

2006—Subsec. (c). Pub. L. 109-364, §503(e)(1), substituted “62” for “60”.

Subsec. (d). Pub. L. 109-364, §503(e)(2), substituted “64” for “62”.

1997—Subsec. (c). Pub. L. 105-85 substituted “not later than the last day of the month in which the officer becomes 60 years of age” for “not later than the date on which the officer becomes 60 years of age”.

1996—Subsecs. (c), (d). Pub. L. 104-106 struck out “this” after “from an active status under”.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of this title.

#### EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as a note under section 10001 of this title.

### § 14509. Separation at age 62: reserve officers in grades below brigadier general or rear admiral (lower half)

Each reserve officer of the Army, Navy, Air Force, or Marine Corps in a grade below brigadier general or rear admiral (lower half) who has not been recommended for promotion to the grade of brigadier general or rear admiral (lower half) and is not a member of the Retired Reserve shall, on the last day of the month in which that officer becomes 62 years of age, be separated in accordance with section 14515 of this title.

(Added Pub. L. 103-337, div. A, title XVI, §1611, Oct. 5, 1994, 108 Stat. 2952; amended Pub. L. 109-364, div. A, title V, §503(c), Oct. 17, 2006, 120 Stat. 2178.)

#### AMENDMENTS

2006—Pub. L. 109-364 substituted “62” for “60” in section catchline and text.

#### EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as a note under section 10001 of this title.

### § 14510. Separation at age 62: brigadier generals and rear admirals (lower half)

Unless retired, transferred to the Retired Reserve, or discharged at an earlier date, each reserve officer of the Army, Air Force, or Marine Corps in the grade of brigadier general who has not been recommended for promotion to the grade of major general, and each reserve rear admiral (lower half) of the Navy who has not been recommended for promotion to the grade of rear admiral, except an officer covered by section 14512 of this title, shall be separated in accordance with section 14515 of this title on the last day of the month in which the officer becomes 62 years of age.

(Added Pub. L. 103-337, div. A, title XVI, §1611, Oct. 5, 1994, 108 Stat. 2952; amended Pub. L. 109-364, div. A, title V, §503(b), Oct. 17, 2006, 120 Stat. 2178.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3843(a) and 8843 of this title, prior to repeal by Pub. L. 103-337, §1629(a)(3), (c)(3).

#### AMENDMENTS

2006—Pub. L. 109-364 substituted “age 62: brigadier generals” for “age 60: reserve brigadier generals” in section catchline and “62” for “60” in text.

#### EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as a note under section 10001 of this title.

### § 14511. Separation at age 64: officers in grade of major general or rear admiral and above

(a) SEPARATION REQUIRED.—Unless retired, transferred to the Retired Reserve, or discharged at an earlier date, each reserve officer of the Army, Air Force, or Marine Corps in the grade of major general or above and each reserve officer of the Navy in the grade of rear admiral or above shall be separated in accordance with section 14515 of this title on the last day of the month in which the officer becomes 64 years of age.

(b) EXCEPTION FOR OFFICERS SERVING IN O-9 AND O-10 POSITIONS.—The retirement of a reserve officer of the Army, Air Force, or Marine Corps in the grade of lieutenant general or general, or a reserve officer of the Navy in the grade of vice admiral or admiral, under subsection (a) may be deferred—

(1) by the President, but such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age; or

(2) by the Secretary of Defense, but such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 66 years of age.

(c) EXCEPTION FOR OFFICERS HOLDING CERTAIN OFFICES.—This section does not apply to an officer covered by section 14512 of this title.

(Added Pub. L. 103-337, div. A, title XVI, §1611, Oct. 5, 1994, 108 Stat. 2953; amended Pub. L. 109-364, div. A, title V, §503(a), Oct. 17, 2006, 120 Stat. 2178; Pub. L. 110-181, div. A, title XVIII, §1825(a)(1), Jan. 28, 2008, 122 Stat. 501.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3844 and 8844 of this title, prior to repeal by Pub. L. 103-337, §1629(a)(3), (c)(3).

#### AMENDMENTS

2008—Pub. L. 110-181 amended section generally. Prior to amendment, text read as follows: “Unless retired, transferred to the Retired Reserve, or discharged at an earlier date, each reserve officer of the Army, Air Force, or Marine Corps in the grade of major general and each reserve officer of the Navy in the grade of rear admiral, except an officer covered by section 14512 of this title, shall be separated in accordance with section 14515 of this title on the last day of the month in which the officer becomes 64 years of age.”

2006—Pub. L. 109-364 substituted “64” for “62” in section catchline and text.

#### EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1691(b)(1) of Pub. L. 103-337, set out as a note under section 10001 of this title.

### § 14512. Separation at age 66: officers holding certain offices

(a) ARMY AND AIR FORCE.—(1) Unless retired, transferred to the Retired Reserve, or dis-