

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.

**§ 12010. Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result**

When there is a fraction in the final result of any computation under this chapter for the Navy Reserve or the Marine Corps Reserve, a fraction of one-half or more is counted as one, and a fraction of less than one-half is disregarded.

(Added Pub. L. 103-337, div. A, title XVI, §1662(a)(1), Oct. 5, 1994, 108 Stat. 2987; amended Pub. L. 109-163, div. A, title V, §515(b)(1)(GG), (3)(I), Jan. 6, 2006, 119 Stat. 3233, 3234.)

**Editorial Notes**

**PRIOR PROVISIONS**

Provisions similar to those in this section were contained in section 5454 of this title, prior to repeal by Pub. L. 103-337, §1662(a)(3).

**AMENDMENTS**

2006—Pub. L. 109-163, §515(b)(3)(I), substituted “Navy Reserve” for “Naval Reserve” in section catchline.

Pub. L. 109-163, §515(b)(1)(GG), substituted “Navy Reserve” for “Naval Reserve” in text.

**Statutory Notes and Related Subsidiaries**

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.

**§ 12011. Authorized strengths: reserve officers on active duty or on full-time National Guard duty for administration of the reserves or the National Guard**

(a) LIMITATIONS.—(1) Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of major, lieutenant colonel, and colonel may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel
<b>Army Reserve:</b>			
10,000 .....	1,390	740	230
11,000 .....	1,529	803	242
12,000 .....	1,668	864	252
13,000 .....	1,804	924	262
14,000 .....	1,940	984	272
15,000 .....	2,075	1,044	282
16,000 .....	2,210	1,104	291
17,000 .....	2,345	1,164	300
18,000 .....	2,479	1,223	309
19,000 .....	2,613	1,282	318
20,000 .....	2,747	1,341	327
21,000 .....	2,877	1,400	336

Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel

<b>Army National Guard:</b>			
20,000 .....	1,500	850	325
22,000 .....	1,650	930	350
24,000 .....	1,790	1,010	378
26,000 .....	1,930	1,085	395
28,000 .....	2,070	1,168	420
30,000 .....	2,200	1,245	445
32,000 .....	2,330	1,315	460
34,000 .....	2,450	1,385	470
36,000 .....	2,570	1,455	480
38,000 .....	2,670	1,527	490
40,000 .....	2,770	1,590	500
42,000 .....	2,837	1,655	505

<b>Marine Corps Reserve:</b>			
1,000 .....	99	63	20
1,200 .....	103	67	21
1,300 .....	107	70	22
1,400 .....	111	73	23
1,500 .....	114	76	24
1,600 .....	117	79	25
1,700 .....	120	82	26
1,800 .....	123	85	27
1,900 .....	126	88	28
2,000 .....	129	91	29
2,100 .....	132	94	30
2,200 .....	134	97	31
2,300 .....	136	100	32
2,400 .....	143	105	34
2,500 .....	149	109	35
2,600 .....	155	113	36
2,700 .....	161	118	37
2,800 .....	167	122	39
2,900 .....	173	126	41
3,000 .....	179	130	42

<b>Air Force Reserve:</b>			
1,000 .....	166	170	100
1,500 .....	245	251	143
2,000 .....	322	330	182
2,500 .....	396	406	216
3,000 .....	467	479	246
3,500 .....	536	550	271
4,000 .....	602	618	292
4,500 .....	665	683	308
5,000 .....	726	746	320
5,500 .....	784	806	325
6,000 .....	840	864	327
7,000 .....	962	990	347
8,000 .....	1,087	1,110	356
10,000 .....	1,322	1,362	395

<b>Air National Guard:</b>			
10,000 .....	763	745	333
12,000 .....	915	923	377
14,000 .....	1,065	1,057	402
16,000 .....	1,211	1,185	426
18,000 .....	1,347	1,313	450
20,000 .....	1,463	1,440	468
22,000 .....	1,606	1,569	494
24,000 .....	1,739	1,697	517
26,000 .....	1,872	1,825	539
28,000 .....	2,005	1,954	562
30,000 .....	2,138	2,082	585
32,000 .....	2,271	2,210	608
34,000 .....	2,404	2,338	630
36,000 .....	2,537	2,466	653
38,000 .....	2,670	2,595	676

