

Public Law 86-559

AN ACT

June 30, 1960
[H. R. 8186]

To amend titles 10 and 14, United States Code, with respect to reserve commissioned officers of the Armed Forces.

Armed Forces.
Reserve officers.
72 Stat. 1437.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Section 123(a) is amended to read as follows:

"(a) In time of war, or of national emergency declared by Congress, the President may suspend the operation of any provision of the following sections of this title with respect to any armed force: 281, 592, 1002, 1005, 1006, 1007, 1374, 3217, 3218, 3219, 3220, 3352(a) (last sentence), 3353, 3354, 3359, 3360, 3362, 3363, 3364, 3365, 3366, 3367, 3368, 3369, 3370, 3371, 3375, 3378, 3380, 3382, 3383, 3384, 3385, 3386, 3388, 3389, 3390, 3391, 3392, 3393, 3494, 3571, 3819, 3820(c), 3843, 3844, 3845, 3846, 3847, 3848, 3850, 3851, 3852, 3853, 3854, 3855, 5414, 5457, 5458, 5506, 5600, 5665 5867, 5891, 5892, 5893, 5894, 5895, 5896, 5897, 5898, 5899, 5900, 5901, 5902, 5903, 5904, 5905, 5906, 5907, 5908, 5909, 5910, 5911, 6389, 6391, 6397, 6403, 6410, 8217, 8218, 8219, 8353, 8354, 8358, 8359, 8360, 8361, 8362, 8363, 8365, 8366, 8367, 8368, 8370, 8371, 8372, 8373, 8374, 8375, 8376, 8377, 8378, 8379, 8380, 8381, 8392, 8393, 8494, 8571, 8819, 8843, 8844, 8845, 8846, 8847, 8848, 8850, 8851, 8852, 8853, and 8855."

70A Stat. 10.

(2) Chapter 11 is amended—

Ready Reserve.

(A) by adding the following new sentences at the end of section 269(d): "However, a member of the Retired Reserve who is entitled to retired pay may not be placed in the Ready Reserve unless the Secretary concerned makes a special finding that the member's services in the Ready Reserve are indispensable. The Secretary concerned may not delegate his authority under the preceding sentence:"

(B) by amending section 274 to read as follows:

§ 274. Retired Reserve

"The Retired Reserve consists of Reserves—

63 Stat. 514.

"(1) who are or have been retired under section 3911, 6323, or 8911 of this title or under section 232 of title 14; or

"(2) who—

"(A) have been transferred to it upon their request;

"(B) retain their status as Reserves; and

"(C) are otherwise qualified.";

(C) by adding the following new section after section 280:

§ 281. Adjutants general and assistant adjutants general: reference to other officers of National Guard

"In any case in which, under the laws of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia, an officer of the National Guard of that jurisdiction, other than the adjutant general or an assistant adjutant general, normally performs the duties of that office, the reference in section 1002(c), 3218, 3364, 3370(d), 3392, 3845, 3851, 3852, 8218, 8844, 8845, 8851, or 8852 of this title to the adjutant general or the assistant adjutant general shall be applied to that officer instead of to the adjutant general or assistant adjutant general."; and

(D) by adding the following new item at the end of the analysis:

"281. Adjutants general and assistant adjutants general: reference to other officers of National Guard."

70A Stat. 79.

(3) Chapter 51 is amended—

(A) by striking out the figures "3849," and "8849," in section 1006(e);

(B) by amending section 1007 to read as follows:

"§ 1007. Commissioned officers: retention in active status while assigned to Selective Service System or serving as United States property and fiscal officers

"Notwithstanding chapters 337, 363, 573, 837, and 863 of this title, a reserve commissioned officer, other than a commissioned warrant officer, who is assigned to the Selective Service System or who is a property and fiscal officer appointed, designated, or detailed under section 708 of title 32, may be retained in an active status in that assignment or position until he becomes 60 years of age."; and

(C) by striking out the following item from the analysis:

"1007. Commissioned officers: retention in active status while assigned to Selective Service System."

and inserting the following new item in place thereof:

"1007. Commissioned officers: retention in active status while assigned to Selective Service System or serving as United States property and fiscal officers."

