

2935; Pub. L. 98-525, title XIV, §1405(55), Oct. 19, 1984, 98 Stat. 2626; Pub. L. 99-145, title V, §522(b)(2), title XIII, §1303(a)(27)(B), Nov. 8, 1985, 99 Stat. 632, 740; Pub. L. 100-456, div. A, title XII, §1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to transfer or discharge of reserve lieutenant colonels, colonels, and brigadier generals with 30 years of service or five years in grade.

Section 8852, added Pub. L. 85-861, §1(192), Sept. 2, 1958, 72 Stat. 1537; amended Pub. L. 86-559, §1(74), June 30, 1960, 74 Stat. 280; Pub. L. 99-145, title XIII, §1303(a)(27)(B), Nov. 8, 1985, 99 Stat. 740; 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 and brigadier generals with 35 years of service or five years in grade.

Section 8853, added Pub. L. 85-861, §1(192), Sept. 2, 1958, 72 Stat. 1538; amended Pub. L. 86-559, §1(75), June 30, 1960, 74 Stat. 280; Pub. L. 98-94, title X, §1016(c), Sept. 24, 1983, 97 Stat. 668, related to computation of years of service. See section 14706 of this title.

Section 8855, added Pub. L. 86-559, §1(76), June 30, 1960, 74 Stat. 280; amended Pub. L. 96-107, title IV, §403(b), Nov. 9, 1979, 93 Stat. 808; Pub. L. 96-513, title II, §215(b), Dec. 12, 1980, 94 Stat. 2885; Pub. L. 100-180, div. A, title VII, §717(c), (d)(2)(A), Dec. 4, 1987, 101 Stat. 1114; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, §1233(l)(2), Sept. 29, 1988, 102 Stat. 2058; Pub. L. 101-189, div. A, title VII, §710(c), Nov. 29, 1989, 103 Stat. 1477, related to retention in active status of certain reserve officers. See section 14703(a)(3), (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#### [CHAPTER 865—REPEALED]

#### [§§ 8881, 8882. Repealed. Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390]

Section 8881, act Aug. 10, 1956, ch. 1041, 70A Stat. 546, authorized Secretary of Air Force to retire Air Force nurses and woman medical specialists whose regular grade is below major.

Section 8882, act Aug. 10, 1956, ch. 1041, 70A Stat. 546, authorized Secretary of Air Force to retire Air Force nurses or woman medical specialists whose regular grade is above captain.

#### [§§ 8883 to 8886. Repealed. Pub. L. 96-513, title II, § 216, Dec. 12, 1980, 94 Stat. 2886]

Section 8883, acts Aug. 10, 1956, ch. 1041, 70A Stat. 546; Aug. 6, 1958, Pub. L. 85-600, §1(17), 72 Stat. 523; 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 below major general, other than a professor or the registrar of the United States Air Force 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 8884, acts Aug. 10, 1956, ch. 1041, 70A Stat. 547; 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 8923 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 8885, acts Aug. 10, 1956, ch. 1041, 70A Stat. 547; Sept. 2, 1958, Pub. L. 85-861, §33(a)(42), 72 Stat. 1567; 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 8923(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 8886, acts Aug. 10, 1956, ch. 1041, 70A Stat. 547; Aug. 6, 1958, Pub. L. 85-600, §1(18), 72 Stat. 523; 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 8923 of this title has been deferred under cl. (2) of that section, and each permanent professor and the registrar of the United States Air Force 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.

#### [§ 8887. Repealed. Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 547, related to computation of years of service of Air Force nurses or woman medical specialists for purposes of retirement under former sections 8881 or 8882 of this title, or retirement pay under section 8991 of this title.

#### [§§ 8888, 8889. Repealed. Pub. L. 96-513, title II, § 216, Dec. 12, 1980, 94 Stat. 2886]

Section 8888, acts Aug. 10, 1956, ch. 1041, 70A Stat. 547; Aug. 21, 1957, Pub. L. 85-155, title III, §301(16), 71 Stat. 388; May 20, 1958, Pub. L. 85-422, §11(a)(7), 72 Stat. 131; Sept. 2, 1958, Pub. L. 85-861, §1(194), 72 Stat. 1538; Sept. 30, 1966, Pub. L. 89-609, §1(30), 80 Stat. 854, related to computation of years of service for determining retired pay of a commissioned officer of Regular Air Force retired under section 8883, 8884, 8885, or 8886 of this title. See section 1405 of this title.

Section 8889, act Aug. 10, 1956, ch. 1041, 70A Stat. 548, provided that a member of Air Force retired under this chapter be entitled to retired pay computed under chapter 871 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 867—RETIREMENT FOR LENGTH OF SERVICE

Sec.	
8911.	Twenty years or more: regular or reserve commissioned officers.
[8912, 8913. Repealed.]	
8914.	Twenty to thirty years: enlisted members.
[8915, 8916. Repealed.]	
8917.	Thirty years or more: regular enlisted members.
8918.	Thirty years or more: regular commissioned officers.
[8919. Repealed.]	
8920.	More than thirty years: permanent professors and the Director of Admissions of the United States Air Force Academy.
8921.	Mandatory retirement: Superintendent of the United States Air Force Academy; waiver authority.
[8922, 8923. Repealed.]	
8924.	Forty years or more: Air Force officers.
8925.	Computation of years of service: voluntary retirement; enlisted members.
8926.	Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
[8927, 8928. Repealed.]	
8929.	Computation of retired pay: law applicable.