Total number of members of a reserve component serving on full-time reserve component duty:	Number of officers of that reserve component who may be serving in the grade of:		
	Major	Lieutenant Colonel	Colonel
40,000 .....	2,803	2,723	698

(2) Of the total number of members of the Navy Reserve who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Total number of members of Navy Reserve serving on full-time reserve component duty:	Number of officers who may be serving in the grade of:		
	Lieutenant commander	Commander	Captain
10,000 .....	807	447	141
11,000 .....	867	467	153
12,000 .....	924	485	163
13,000 .....	980	503	173
14,000 .....	1,035	521	183
15,000 .....	1,088	538	193
16,000 .....	1,142	555	203
17,000 .....	1,195	565	213
18,000 .....	1,246	575	223
19,000 .....	1,291	585	233
20,000 .....	1,334	595	242
21,000 .....	1,364	603	250
22,000 .....	1,384	610	258
23,000 .....	1,400	615	265
24,000 .....	1,410	620	270.

(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in that table at the same proportion as is reflected in the nearest limit shown in the table.

(c) REALLOCATIONS TO LOWER GRADES.—Whenever the number of officers serving in any grade for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.

(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve officers that may be on full-time reserve component duty for a reserve component in a grade referred

to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.

(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term “full-time reserve component duty” means the following duty:

(1) Active duty described in sections 10211, 10302, 10303, 10304, 10305, 12310, or 12402 of this title.

(2) Full-time National Guard duty (other than for training) under section 502(f) of title 32, except for duty under section 115(b)(1)(B) and (C) of this title and section 115(i)(9) of this title.

(3) Active duty described in section 708 of title 32.

(Added Pub. L. 96-513, title I, §103, Dec. 12, 1980, 94 Stat. 2844, §524; amended Pub. L. 97-86, title V, §503(b), Dec. 1, 1981, 95 Stat. 1108; Pub. L. 97-252, title V, §503(b), Sept. 8, 1982, 96 Stat. 727; Pub. L. 98-94, title V, §503(b), Sept. 24, 1983, 97 Stat. 631; Pub. L. 98-525, title IV, §§413(b), 414(a)(4)(A), (B)(i), Oct. 19, 1984, 98 Stat. 2518, 2519; Pub. L. 99-145, title IV, §413(b), Nov. 8, 1985, 99 Stat. 619; Pub. L. 100-180, div. A, title IV, §413(b), Dec. 4, 1987, 101 Stat. 1083; Pub. L. 101-189, div. A, title IV, §413(b), Nov. 29, 1989, 103 Stat. 1433; Pub. L. 102-190, div. A, title IV, §413(b), Dec. 5, 1991, 105 Stat. 1352; Pub. L. 103-160, div. A, title IV, §413(b), Nov. 30, 1993, 107 Stat. 1642; renumbered §12011 and amended Pub. L. 103-337, div. A, title XVI, §1662(a)(2), Oct. 5, 1994, 108 Stat. 2988; Pub. L. 104-106, div. A, title IV, §414(a), Feb. 10, 1996, 110 Stat. 288; Pub. L. 105-261, div. A, title IV, §414(a), Oct. 17, 1998, 112 Stat. 1998; Pub. L. 106-65, div. A, title IV, §414(a), Oct. 5, 1999, 113 Stat. 586; Pub. L. 106-398, §1 [div. A], title IV, §§415(a), 421(b), 424(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-94 to 1654A-96; Pub. L. 107-107, div. A, title IV, §415(a), Dec. 28, 2001, 115 Stat. 1070; Pub. L. 108-375, div. A, title IV, §416(h), Oct. 28, 2004, 118 Stat. 1869; Pub. L. 109-163, div. A, title V, §515(b)(1)(HH), Jan. 6, 2006, 119 Stat. 3233; Pub. L. 110-417, [div. A], title V, §512(a), (b), Oct. 14, 2008, 122 Stat. 4439, 4440; Pub. L. 115-232, div. A, title V, §515(a), Aug. 13, 2018, 132 Stat. 1752; Pub. L. 116-92, div. A, title IV, §§415(a), 416(a), Dec. 20, 2019, 133 Stat. 1337, 1338.)

