

clared 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.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6258 of this title as this section.

2004—Pub. L. 108-375 renumbered section 6257 of this title as this section.

#### 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.

### CHAPTER 839—DISCHARGE OF ENLISTED MEMBERS

Sec.

8317. Minors enlisted upon false statement of age.

#### PRIOR PROVISIONS

A prior chapter 839, consisting of sections 8441 to 8452, related to temporary appointments in the Air Force, prior to renumbering as chapter 919 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §807(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 569 of this title as this chapter and item 6292 as 8317.

1980—Pub. L. 96-513, title V, §503(46), Dec. 12, 1980, 94 Stat. 2914, struck out item 6294 “Women in the Regular Navy and Regular Marine Corps: termination of enlistment”.

1968—Pub. L. 90-235, §§3(a)(4), (b)(4), 8(4), Jan. 2, 1968, 81 Stat. 758, 764, struck out item 6291 “Honorable discharges”, item 6293 “Minors enlisted without consent of parent or guardian”, item 6295 “Regular Navy: early discharge”, item 6296 “Furlough without pay”, item 6297 “Disposition of uniform; clothing allowance; emergency funds”, and item 6298 “Authority to live at a receiving station after honorable discharge”.

#### § 8317. Minors enlisted upon false statement of age

(a) The Secretary of the Navy, under regulations prescribed by him, may discharge or release from the naval service, with pay and allowances and form of discharge certificate appropriate for his service after enlistment, any enlisted member who, as the result of a false statement of age on his application for enlistment, was enlisted while under the minimum statutory or administrative age limit. A member so discharged or released is entitled to transportation in kind and subsistence from the place of discharge to his home.

(b) Appropriations available for pay and allowances, subsistence, and transportation of enlisted members of the naval service are available for payments under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391, §6292; renumbered §8317, Pub. L. 115-232, div. A, title VIII, §807(b)(14), Aug. 13, 2018, 132 Stat. 1836.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6292(a) .....	34 U.S.C. 900a.	Sept. 24, 1945, ch. 385, §1, 59 Stat. 536.
6292(b) .....	34 U.S.C. 900a (note).	Sept. 24, 1945, ch. 385, §3, 59 Stat. 537.

The word “member” is substituted for the word “person” and the words “naval service” are substituted for the words “Navy, Marine Corps, and the Reserve components thereof”. The words “form of” are added for clarity. Reference to the date “September 24, 1945” is omitted as unnecessary. The words “is entitled to” are substituted for the words “shall be furnished” for uniformity. The decision of the Comptroller General of December 23, 1949 (B-91297), has not been overlooked. That decision, without passing on a case in which the point was involved, indicated that the transportation entitlement in 34 U.S.C. 900a might be impliedly repealed by the Career Compensation Act of 1949. The editors of the United States Code Annotated, apparently on the basis of this decision, have omitted 34 U.S.C.A. 900a from the 1954 pocket part. A conclusion that the section is repealed, however, defeats the specific purpose of the provision, which, as indicated in the legislative hearings, was to insure that underage discharges would be transported home and not simply released at the place of discharge.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6292 of this title as this section.

#### 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.

### CHAPTER 841—VOLUNTARY RETIREMENT

Sec.

8321. Officers: 40 years.  
 8322. Officers: 30 years.  
 8323. Officers: 20 years.  
 8324. Officers: creditable service.  
 8325. Officers: retired grade and pay.  
 8326. Enlisted members: 30 years.  
 8327. Officers and enlisted members of the Navy Reserve and Marine Corps Reserve: 30 years; 20 years; retired pay.  
 8328. Computation of years of service: voluntary retirement.  
 8329. Officers not to be retired for misconduct.  
 8330. Enlisted members: transfer to Fleet Reserve and Fleet Marine Corps Reserve; retainer pay.  
 8331. Members of the Fleet Reserve and Fleet Marine Corps Reserve: transfer to the retired list; retired pay.  
 8332. Conclusiveness of transfers.  
 8333. Computation of retired and retainer pay.  
 8334. Higher grade after 30 years of service: warrant officers and enlisted members.  
 8335. Restoration to former grade: warrant officers and enlisted members.  
 8336. Highest grade held satisfactorily: Reserve enlisted members reduced in grade not as a result of the member’s misconduct.

#### PRIOR PROVISIONS

A prior chapter 841, consisting of sections 8491 to 8504, related to active duty in the Air Force, prior to renumbering as chapter 921 of this title.