(4) Section 1374(a) is amended by striking out the words "is found to be incapacitated for service because of a physical disability and is transferred to the Retired Reserve", and inserting the following in place thereof: "is transferred to the Retired Reserve, except under section 1002 of this title, because of physical disability or as a result of completing the number of years of service or reaching the age at which his retirement, transfer to the Retired Reserve, or discharge is required by law,".

(5) Section 1402(a) is amended by adding the following new sentence at the end thereof:

"However, a reserve officer who is or has been retired under section 3911, 6323, or 8911 of this title or under section 232 of title 14, may not have his retired pay recomputed under this subsection on the basis of any period of active duty that was of less than six consecutive months' duration or on the basis of any active duty for training."

(6) Section 3212 is amended—

(A) by inserting the words "3383 (except for the grade of colonel)," after the figure "3366,";

(B) by inserting the words "to the extent necessary to allow the appointment of reserve officers, in grades not above lieutenant colonel, to fill prescribed mobilization or active duty requirements" before the period at the end of the first sentence; and

(C) by inserting the words "or not to fill one of those requirements" after the word "sections" in the second sentence.

The amendments made by this clause are effective only until July 1, 1964.

(7) The last sentence of section 3352(a) is amended by striking out the word "regular" and inserting the words "temporary, regular," in place thereof.

(8) Section 3353 is amended—

(A) by striking out the words "and is not already a commissioned officer of an armed force" in subsection (a); and

(B) by adding the following new subsection at the end thereof:

"(d) The Secretary shall report to the Committees on Armed Services of the Senate and House of Representatives by March 1 of each year on the number, categories, and grades of the reserve officers (other than in the Medical Corps or Dental Corps) originally appointed in the reserve grade of captain or above during the preceding calendar year."

72 Stat. 1483.

70 A Stat. 614.

Army.

Report to Congress.

(9) Section 3360(c) (1) (B) is amended to read as follows:

“(B) his years of service before June 15, 1933, as a commissioned officer in the federally recognized National Guard or in a federally recognized commissioned status in the National Guard, and in the National Guard after June 14, 1933, if his service therein was continuous from the date of his Federal recognition as an officer therein to the date of his appointment in the National Guard of the United States, and”.

(10) Section 3362(e) is amended by adding the following new sentence at the end thereof: “Notwithstanding any other provision of law, a board that is to recommend officers for promotion whom it considers to be the best qualified may recommend only those officers whom it also considers to be fully qualified.”

(11) Section 3363(f) is amended by striking out the words “who is not assigned to a unit organized to serve as a unit, and” in the last sentence thereof.

(12) Section 3364 is amended—

(A) by amending the catchline to read as follows:

“§ 3364. Commissioned officers: selection for promotion; order of promotion; zone of consideration list; declination of promotion”; and

(B) by adding the following new subsections at the end thereof:

“(e) Notwithstanding any other provision of this title, a reserve commissioned officer who has been in an inactive status may not be considered for promotion until at least one year after the date on which he is returned to an active status.

“(f) An officer of an Army Reserve unit organized to serve as a unit may decline a promotion under section 3366 or 3367 of this title if the Secretary of the Army, or an officer designated by him, approves that action as being in the best interests of the Army.

“(g) An officer of the Army National Guard of the United States may decline a promotion under section 3366 or 3367 of this title if the governor or other appropriate authority of the State, Territory, Puerto Rico, the Canal Zone, or the commanding general of the District of Columbia National Guard, whichever is concerned, approves that action.

“(h) If an officer declines a promotion under subsection (f) or (g), his name shall be retained on the appropriate promotion list for a period of not more than three years from the date he was selected for promotion to the grade concerned unless—

“(1) in the case of an officer of the Army Reserve, he is appointed to the grade for which he was selected or his name is removed from that list under another provision of law; and

“(2) in the case of an officer of the Army National Guard of the United States, he is appointed to the next higher grade to fill a vacancy in the Army National Guard and is federally recognized in that grade or his name is removed from the promotion list under another provision of law.

The Secretary of the Army may, in his discretion, extend the period for which a declination is in effect in the case of any officer of the Army National Guard who is an officer of an Alaska Scout Battalion or of a unit engaged in air defense activities on a tactical site that is under the control of the Army or the Air Force.

