

RESERVE FORCES READINESS

Pub. L. 98-525, title V, §552(a)-(e), (g), Oct. 19, 1984, 98 Stat. 2530, as amended by Pub. L. 103-337, div. A, title XVI, §1661(a)(3)(B), Oct. 5, 1994, 108 Stat. 2980, provided that:

“(a)(1) The Secretary of Defense shall conduct a review of the various systems used to measure the readiness of reserve units of the Armed Forces and shall implement a measurement system for the active and reserve components of the Armed Forces to provide an objective and uniform evaluation of the readiness of all units of the Armed Forces. The measurement system should be designed to produce information adequate to provide comparisons concerning the readiness of all units. The system for evaluation of the readiness of a unit of an active component should incorporate the performance of any unit of a reserve component affiliated with the active component unit, including the effect of the reserve component unit on the mobilization capability of the active component unit.

“(2) Not later than March 31, 1985, the Secretary shall submit a report to the Committees on Armed Services of the Senate and House of Representatives describing the results of the review under paragraph (1) and the measurement system implemented in accordance with that paragraph.

“(b)(1) The Secretary of Defense, acting through the Assistant Secretary of Defense for Reserve Affairs [now Assistant Secretary of Defense for Manpower and Reserve Affairs], shall conduct a study to evaluate the feasibility of allocating equipment to units of reserve components based on a measure of effectiveness of such units. The study should consider the effects of allocating equipment by comparing units with similar deployment times and similar capabilities in terms of training and equipment rather than by comparing all reserve component units with each other. The study should be integrated with an evaluation of the system for measuring unit effectiveness to be implemented in accordance with subsection (a).

“(2) As part of the report under subsection (a)(2), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study carried out under paragraph (1).

“(c) It is the sense of Congress that the number of members of the Army Reserve and of the Army National Guard assigned to full-time manning duty should be increased to 14 percent of the total membership of the Army Reserve and of the Army National Guard, respectively, by fiscal year 1989.

“(d)(1)(A) The Secretary of Defense, acting through the Assistant Secretary of Defense for Reserve Affairs [now Assistant Secretary of Defense for Manpower and Reserve Affairs], shall conduct a study of the benefits of a longer training program for certain units of the reserve components and shall conduct a test of such a program. The test program should begin at the earliest realistic date.

“(B) In developing training programs for the reserve components, the Secretary shall give increased attention to innovative training technologies, techniques, and schedules that recognize the limitations on time and the geographic dispersion of the reserve components.

“(2) Not later than March 31, 1985, the Secretary shall submit a report to the Committees on Armed Services of the Senate and House of Representatives describing the study under paragraph (1).

“(e) [Repealed. Pub. L. 103-337, div. A, title XVI, §1661(a)(3)(B), Oct. 5, 1994, 108 Stat. 2980.]

“(g) This section does not apply to the Coast Guard.”

§ 12002. Authorized strengths: Army and Air Force reserve components, exclusive of members on active duty

(a) The authorized strengths of the National Guard and the reserve components of the Army

and the Air Force, exclusive of members who are included in the strengths authorized for members of the Army and Air Force, respectively, on active duty, are as follows:

Army National Guard and the Army National Guard of the United States	600,000
Air Force Reserve	980,000
Air National Guard and the Air National Guard of the United States	150,000
Air Force Reserve	500,000.

(b) The strength authorized by this section for the Army National Guard and the Army National Guard of the United States, and the strength authorized by this section for the Air National Guard and the Air National Guard of the United States, shall be allocated among the States.

(Added Pub. L. 103-337, div. A, title XVI, §1662(a)(1), Oct. 5, 1994, 108 Stat. 2983.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3222, 3225, 8222, and 8225 of this title, prior to repeal by Pub. L. 103-337, §1662(a)(3).

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 12003. Authorized strengths: commissioned officers in an active status

(a) The authorized strengths of the Army, Navy, Air Force, and Marine Corps in reserve commissioned officers, other than commissioned warrant officers and officers on an active-duty list, in an active status are as follows:

Army	275,000
Air Force	200,000
Navy	150,000
Marine Corps	24,500.

(b) The authorized strengths prescribed by subsection (a) may not be exceeded unless—

(1) the Secretary concerned determines that a greater number is necessary for planned mobilization requirements; or

(2) the excess results directly from the operation of a nondiscretionary provision of law.

(Added Pub. L. 103-337, div. A, title XVI, §1662(a)(1), Oct. 5, 1994, 108 Stat. 2984.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3217, 5414, and 8217 of this title, prior to repeal by Pub. L. 103-337, §1662(a)(3).

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 12004. Strength in grade: reserve general and flag officers in an active status

(a) The authorized strengths of the Army, Air Force, and Marine Corps in reserve general officers in an active status, and the authorized strength of the Navy in reserve officers in the grades of rear admiral (lower half) and rear admiral in an active status, are as follows:

Army	207
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Air Force	157
Navy	48
Marine Corps	10.