#### AMENDMENTS

2004—Pub. L. 108-375, div. A, title V, §541(c)(3)(B), Oct. 28, 2004, 118 Stat. 1904, inserted “; waiver authority” after “Academy” in item 8921.

1999—Pub. L. 106-65, div. A, title V, § 532(a)(4)(E), Oct. 5, 1999, 113 Stat. 604, added item 8921.

1996—Pub. L. 104-106, div. A, title V, § 509(b)(2), Feb. 10, 1996, 110 Stat. 298, substituted “permanent professors and the Director of Admissions” for “professors” in item 8920.

1980—Pub. L. 96-513, title V, § 504(17), Dec. 12, 1980, 94 Stat. 2917, struck out items 8913 “Twenty years or more: deferred officers not recommended for promotion”, 8915 “Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major”, 8916 “Twenty-eight years: promotion-list lieutenant colonels”, 8919 “Thirty years or more: regular commissioned officers; excessive number”, 8921 “Thirty years or five years in grade: promotion-list colonels”, 8922 “Thirty years or five years in grade: regular brigadier generals”, 8923 “Thirty-five years or five years in grade: regular major generals”, and 8927 “Computation of years of service: mandatory retirement; regular commissioned officers”.

Pub. L. 96-343, § 9(b)(3), Sept. 8, 1980, 94 Stat. 1129, struck out “regular” before “enlisted members” in items 8914 and 8925.

1967—Pub. L. 90-130, § 1(32)(C), Nov. 8, 1967, 81 Stat. 383, substituted “Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major” for “Twenty-five years: female majors except those designated under section 8067(a)-(d) or (g)-(i) of this title; male majors designated under section 8067(e) or (f) of this title” in item 8915.

1966—Pub. L. 89-609, § 1(32), Sept. 30, 1966, 80 Stat. 854, inserted “; male majors designated under section 8067(e) or (f) of this title” in item 8915.

1957—Pub. L. 85-155, title III, § 301(21), Aug. 21, 1957, 71 Stat. 389, struck out items 8912 and 8928, and substituted “section 8067(a)-(d) or (g)-(i)” for “section 8067” in item 8915.

### § 8911. Twenty years or more: regular or reserve commissioned officers

(a) The Secretary of the Air Force may, upon the officer’s request, retire a regular or reserve commissioned officer of the Air Force who has at least 20 years of service computed under section 8926 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 Air Force, 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 Air Force) 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. 549; Pub. L. 101-510, div. A, title V, § 523(c), 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(c), Jan. 6, 2006, 119 Stat. 3225; Pub. L. 109-364, div. A, title X, § 1071(a)(37), Oct. 17, 2006, 120 Stat. 2400; Pub. L. 111-383, div. A, title V, § 506(c), Jan. 7, 2011, 124 Stat. 4210; Pub. L. 112-239, div. A, title V, § 505(c), 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)
8911 .....	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 Air Force” are substituted for the words “any officer on the active list of the \* \* \* Regular Air Force \* \* \* or any officer of the reserve components of the \* \* \* Air Force 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 his request” are substituted for the words “upon his own application”. The words “service computed under section 8926 of this title” are substituted for the words “active Federal service in the armed forces of the United States”, since that revised section makes explicit the service covered.

### AMENDMENTS

2013—Subsec. (b)(2). Pub. L. 112-239, § 1076(e)(6), substituted “January 7, 2011,” for “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011”.

Pub. L. 112-239 substituted “September 30, 2018” for “September 30, 2013”.

2011—Subsec. (b)(2). Pub. L. 111-383 substituted “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 and ending on September 30, 2013” for “January 6, 2006, and ending on December 31, 2008”.

2006—Subsec. (b). Pub. L. 109-364 struck out second comma after “paragraph (2)” in par. (1) and substituted “January 6, 2006,” for “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006” in par. (2).

Pub. L. 109-163 designated existing provisions as par. (1), substituted “during the period specified in paragraph (2),” for “during the period beginning on October 1, 1990, and ending on December 31, 2001”, and added par. (2).

2000—Subsec. (b). Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001”.

1998—Subsec. (b). Pub. L. 105-261 substituted “during the period beginning on October 1, 1990, and ending on September 30, 2001” for “during the nine-year period beginning on October 1, 1990”.

1993—Subsec. (b). Pub. L. 103-160 substituted “nine-year period” for “five-year period”.

1990—Pub. L. 101-510 designated existing provisions as subsec. (a) and added subsec. (b).

### TEMPORARY EARLY RETIREMENT AUTHORITY

For provisions authorizing the Secretary of the Air Force, during the period beginning Oct. 23, 1992, and ending Oct. 1, 1995, to apply this section to a regular or reserve commissioned officer with at least 15 but less than 20 years of service by substituting “at least 15 years” for “at least 20 years” in subsec. (a) of this section, see section 4403 of Pub. L. 102-484, set out as a note under section 1293 of this title.

### [§ 8912. Repealed. Pub. L. 85-155, title IV, § 401(1), Aug. 21, 1957, 71 Stat. 390]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 549, permitted Secretary of Air Force, upon officer’s request, to retire an Air Force nurse, or a woman medical specialist, of Regular Air Force, who has at least 20 years of service computed under former section 8928 of this title.