“(i) At the end of the period during which his name is carried on the appropriate promotion list under subsection (h), or at any earlier time if he requests the promotion, an officer of the Army Reserve whose name is retained on the promotion list under that subsection shall be promoted to the grade concerned and shall be transferred from his unit unless, upon his promotion, he fills a vacancy in that unit.

“(j) At the end of the period during which his name is carried on the appropriate promotion list under subsection (h), or at any earlier time if he requests the promotion, an officer of the Army National Guard of the United States whose name is retained on the promotion list under that subsection shall, effective as of the last day of the period his name is so retained, or as of the date of his request, as the case may be, have his Federal recognition terminated, be transferred to the Army Reserve, and be promoted to the grade concerned. However, an officer may not be transferred and promoted under this subsection before the expiration of that period unless the governor or other appropriate authority of the State, Territory, Puerto Rico, the Canal Zone, or the commanding general of the District of Columbia National Guard, whichever is concerned, approves that action.”

(13) Section 3366 is amended—

(A) by amending the catchline to read as follows:

“§ 3366. Commissioned officers: promotion of first lieutenants, captains, and majors; mandatory consideration”;

(B) by amending subsection (a) to read as follows:

“(a) Without regard to vacancies, each officer of the Army Reserve in the reserve grade of first lieutenant, captain, or major, who is in an active status, who is not assigned to a unit organized to serve as a unit, and who, while holding that grade, has not been considered by a selection board under this section or section 3367 of this title, and each reserve officer in such a grade who is on active duty (other than for training), and who has not been so considered, shall be considered for promotion to the next higher reserve grade far enough in advance of the date on which he will complete the service prescribed in columns 2 and 3 of the following table that, if recommended, he may be promoted effective on the date on which he will complete that service:

“Column 1	Column 2	Column 3
Current reserve grade	Years of service computed under sec. 3366(b) of this title	Years of service computed under sec. 3366(c) of this title
First lieutenant.....	4	6
Captain.....	7	12
Major.....	7	17”;

(C) by inserting the following new subsection after subsection (a):

“(b) Without regard to vacancies, each officer of an Army Reserve unit organized to serve as a unit, and each officer of the Army National Guard of the United States, who holds the reserve grade of first lieutenant, captain, or major and who has not been considered by a selection board under this section or section 3367 of this title, for promotion to the next higher reserve grade, shall be so considered far enough in advance of the date upon which he will complete the service prescribed in columns 2 and 3 of the table in subsection (a) that, if recommended, he may be promoted effective on the date on which he will complete that service.”;

(D) by redesignating present subsections (b), (c), (d), (e), (f), and (g) as “(c)”, “(d)”, “(e)”, “(f)”, “(g)”, and “(h)”, respectively;

(E) by amending subsection (c), as redesignated, to read as follows:

“(c) An officer recommended for promotion under this section may be promoted to fill a vacancy within the distribution of officers not

assigned to units at any time. If not sooner promoted, he shall be promoted, effective as of the date on which he completes the service prescribed in columns 2 and 3 of the table in subsection (a), without regard to vacancies. Each officer of the Army National Guard of the United States who is recommended by a selection board for promotion under this section, and who, before the date on which he would be promoted under this section, is appointed to the next higher grade to fill a vacancy in the Army National Guard and is federally recognized in that grade, shall be promoted to that reserve grade effective as of the date on which he is so recognized. If he is not so appointed to the next higher grade in the Army National Guard and federally recognized in that grade, he shall, effective as of the date of his promotion under this section, have his Federal recognition terminated and be transferred to the Army Reserve. Each officer of an Army Reserve unit organized to serve as a unit who is promoted under this section shall, effective as of the date of that promotion, be transferred from his unit unless, upon his promotion, he fills a vacancy in that unit.”;

(F) by amending the last sentence of subsection (e), as redesignated, to read as follows: “If the method prescribed in clause (2) is used in considering officers for promotion to the grade of captain, major, or lieutenant colonel, the number recommended by the selection board must be at least 80 percent of those listed for consideration for the first time.”; and

(G) by amending subsection (g), as redesignated, to read as follows:

“(g) This section does not apply to the promotion to a grade above major of reserve officers of the Army Nurse Corps, Army Medical Specialist Corps, or the Women’s Army Corps.”