(b) The following Army and Air Force reserve officers shall not be counted for purposes of this section:

(1) Those serving as adjutants general or assistant adjutants general of a State.

(2) Those serving in the National Guard Bureau.

(3) Those counted under section 526 of this title.

(4) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the armed force concerned by subsection (a).

(c)(1) The following Navy reserve officers shall not be counted for purposes of this section:

(A) Those counted under section 526 of this title.

(B) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the Navy in subsection (a).

(2) Not more than 50 percent of the officers in an active status authorized under this section for the Navy may serve in the grade of rear admiral.

(d) The following Marine Corps reserve officers shall not be counted for purposes of this section:

(1) Those counted under section 526 of this title.

(2) Those serving in a joint duty assignment for purposes of chapter 38 of this title, except that the number of officers who may be excluded under this paragraph may not exceed the number equal to 20 percent of the number of officers authorized for the Marine Corps in subsection (a).

(e)(1) A reserve general officer of the Army or Air Force may not be reduced in grade because of a reduction in the number of general officers authorized under subsection (a).

(2) An officer of the Navy Reserve or the Marine Corps Reserve may not be reduced in permanent grade because of a reduction in the number authorized by this section for his grade.

(f) The limitations in subsection (a) do not apply to an officer released from a joint duty assignment or other non-joint active duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty or other active duty assignment. The Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, except that not more than three officers in an active status from each reserve component may be covered by an extension under this sentence at the same time.

(Added Pub. L. 103-337, div. A, title XVI, §1662(a)(1), Oct. 5, 1994, 108 Stat. 2984; amended Pub. L. 104-106, div. A, title XV, §1501(b)(9), Feb. 10, 1996, 110 Stat. 496; Pub. L. 105-261, div. A, title

IV, §415, Oct. 17, 1998, 112 Stat. 1998; Pub. L. 109-163, div. A, title V, §§512, 515(b)(1)(EE), Jan. 6, 2006, 119 Stat. 3232, 3233; Pub. L. 110-417, [div. A], title V, §526, Oct. 14, 2008, 122 Stat. 4448; Pub. L. 111-84, div. A, title V, §502(h), Oct. 28, 2009, 123 Stat. 2276; Pub. L. 111-383, div. A, title V, §511, Jan. 7, 2011, 124 Stat. 4210.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3218, 5457(a), 5458(a), and 8218 of this title, prior to repeal by Pub. L. 103-337, §1662(a)(3).

AMENDMENTS

2011—Subsec. (c)(2) to (5). Pub. L. 111-383 redesignated par. (4) as (2) and struck out former pars. (2), (3), and (5). Former pars. (2) and (3) specified the distribution of Navy reserve officers authorized by subsection (a), and former par. (5) specified the Medical Department staff corps for purposes of par. (1).

2009—Subsec. (f). Pub. L. 111-84 added subsec. (f).

2008—Subsec. (b)(4). Pub. L. 110-417, §526(a), added par. (4).

Subsec. (c). Pub. L. 110-417, §526(b), added par. (1), redesignated former pars. (1) to (4) as (2) to (5), respectively, and in introductory provisions of par. (2) substituted "Of the number of Navy reserve officers authorized by subsection (a), 40 are distributed among the line and staff corps as follows:" for "The authorized strength of the Navy under subsection (a) is exclusive of officers counted under section 526 of this title. Of the number authorized under subsection (a), 40 are distributed among the line and the staff corps as follows:"

Subsec. (d). Pub. L. 110-417, §526(c), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "The authorized strength of the Marine Corps under subsection (a) is exclusive of those counted under section 526 of this title."

2006—Subsec. (c)(1). Pub. L. 109-163, §512(a), (b), (d), substituted "40" for "39" in introductory provisions and "33" for "28" and "5" for "9" in table.

Subsec. (c)(2)(A). Pub. L. 109-163, §512(c), substituted "six" for "seven".

Subsec. (e)(2). Pub. L. 109-163, §515(b)(1)(EE), substituted "Navy Reserve" for "Naval Reserve".

1998—Subsec. (c)(1). Pub. L. 105-261, §415(1), in table, inserted item relating to Medical Department staff corps and struck out items relating to Medical Corps, Dental Corps, Nurse Corps, and Medical Service Corps.

Subsec. (c)(4). Pub. L. 105-261, §415(2), added par. (4).

1996—Subsec. (a). Pub. L. 104-106 substituted "active status, are" for "active-status, are".

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 Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 12005. Strength in grade: commissioned officers in grades below brigadier general or rear admiral (lower half) in an active status

(a)(1) Subject to paragraph (2), the authorized strength of the Army and the Air Force in reserve commissioned officers in an active status in each grade named in paragraph (2) is as prescribed by the Secretary of the Army or the Secretary of the Air Force, respectively. A vacancy in any grade may be filled by an authorized appointment in any lower grade.