

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.

§ 8324. Officers: creditable service

For the purpose of this chapter, service as a nurse in the armed forces before April 16, 1947, is considered as commissioned service.

(Aug. 10, 1956, ch. 1041, 70A Stat. 394, §6324; Pub. L. 86-197, §1(6), Aug. 25, 1959, 73 Stat. 426; Pub. L. 89-609, §1(15), Sept. 30, 1966, 80 Stat. 853; Pub. L. 90-130, §1(23)(A), Nov. 8, 1967, 81 Stat. 380; renumbered §8324, Pub. L. 115-232, div. A, title VIII, §807(b)(15), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6324	34 U.S.C. 43g(h).	Apr. 16, 1947, ch. 38, §207(i), 61 Stat. 50; redesignated (h), Aug. 7, 1947, ch. 512, §434(d), 61 Stat. 882.

The words “or the reserve components thereof” are omitted because “Army”, “Navy”, and “Air Force”, as defined in this title, include the reserve components.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6324 of this title as this section.

1967—Pub. L. 90-130 substituted provision reciting simply that service as a nurse in the armed forces before April 16, 1947, is considered as commissioned service for purposes of this chapter for provisions making specific reference to service under an appointment or contract or as a commissioned officer in the Nurse Corps of the Army or the Navy or as a commissioned officer of the Air Force designated as an Air Force Nurse.

1966—Pub. L. 89-609 substituted “the person’s” for “her” in introductory text in two places.

1959—Pub. L. 86-197 substituted “a regular officer or a reserve officer” for “an officer”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

AUTHORITY OF MILITARY DEPARTMENT SECRETARIES TO CONVENE BOARDS TO RECOMMEND DEFERMENT OF RETIREMENT OR SEPARATION OF NURSES

Secretaries authorized until July 1, 1972, to convene boards of officers to consider and recommend deferment of separation or retirement of officers of the Army Nurse Corps, officers of the Navy Nurse Corps, and Air Force nurses, as needs of the service require, see section 4(f) of Pub. L. 90-130, set out as a note under section 7069 of this title.

§ 8325. Officers: retired grade and pay

(a) Except as provided in subsection (b) or section 1370 of this title, each officer who is retired under section 8321 or 8322 of this title—

(1) unless otherwise entitled to a higher grade, shall be retired in the grade in which he was serving at the time of retirement; and

(2) unless otherwise entitled to higher pay, is entitled to retired pay computed under section 8333 of this title.

(b) Each officer who is retired while serving in the grade of admiral, vice admiral, general, or

lieutenant general by virtue of an appointment under section 601 of this title or who is retired while serving in a grade to which he was appointed or promoted under section 603 of this title or promoted under section 602¹ (as in effect before February 1, 1992) or section 5721¹ of this title—

(1) unless otherwise entitled to a higher grade, shall be retired in the grade he would hold if he had not received such an appointment; and

(2) unless otherwise entitled to higher pay, is entitled to retired pay computed under section 8333 of this title.

(c) A warrant officer who retires under section 8321, 8322, or 8323 of this title may elect to be placed on the retired list in the highest grade and with the highest retired pay to which he is entitled under any provision of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 394, §6325; Pub. L. 85-422, §11(a)(6)(B), May 20, 1958, 72 Stat. 131; Pub. L. 85-861, §1(143), Sept. 2, 1958, 72 Stat. 1509; Pub. L. 88-132, §5(h)(4), Oct. 2, 1963, 77 Stat. 214; Pub. L. 95-377, §7, Sept. 19, 1978, 92 Stat. 721; Pub. L. 96-342, title VIII, §813(d)(3), Sept. 8, 1980, 94 Stat. 1104; Pub. L. 96-513, title V, §503(47)(B), 513(17), Dec. 12, 1980, 94 Stat. 2914, 2932; Pub. L. 97-22, §10(b)(8), July 10, 1981, 95 Stat. 137; Pub. L. 99-348, title I, §104(c)(2), title II, §203(b)(3), July 1, 1986, 100 Stat. 691, 696; Pub. L. 102-484, div. A, title X, §1052(39), Oct. 23, 1992, 106 Stat. 2501; renumbered §8325 and amended Pub. L. 115-232, div. A, title VIII, §§807(b)(15), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6325	34 U.S.C. 410m.	Aug. 7, 1947, ch. 512, §316(j), 61 Stat. 868.
	34 U.S.C. 626-1(a) (1st sentence).	Aug. 7, 1947, ch. 512, §314(a) (1st sentence), 61 Stat. 863; May 5, 1954, ch. 180, §205, 68 Stat. 68.
	34 U.S.C. 389 (1st sentence as applicable to grade).	R.S. 1457 (1st sentence as applicable to grade).
	34 U.S.C. 410c(a) (as applicable to retired pay of officers retired under 34 U.S.C. 410b).	Feb. 21, 1946, ch. 34, §7(a) (as applicable to retired pay of officers retired under §6), 60 Stat. 27; Aug. 7, 1947, ch. 512, §432(a), 61 Stat. 881.
	34 U.S.C. 43g(d).	Apr. 16, 1947, ch. 38, §207(e), 61 Stat. 49; redesignated (d), Aug. 7, 1947, ch. 512, §434(d), 61 Stat. 882; May 16, 1950, ch. 186, §3(i), 64 Stat. 162.
	34 U.S.C. 43g(f).	Apr. 16, 1947, ch. 38, §207(g), 61 Stat. 49; redesignated (f), Aug. 7, 1947, ch. 512, §434(d), 61 Stat. 882.
	34 U.S.C. 410r(a), (g).	June 12, 1948, ch. 449, §207(a), (g), 62 Stat. 366.
	34 U.S.C. 625h(a).	June 12, 1948, ch. 449, §213(a), 62 Stat. 369.
	34 U.S.C. 430(f) (as applicable to officers retired under 34 U.S.C. 381, 34 U.S.C. 383, and 34 U.S.C. 410b).	May 29, 1954, ch. 249, §14(f), 68 Stat. 163 (as applicable to officers retired under R.S. 1443, Act of May 13, 1908, ch. 166, 35 Stat. 128 (8th sentence, less proviso), and Act of Feb. 21, 1946, ch. 34, §6, 60 Stat. 27).

¹ See References in Text note below.