(14) Section 3367 is amended—

(A) by amending the catchline to read as follows:

“§ 3367. Commissioned officers: promotion of first lieutenants, captains, and majors to fill vacancies”;

(B) by amending subsections (a) and (b) to read as follows:

“(a) Whenever the Secretary of the Army determines that, within the distribution of officers not assigned to units, there are existing or anticipated vacancies in the reserve grade of captain, major, or lieutenant colonel, he may convene a selection board to consider and recommend, for promotion to those grades, officers of the Army Reserve who are in an active status and who are not assigned to units organized to serve as units, reserve officers who are on active duty (other than for training), officers of any Army Reserve unit organized to serve as a unit, and officers of the Army National Guard of the United States. The Secretary shall prescribe for each zone of consideration list established under section 3364 of this title the minimum service, computed under section 3360(b) of this title, that an officer of the appropriate branch must have to be placed on that list. He shall require that each officer who has the prescribed service completed under that section, who is in an active status, and who is not assigned to a unit organized to serve as a unit, be placed on that list. Officers of any Army Reserve unit organized to serve as a unit, and officers of the Army National Guard of the United States, who have the prescribed service computed under that section, shall also be placed on that list. The Secretary shall prescribe the number to be recommended for promotion from each list.

“(b) Subject to section 3380 of this title, an officer recommended for promotion under this section may be promoted whenever there is a vacancy, but it is not mandatory that the authorized number be maintained in any grade. Each officer of the Army National Guard

of the United States who is recommended by a selection board for promotion under this section and who, before the date on which he would be promoted under this section, is appointed in the next higher grade to fill a vacancy in the Army National Guard and is federally recognized in that grade shall be promoted to that reserve grade effective as of the date on which he is so recognized. If he is not so appointed in the next higher grade in the Army National Guard and federally recognized in that grade, he shall, effective as of the date of the promotion under this section, have his Federal recognition terminated and be transferred to the Army Reserve. Each officer of an Army Reserve unit organized to serve as a unit who is promoted under this section shall, effective as of the date of that promotion, be transferred from his unit unless, upon his promotion, he fills a vacancy in that unit.”;

(C) by amending the last sentence of subsection (c) to read as follows: “If the method prescribed in clause (2) is used, the number recommended by the selection board must be at least 80 percent of the officers listed for consideration for the first time.”; and

(D) by amending subsection (d) to read as follows:

“(d) This section does not apply to the promotion to a grade above major of reserve officers of the Army Nurse Corps, Army Medical Specialist Corps, or the Women’s Army Corps.”

(15) Section 3370 is amended—

(A) by amending the catchline to read as follows:

“§ 3370. Commissioned officers: promotion to field grade in certain cases”;

(B) by amending subsections (a) and (b) to read as follows:

“(a) Whenever the Secretary of the Army determines that, within the distribution of officers not assigned to units, there are existing or anticipated vacancies in the reserve grade of—

“(1) lieutenant colonel in the Army Nurse Corps, Army Medical Specialist Corps, or the Women’s Army Corps;

“(2) colonel in any other branch; or

“(3) colonel in the Army Nurse Corps or Army Medical Specialist Corps;

he may convene a selection board to consider and recommend, to fill those vacancies, reserve officers who are in an active status and who are not assigned to units organized to serve as units, subject to section 3390 of this title, reserve officers who are on active duty (other than for training), officers of any unit of the Army Reserve organized to serve as a unit, and officers of the Army National Guard of the United States.

“(b) The Secretary shall prescribe for each zone of consideration list established under section 3364 of this title the amount of service computed under section 3360(b) of this title that an officer of the branch concerned must have to be placed on it for consideration under this section. So far as practicable, the amount of service prescribed shall correspond to that which an officer of the Regular Army in the same branch must have for consideration for promotion to the same grade. The Secretary shall require that each officer who is in an active status, who is not assigned to a unit organized to serve as a unit, and who has the prescribed service computed under that section, be placed on that list. Officers of any unit of the Army Reserve organized to serve as a unit, and any officer of the Army National Guard of the United States, who have the prescribed service computed under that section, shall also be placed on that list. He shall prescribe the number to be recommended for promotion from each list.”; and

(C) by amending subsection (d) to read as follows:

