

puted under section 9326 of this title may be retired upon his request, in the discretion of the President.

(Aug. 10, 1956, ch. 1041, 70A Stat. 550, § 8918; renumbered § 9318 and amended Pub. L. 115-232, div. A, title VIII, §§ 806(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8918	10:943.	R.S. 1243; Dec. 16, 1930, ch. 14, § 1 (as applicable to R.S. 1243), 46 Stat. 1028.

The word “commissioned” is inserted, since the retirement of warrant officers for length of service is covered by section 1293 of this title. The word “regular” is inserted, since 10:943 is applicable historically only to officers of a regular component. The words “and placed on the retired list” are omitted as surplusage. The words “computed under section 8926 of this title” are inserted for clarity.

PRIOR PROVISIONS

A prior section 9319 was renumbered section 9419 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8918 of this title as this section and substituted “section 9326” for “section 8926”.

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.

DELEGATION OF FUNCTIONS

Functions of President under this section to approve request of a regular commissioned officer of Air Force to retire after at least 30 years of service delegated to Secretary of Defense to perform, without approval, ratification, or other action by President, and with authority for Secretary to redelegate, see Ex. Ord. No. 12396, §§ 1(f), 3, Dec. 9, 1982, 47 F.R. 55897, 55898, set out as a note under section 301 of Title 3, The President.

§ 9320. More than thirty years; permanent professors and the Director of Admissions of the United States Air Force Academy

(a) The Secretary of the Air Force may retire an officer specified in subsection (b) who has more than 30 years of service as a commissioned officer.

(b) Subsection (a) applies in the case of the following officers:

(1) Any permanent professor of the United States Air Force Academy.

(2) The Director of Admissions of the United States Air Force Academy.

(Aug. 10, 1956, ch. 1041, 70A Stat. 551, § 8920; Pub. L. 104-106, div. A, title V, § 509(b)(1), Feb. 10, 1996, 110 Stat. 298; renumbered § 9320, Pub. L. 115-232, div. A, title VIII, § 806(b)(13), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8920	10:1079a(c) (proviso).	Aug. 7, 1947, ch. 512, § 520(c) (proviso), 61 Stat. 912.

The word “retire” is substituted for the words “direct the retirement of”. The words “as a commissioned officer” are substituted for the word “commissioned”.

PRIOR PROVISIONS

A prior section 9320 was renumbered section 9420 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8920 of this title as this section.

1996—Pub. L. 104-106 substituted “permanent professors and the Director of Admissions” for “professors” in section catchline and amended text generally. Prior to amendment, text read as follows: “The Secretary of the Air Force may retire any permanent professor of the United States Air Force Academy who has more than 30 years of service as a commissioned 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.

§ 9321. Mandatory retirement: Superintendent of the United States Air Force Academy; waiver authority

(a) MANDATORY RETIREMENT.—Upon the termination of the detail of an officer to the position of Superintendent of the United States Air Force Academy, the Secretary of the Air Force shall retire the officer under any provision of this chapter under which the officer is eligible to retire.

(b) WAIVER AUTHORITY.—The Secretary of Defense may waive the requirement in subsection (a) for good cause. In each case in which such a waiver is granted for an officer, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification of the waiver, with a statement of the reasons supporting the decision that the officer not retire, and a written notification of the intent of the President to nominate the officer for reassignment.

(Added Pub. L. 106-65, div. A, title V, § 532(a)(3)(A), Oct. 5, 1999, 113 Stat. 603, § 8921; amended Pub. L. 108-375, div. A, title V, § 541(a)(3), (c)(3)(A), Oct. 28, 2004, 118 Stat. 1902, 1904; renumbered § 9321, Pub. L. 115-232, div. A, title VIII, § 806(b)(13), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8921 of this title as this section.

2004—Pub. L. 108-375 inserted “; waiver authority” after “Academy” in section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

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.

APPLICATION OF SECTION TO SUPERINTENDENTS SERVING ON OCTOBER 5, 1999

Section not applicable to an officer serving on Oct. 5, 1999, in the position of Superintendent of the United