Guard was extended. See section 12215(b) of this title.

Section 8393, added Pub. L. 85-861, §1(178)(C), Sept. 2, 1958, 72 Stat. 1531, provided that sea or foreign service not to be required for promotion of reserve commissioned officers in reserve grades.

Section 8394, act Aug. 10, 1956, ch. 1041, 70A Stat. 521, related to acceptance of promotion by officers of Air National Guard of United States or Air Force Reserve. See section 14309 of this title.

Section 8395, act Aug. 10, 1956, ch. 1041, 70A Stat. 521, related to appointment of reserve officers in time of war. See section 14317(e) of this title.

Section 8396, added Pub. L. 96-513, title II, §206(b), Dec. 12, 1980, 94 Stat. 2884, provided that this chapter, except section 8353, did not apply to reserve officers on active-duty list.

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 839—TEMPORARY APPOINTMENTS

Sec.

[8441 to 8445. Repealed.]