“(d) Subject to section 3380 of this title, an officer recommended for promotion under this section may be promoted whenever there is a vacancy, but it is not mandatory that the authorized number be maintained in any grade. Each officer of the Army National Guard of the United States who is recommended for promotion under this section and who, before the date on which he would be promoted under this section, is appointed in the next higher grade to fill a vacancy in the Army National Guard and is federally recognized in that grade shall be promoted to that reserve grade effective as of the date on which he is so recognized. If he is not so appointed in the next higher grade in the Army National Guard and federally recognized in that grade, he shall, effective as of the date of the promotion under this section, have his Federal recognition terminated and be transferred to the Army Reserve. An officer of the Army National Guard of the United States may decline a promotion under this section if the governor or other appropriate authority of the State, Territory, Puerto Rico, the Canal Zone, or the commanding general of the District of Columbia National Guard, whichever is concerned, approves that action. If an officer of the Army National Guard of the United States so declines a promotion, his name shall be removed from the recommended list. Each officer of an Army Reserve unit organized to serve as a unit who is promoted under this section shall, effective as of the date of that promotion, be transferred from his unit unless upon his promotion he fills a vacancy in that unit. An officer of a unit of the Army Reserve organized to serve as a unit may decline a promotion under this section if the Secretary of the Army, or an officer designated by him, approves that action as being in the best interest of the Army. If an officer of a unit of the Army Reserve so declines a promotion, his name shall be removed from the recommended list.”

(16) Section 3383 is amended—

(A) by striking out the words “sections 3217 and 3219” in subsection (a) and inserting the words “section 3220” in place thereof;

(B) by inserting the following new sentence after the first sentence of subsection (b): “Whenever the Secretary determines that a vacancy in a reserve grade below colonel is one that may be filled by an officer of the Women’s Army Corps, officers of that branch are eligible for consideration even though the vacancy is not allocated to that branch.”; and

(C) by adding the following new subsection at the end thereof:

“(e) After July 1, 1964, no promotion may be made under this section, if that promotion would result in an excess over any grade strength authorized by section 3219 of this title.”

(17) Subsections (a) and (b) of section 3389 are each amended by striking out the words “and not above colonel”.

(18) Section 3391 is amended to read as follows:

“§ 3391. **Commissioned officers: officers of Army Nurse Corps, Army Medical Specialist Corps, and Women’s Army Corps not to be promoted above certain grades**

“A reserve officer of the Army Nurse Corps or the Army Medical Specialist Corps may not be promoted to a reserve grade above colonel. A reserve officer of the Women’s Army Corps may not be promoted to a reserve grade above lieutenant colonel.”

(19) The analysis of chapter 337 is amended by striking out the following items:

- "3364. Commissioned officers: selection for promotion; order of promotion; zone of consideration list; officers not assigned to units.
- "3366. Commissioned officers: promotion of first lieutenants, captains, and majors not assigned to units; mandatory consideration.
- "3367. Commissioned officers: promotion of first lieutenants, captains, and majors not assigned to units to fill vacancies.

* * * * *

- "3370. Commissioned officers: officers not assigned to units; promotion to field grade in certain cases."

and inserting the following items in place thereof:

- "3364. Commissioned officers: selection for promotion; order of promotion; zone of consideration list; declination of promotion.
- "3366. Commissioned officers: promotion of first lieutenants, captains, and majors; mandatory consideration.
- "3367. Commissioned officers: promotion of first lieutenants, captains, and majors to fill vacancies.

* * * * *

- "3370. Commissioned officers: promotion to field grade in certain cases."

(20) Section 3494 is amended by adding the following new sentence at the end thereof: "However, a reserve commissioned officer who is selected for participation in a program under which he will be ordered to active duty for at least one academic year at a civilian school or college may, upon his request, be ordered to that duty in a temporary grade that is lower than his reserve grade, without affecting his reserve grade."

(21) Section 3571(a)(3) is amended to read as follows:

"(3) for a reserve officer, precedes his date of entry on active duty by a period computed by adding—

"(A) the years of service after June 30, 1955, while in his current reserve grade or in any higher reserve grade, that are credited to him under section 1332(a)(2) of this title;

"(B) the days and months of any part of the year preceding his date of entry on active duty, while in his current reserve grade or in any higher reserve grade, that are not credited to him under clause (A), if, under regulations to be prescribed by the Secretary of the Army, his service during that part of a year was satisfactory;

"(C) the periods of active service while in his current reserve grade or in any higher reserve grade, that are not credited to him under clause (A) or (B);

"(D) the periods of service, while in his current reserve grade or in any higher reserve grade, that he has performed under section 502, 503, 504, or 505 of title 32, and that are not credited to him under clause (A) or (B); and

"(E) one day for each point for drill or equivalent instruction after June 30, 1955, while in his current reserve grade or in any higher reserve grade, that is credited to him under section 1332(a)(2)(B) of this title and are not credited to him under clause (A) or (B)."