**Editorial Notes**

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116-92 inserted sections of table relating to the Marine Corps Reserve and Air Force Reserve and struck out corresponding former sections.

2018—Subsec. (a)(1). Pub. L. 115-232 inserted section of table relating to the Air National Guard and struck out corresponding former section.

2008—Subsec. (a)(1). Pub. L. 110-417 inserted sections of table relating to the Army National Guard, Marine Corps Reserve, and Air National Guard, and struck out corresponding former sections.

2006—Subsec. (a)(2). Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve” in introductory provisions and table.

2004—Subsec. (e)(2). Pub. L. 108-375 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “Full-time National Guard duty (other than for training) under section 502(f) of title 32.”

2001—Subsec. (a). Pub. L. 107-107 inserted heading and amended text of subsec. (a) generally. Prior to amendment, text consisted of table setting out maximum number of reserve officers of the Army, Air Force, and Marine Corps who may be on active duty or full-time National Guard duty in each of the grades of major, lieutenant colonel, and colonel, and of the Navy who may be on active duty in each of the grades of lieutenant commander, commander, and captain.

Subsec. (b). Pub. L. 107-107 inserted heading and amended text of subsec. (b) generally. Prior to amendment, text read as follows: “Whenever the number of officers serving in any grade is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.”

Subsec. (c). Pub. L. 107-107 inserted heading and amended text of subsec. (c) generally. Prior to amendment, text read as follows: “Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.”

Subsec. (d). Pub. L. 107-107 inserted heading and amended text of subsec. (d) generally. Prior to amendment, text read as follows: “Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of officers of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.”

Subsec. (e). Pub. L. 107-107 added subsec. (e).

2000—Subsec. (a). Pub. L. 106-398, §1 [[div. A], title IV, §415(a)], amended table generally, increasing the fiscal year limitation on number of reserve officers in the Army in grade of Major or Lieutenant Commander from 3,227 to 3,316, in grade of Lieutenant Colonel or Commander from 1,611 to 1,759, and in grade of Colonel or Navy Captain from 471 to 529, and in the Air Force in grade of Major or Lieutenant Commander from 860 to 948, in grade of Lieutenant Colonel or Commander from 777 to 852, and in grade of Colonel or Navy Captain from 297 to 317.

Subsec. (c). Pub. L. 106-398, §1 [[div. A], title IV, §421(b)], added subsec. (c).

Subsec. (d). Pub. L. 106-398, §1 [[div. A], title IV, §424(a)], added subsec. (d).

1999—Subsec. (a). Pub. L. 106-65 amended table generally, increasing the fiscal year limitation on number of reserve officers in the Army in grade of Major or Lieutenant Commander from 3,219 to 3,227, in grade of Lieutenant Colonel or Commander from 1,524 to 1,611, and in grade of Colonel or Navy Captain from 438 to 471, and in the Air Force in grade of Major or Lieutenant Commander from 791 to 860 and in grade of Lieutenant Colonel or Commander from 713 to 777.

1998—Subsec. (a). Pub. L. 105-261, in table, increased fiscal year limitation on number of reserve officers in the Army in grade of Colonel or Navy Captain from 412 to 438 and in the Air Force in grade of Major or Lieutenant Commander from 643 to 791, in grade of Lieutenant Colonel or Commander from 672 to 713, and in grade of Colonel or Navy Captain from 274 to 297.

