

agreement, including an agreement made before or at the time when the member entered upon a program authorized by an armed force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 25, §595; Pub. L. 96-513, title V, §511(17), Dec. 12, 1980, 94 Stat. 2921; renumbered §12208, Pub. L. 103-337, div. A, title XVI, §1662(c)(2), Oct. 5, 1994, 108 Stat. 2990; Pub. L. 114-328, div. A, title X, §1081(b)(1)(A)(ix), Dec. 23, 2016, 130 Stat. 2418.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
595(a)	50:929(a) (less 2d sentence, less applicability to enlistments).	July 9, 1952, ch. 608, §209 (less applicability to enlistments), 66 Stat. 484.
595(b)	50:929(a) (2d sentence, and less applicability to enlistments).	
595(c)	50:929(b) (less applicability to enlistments).	

In subsection (a), the words “is entitled * * * to be appointed as an officer of any armed force that he chooses” are substituted for the words “shall be permitted to * * * accept an appointment in such armed force of the United States as he may elect”. The last sentence is substituted for 50:929(a) (words within parentheses). The words “of an armed force of the United States” are omitted as surplusage.

In subsection (b), the word “rest” is substituted for the words “remaining period”. The words “be required to” are omitted as surplusage.

In subsection (c), the words “This section does not” are substituted for the words “Nothing in this section shall be construed”. The word “change” is substituted for the words “reduce, limit, or modify”. The words “which any person may undertake to perform” are omitted as surplusage.

REFERENCES IN TEXT

The Military Selective Service Act, referred to in subsec. (a), is title I of act June 24, 1948, ch. 625, 62 Stat. 604, which is classified principally to chapter 49 (§3801 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see References in Text note set out under section 3801 of Title 50 and Tables.

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-328 substituted “(50 U.S.C. 3801 et seq.)” for “(50 U.S.C. App. 451 et seq.)” in two places.

1994—Pub. L. 103-337 renumbered section 595 of this title as this section.

1980—Subsec. (a). Pub. L. 96-513 substituted “the Military Selective Service Act (50 U.S.C. App. 451 et seq.)” for “sections 451-473 of title 50, appendix” wherever appearing.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 12209. Officer candidates: enlisted Reserves

(a) Within such numbers as the Secretary concerned may prescribe, enlisted Reserves may, with their consent, be selected for training as officer candidates. Enlisted Reserves so selected shall be designated as officer candidates during that training. However, no member of the Army National Guard of the United States or the Air National Guard of the United States may be so selected or designated unless—

- (1) he is on active duty; or
- (2) the governor or other appropriate authority of the jurisdiction concerned consents.

(b) The enlistment or term of service of a Reserve who is designated as an officer candidate under this section is extended to include any period, beyond its normal expiration date, during which he is an officer candidate.

(c) While he is on active duty, other than active duty for training without pay, or performing authorized travel to and from that duty, an officer candidate designated under this section is entitled to the pay and allowances of his enlisted grade, but not less than those prescribed for pay grade E-2.

(d) An officer candidate designated under this section may not participate in the program of a reserve officer training corps of any armed force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 26, §600; renumbered §12209, Pub. L. 103-337, div. A, title XVI, §1662(c)(3), Oct. 5, 1994, 108 Stat. 2990; Pub. L. 104-106, div. A, title XV, §1501(b)(12)(A), Feb. 10, 1996, 110 Stat. 496.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
600(a)	50:935(a).	July 9, 1952, ch. 608, §§215(a), 230, 242, 66 Stat. 486, 489, 492.
600(b)	50:954(a).	
600(c)	50:973.	
600(d)	50:954(b).	

In subsection (a), the words “who is not in active Federal service” are substituted for the words “when not in the active military service of the United States”. The word “during” is substituted for the words “for the period of”.

In subsection (c), the words “active duty other than active duty for training without pay” are substituted for the words “active duty or active duty for training with pay”. The words “enlisted members of the reserve components designated as”, “enlisted”, and “under the Career Compensation Act of 1949, as amended” are omitted as surplusage.

AMENDMENTS

1996—Pub. L. 104-106 substituted “candidates: enlisted Reserves” for “candidates” in section catchline.

1994—Pub. L. 103-337 renumbered section 600 of this title as this section.

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.

§ 12210. Attending Physician to the Congress: reserve grade

While serving as Attending Physician to the Congress, a Reserve holds the reserve grade of major general or rear admiral, as appropriate.

(Added Pub. L. 99-661, div. A, title V, §508(d)(1)(A), Nov. 14, 1986, 100 Stat. 3867, §600a; renumbered §12210, Pub. L. 103-337, div. A, title XVI, §1662(c)(3), Oct. 5, 1994, 108 Stat. 2990; amended Pub. L. 104-106, div. A, title XV, §1501(b)(12)(B), Feb. 10, 1996, 110 Stat. 496; Pub. L. 109-364, div. A, title V, §507(a)(2)(A), (B), Oct. 17, 2006, 120 Stat. 2180.)

AMENDMENTS

2006—Pub. L. 109-364 struck out “while so serving” after “reserve grade” in section catchline and sub-