

of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

FINDINGS

Pub. L. 107-314, div. A, title V, § 543(a), Dec. 2, 2002, 116 Stat. 2549, provided that: “Congress makes the following findings:

“(1) More than 40,000 members of the United States Armed Forces have served in the Republic of Korea or the waters adjacent thereto each year since the signing of the cease-fire agreement in July 1953 ending the Korean War.

“(2) An estimated 1,200 members of the United States Armed Forces have died as a direct result of their service in Korea since the cease-fire agreement in July 1953.”

AWARD FOR SERVICE BEFORE DATE OF ENACTMENT

Pub. L. 107-314, div. A, title V, § 543(e), Dec. 2, 2002, 116 Stat. 2550, provided that: “The Secretary of the military department concerned shall take appropriate steps to provide in a timely manner for the issuance of the Korea Defense Service Medal, upon application therefor, to persons whose eligibility for that medal is by reason of service in the Republic of Korea or the waters adjacent thereto before the date of the enactment of this Act [Dec. 2, 2002].”

CHAPTER 741—RETIREMENT FOR LENGTH OF SERVICE

Sec.

7311. Twenty years or more: regular or reserve commissioned officers.
7314. Twenty to thirty years: enlisted members.
7317. Thirty years or more: regular enlisted members.
7318. Thirty years or more: regular commissioned officers.
7320. More than thirty years: permanent professors and the Director of Admissions of the United States Military Academy.
7321. Mandatory retirement: Superintendent of the United States Military Academy; waiver authority.
7324. Forty years or more: Army officers.
7325. Computation of years of service: voluntary retirement; enlisted members.
7326. Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
7329. Computation of retired pay: law applicable.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(2)(B), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 367 of this title as this chapter and items 3911, 3914, 3917, 3918, 3920, 3921, 3924 to 3926, and 3929 as 7311, 7314, 7317, 7318, 7320, 7321, 7324 to 7326, and 7329, respectively.

2004—Pub. L. 108-375, div. A, title V, § 541(c)(1)(B), Oct. 28, 2004, 118 Stat. 1904, inserted “; waiver authority” after “Academy” in item 3921.

1999—Pub. L. 106-65, div. A, title V, § 532(a)(4)(A), Oct. 5, 1999, 113 Stat. 603, added item 3921.

1996—Pub. L. 104-106, div. A, title V, § 509(a)(2), Feb. 10, 1996, 110 Stat. 298, substituted “permanent professors and the Director of Admissions of the United States Military Academy” for “permanent professors of United States Military Academy” in item 3920.

1981—Pub. L. 97-22, § 10(b)(5), July 10, 1981, 95 Stat. 137, struck out item 3922 “Thirty years or five years in grade: regular brigadier generals”.

1980—Pub. L. 96-513, title V, § 502(16), Dec. 12, 1980, 94 Stat. 2910, struck out item 3913 “Twenty years or more: deferred officers not recommended for promotion”, item 3916 “Twenty-eight years: promotion-list lieutenant colonels”, item 3919 “Thirty years or more: regular

commissioned officers; excessive number”, item 3921 “Thirty years or five years in grade: promotion-list colonels”, item 3923 “Thirty-five years or five years in grade: regular major generals”, and item 3927 “Computation of years of service: mandatory retirement; regular commissioned officers”.

Pub. L. 96-343, § 9(a)(3), Sept. 8, 1980, 94 Stat. 1128, struck out “regular” before “enlisted members” in items 3914 and 3925.

1967—Pub. L. 90-130, § 1(13), Nov. 8, 1967, 81 Stat. 376, struck out item 3915 “Twenty-five years: regular majors; Women’s Army Corps, Army Nurse Corps and Army Medical Specialist Corps”.

1957—Pub. L. 85-155, title I, § 101(20), title IV, § 401(3), Aug. 21, 1957, 71 Stat. 380, 390, included the Army Nurse Corps and the Army Medical Specialist Corps within item 3915, and struck out item 3912 “Twenty years or more: regular commissioned officers; Army Nurse Corps and Women’s Medical Specialist Corps” and item 3928 “Computation of years of service: voluntary retirement; regular commissioned officers; Army Nurse Corps and Women’s Medical Specialist Corps”.

§ 7311. Twenty years or more: regular or reserve commissioned officers

(a) The Secretary of the Army may, upon the officer’s request, retire a regular or reserve commissioned officer of the Army who has at least 20 years of service computed under section 7326 of this title, at least 10 years of which have been active service as a commissioned officer.

(b)(1) The Secretary of Defense may authorize the Secretary of the Army, during the period specified in paragraph (2), to reduce the requirement under subsection (a) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary of the Army) of not less than eight years.

(2) The period specified in this paragraph is the period beginning on January 7, 2011, and ending on September 30, 2018.

(Aug. 10, 1956, ch. 1041, 70A Stat. 224, § 3911; Pub. L. 101-510, div. A, title V, § 523(a), Nov. 5, 1990, 104 Stat. 1562; Pub. L. 103-160, div. A, title V, § 561(c), Nov. 30, 1993, 107 Stat. 1667; Pub. L. 105-261, div. A, title V, § 561(e), Oct. 17, 1998, 112 Stat. 2025; Pub. L. 106-398, § 1 [[div. A], title V, § 571(e)], Oct. 30, 2000, 114 Stat. 1654, 1654A-134; Pub. L. 109-163, div. A, title V, § 502(a), Jan. 6, 2006, 119 Stat. 3225; Pub. L. 109-364, div. A, title X, § 1071(a)(27), Oct. 17, 2006, 120 Stat. 2399; Pub. L. 111-383, div. A, title V, § 506(a), Jan. 7, 2011, 124 Stat. 4210; Pub. L. 112-239, div. A, title V, § 505(a), title X, § 1076(e)(6), Jan. 2, 2013, 126 Stat. 1715, 1951; renumbered § 7311 and amended Pub. L. 115-232, div. A, title VIII, §§ 808(b)(12), 809(a), Aug. 13, 2018, 132 Stat. 1838, 1840.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3911	10:943a. 10:971b (1st 100 words).	July 31, 1935, ch. 422, § 5 (1st 101 words); re-stated June 13, 1940, ch. 344, § 3 (1st 45 words), 54 Stat. 380; June 29, 1948, ch. 708, § 202 (1st 105 words), 62 Stat. 1084; July 16, 1953, ch. 203, 67 Stat. 175.

The words “a regular or reserve commissioned officer of the Army” are substituted for the words “any officer on the active list of the Regular Army * * * or any officer of the reserve components of the Army of the United States”. The words “Philippine Scouts” are