1996—Subsec. (a). Pub. L. 104-106, in table, increased fiscal year limitation on number of reserve officers in the Army in grade of Colonel or Navy Captain from 372 to 412, in the Air Force in grade of Major or Lieutenant Commander from 575 to 643 and in grade of Lieutenant Colonel or Commander from 636 to 672, and in the Marine Corps in grade of Major or Lieutenant Commander from 110 to 140, in grade of Lieutenant Colonel or Commander from 75 to 90, and in grade of Colonel or Navy Captain from 25 to 30. All other figures remained unchanged.

1994—Pub. L. 103-337 renumbered section 524 of this title as this section and amended section catchline generally striking out at end “in grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain”.

1993—Subsec. (a). Pub. L. 103-160, in table, increased fiscal year limitation on number of reserve officers in the Air Force in grade of Lieutenant Colonel or Commander from 595 to 636 and in grade of Colonel or Navy Captain from 227 to 274. Army, Navy, and Marine Corps figures remained unchanged.

1991—Subsec. (a). Pub. L. 102-190, in table, increased fiscal year limitation on number of reserve officers in the Army in grade of Colonel or Navy Captain from 364 to 372, and increased such limitation on number of reserve officers in the Air Force in grade of Lieutenant Colonel or Commander from 532 to 595 and in grade of Colonel or Navy Captain from 194 to 227. Navy and Marine Corps figures remained unchanged.

1989—Subsec. (a). Pub. L. 101-189, §413(b)(2), in table, increased fiscal year limitation on number of reserve officers in grade of Major or Lieutenant Commander, Lieutenant Colonel or Commander, and Colonel or Navy Captain who may be on active duty to, respectively: Army, to 3,219, 1,524, and 364 from 3,030, 1,448, and 351; Navy, to 1,071, 520, and 188 from 1,065, 520, and 188; Air Force, to 575, 532, and 194 from 575, 476, and 190. Marine Corps figures remained unchanged.

Pub. L. 101-189, §413(b)(1), in table, increased fiscal year limitation on number of reserve officers in grade of Major or Lieutenant Commander, Lieutenant Colonel or Commander, and Colonel or Navy Captain who may be on active duty to, respectively: Army, to 3,030, 1,448, and 351 from 2,600, 1,250, and 348; Navy, to 1,065, 520, and 188 from 875, 520, and 185; Air Force, to 575, 476, and 190 from 575, 322, and 190. Marine Corps figures remained unchanged.

1987—Subsec. (a). Pub. L. 100-180, §413(b)(2), in table, increased fiscal year limitation on number of reserve officers in grade of Major or Lieutenant Commander, Lieutenant Colonel or Commander, and Colonel or Navy Captain who may be on active duty to, respectively: Army, to 2,600, 1,250, and 348 from 2,550, 1,152, and 348; Navy, to 875, 520, and 185 from 850, 520, and 185; Air Force, to 575, 322, and 190 from 575, 322, and 184; and Marine Corps, to 110, 75, and 25 from 105, 70, and 25.

Pub. L. 100-180, §413(b)(1), in table, changed fiscal year limitation on number of reserve officers in grade of Major or Lieutenant Commander, Lieutenant Colonel or Commander, and Colonel or Navy Captain who may be on active duty to, respectively: Army, to 2,550, 1,152, and 348 from 2,317, 1,152, and 348; Navy, to 850, 520, and 185 from 850, 520, and 177; Air Force, to 575, 322, and 184 from 476, 318, and 189; and Marine Corps, to 105, 70, and 25 from 100, 60, and 25.

1985—Subsec. (a). Pub. L. 99-145 increased fiscal year limitation on number of reserve officers in grade of Major or Lieutenant Commander, Lieutenant Colonel or Commander, and Colonel or Navy Captain who may be on active duty to, respectively: Army, to 2,317, 1,152, and 348 from 2,261, 1,121, and 345; Navy, to 850, 520, and 177 from 823, 520, and 177; Air Force, to 476, 318, and 189, from 471, 293, and 172; and Marine Corps, to 100, 60, and 25 from 100, 50, and 25.

1984—Pub. L. 98-525, §414(a)(4)(B)(i), inserted references to National Guard and to full-time National Guard duty in section catchline.

Subsec. (a). Pub. L. 98-525, §414(a)(4)(A), inserted “or full-time National Guard duty” after “Marine Corps

who may be on active duty” and inserted “or full-time National Guard duty (other than for training) under section 502(f) of title 32”.

Pub. L. 98-525, §413(b), increased fiscal year limitation on number of reserve officers in grade of major or lieutenant commander, lieutenant colonel or commander, and colonel or Navy captain who may be on active duty to, respectively: Army, to 2,261, 1,121, and 345 from 1,948, 967, and 338; Air Force, to 471, 293, and 172 from 408, 303, and 171; Marine Corps, to 100, 50, and 25 from 95, 48, and 23. Figures for the Navy remained unchanged.

1983—Subsec. (a). Pub. L. 98-94 increased fiscal year limitation on number of reserve officers in grade major or lieutenant commander; lieutenant colonel or commander; and colonel or Navy captain who may be on active duty to, respectively: Army, to 1,948, 967, and 338 from 1,351, 671, and 234; Navy, to 823, 520, and 177 from 823, 425, and 177; Air Force, to 408, 303, and 171 from 281, 267, and 170; Marine Corps, to 95, 48, and 23 from 95, 40, and 21.

1982—Subsec. (a). Pub. L. 97-252 increased numbers in columns headed “Army”, “Air Force”, and “Marine Corps” from 1,105, 189, and 51 in line for major or lieutenant commander to 1,351, 281, and 95, respectively, from 551, 194, and 35 in line for lieutenant colonel or commander to 671, 267, and 40, respectively, and from 171, 147, and 19 in line for colonel or Navy captain to 234, 170, and 21, respectively.

1981—Subsec. (a). Pub. L. 97-86 increased numbers in columns headed “Army” and “Air Force” from 821 and 170 in line for major or lieutenant commander to 1,105 and 189, respectively, from 503 and 183 in line for lieutenant colonel or commander to 551 and 194, respectively, and from 163 and 146 in line for colonel or Navy captain to 171 and 147, respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-92, div. A, title IV, §416(b), Dec. 20, 2019, 133 Stat. 1338, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2019, and shall apply with respect to fiscal years beginning on or after that date.”

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-398, §1 [[div. A], title IV, §415(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A-94, provided that: “The amendments made by this section [amending this section and section 12012 of this title] shall take effect on October 1, 2000.”

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-261, div. A, title IV, §414(c), Oct. 17, 1998, 112 Stat. 1998, provided that: “The amendments made by this section [amending this section and section 12012 of this title] shall take effect [sic] on October 1, 1998.”

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-189, div. A, title IV, §413(b)(2), Nov. 29, 1989, 103 Stat. 1433, provided that the amendment made by that section is effective Oct. 1, 1990.

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-180, div. A, title IV, §413(b)(2), Dec. 4, 1987, 101 Stat. 1083, provided that the amendment made by that section is effective Oct. 1, 1988.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-145 effective Oct. 1, 1985, see section 413(c) of Pub. L. 99-145, set out as a note under section 517 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-525 effective Oct. 1, 1984, see section 413(c) of Pub. L. 98-525, set out as a note under section 517 of this title.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 98-94 effective Oct. 1, 1983, see section 503(c) of Pub. L. 98-94, set out as a note under section 517 of this title.

§ 12012. Authorized strengths: senior enlisted members on active duty or on full-time National Guard duty for administration of the reserves or the National Guard

(a) LIMITATIONS.—Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members in each of pay grades of E-8 and E-9 who may be serving on active duty under section 10211 or 12310, or on full-time National Guard duty under the authority of section 502(f) of title 32 (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve components or the National Guard may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Table with 3 columns: Total number of members of a reserve component serving on full-time reserve component duty; Number of members of that reserve component who may be serving in the grade of: E-8; E-9. Rows include Army Reserve (10,000 to 21,000) and Army National Guard (20,000 to 42,000).