(22) Sections 3841 and 3842 are repealed.

(23) Section 3843(b) is amended by striking out the words "in an active status in a reserve grade below brigadier general" and inserting the words "in a reserve grade below brigadier general who is not a member of the Retired Reserve" in place thereof.

(24) Section 3844 is amended—

(A) by striking out the words "in an active status in the reserve grade of major general and each officer in an active status in the reserve grade of brigadier general" and inserting the

words "in the reserve grade of major general who is not a member of the Retired Reserve, and each officer in the reserve grade of brigadier general who is not a member of the Retired Reserve and" in place thereof; and

(B) by inserting a comma before the word "shall".

(25) Section 3847 is amended to read as follows:

"§ 3847. Twenty-five years: officers below lieutenant colonel; Army Nurse Corps, Army Medical Specialist Corps, and Women's Army Corps

"After July 1, 1960, each officer in a reserve grade below lieutenant colonel who is assigned to the Army Nurse Corps, the Army Medical Specialist Corps or the Women's Army Corps, and who has not been recommended for promotion to the reserve grade of lieutenant colonel or has not remained in an active status since such a recommendation, shall, 30 days after he completes 25 years of service computed under section 3853 of this title—

"(1) be transferred to the Retired Reserve, if he is qualified and applies therefor; or

"(2) if he is not qualified or does not apply therefor, be discharged from his reserve appointment."

(26) Section 3848 is amended—

(A) by amending subsection (a) to read as follows:

"(a) After July 1, 1960, except as provided in section 3847 of this title, each officer in the reserve grade of first lieutenant, captain, major, or lieutenant colonel who is not a member of the Retired Reserve, and each officer in the reserve grade of major who is assigned to the Army Nurse Corps, Army Medical Specialist Corps, or the Women's Army Corps, who has been recommended for promotion to the reserve grade of lieutenant colonel who is not a member of the Retired Reserve, and who has remained in an active status since that recommendation, shall, 30 days after he completes 28 years of service computed under section 3853 of this title—

"(1) be transferred to the Retired Reserve, if he is qualified and applies therefor; or

"(2) if he is not qualified or does not apply therefor, be discharged from his reserve appointment."; and

(B) by adding the following new subsection at the end thereof:

"(d) Notwithstanding subsection (a), an officer who is assigned to the Army Nurse Corps, the Army Medical Specialist Corps, or the Women's Army Corps, and who would otherwise be removed from an active status under subsection (a), may, in the discretion of the Secretary of the Army, be retained in an active status, but not later than 30 days after he completes 30 years of service computed under section 3853 of this title."

(27) Section 3849 is repealed.

(28) Section 3851(a) is amended by striking out the words "in an active status in the reserve grade of colonel or brigadier general" and inserting the words "in the reserve grade of colonel or brigadier general who is not a member of the Retired Reserve or the adjutant general or assistant adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia" in place thereof.

(29) Section 3852 is amended by striking out the words "in an active status in the reserve grade of major general" and inserting the words "in the reserve grade of major general who is not a member of the Retired Reserve or the adjutant general or assistant adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia" in place thereof.

(30) Section 3853(1)(B) is amended to read as follows:

"(B) his years of service before June 15, 1933, as a commissioned officer in the federally recognized National Guard or in a federally recognized commissioned status in the National Guard, and in the National Guard after June 14, 1933, if his service therein was continuous from the date of his Federal recognition as an officer therein to the date of his appointment in the National Guard of the United States, and".

(31) Chapter 363 is amended by adding the following new section at the end thereof:

"§ 3855. Retention in active status of certain officers until age 60

"Notwithstanding any other section of this chapter except section 3846, the Secretary of the Army may, with the officer's consent, retain in an active status any reserve officer in the Medical Corps, Dental Corps, the Chaplains, the Army Nurse Corps, or the Army Medical Specialist Corps, but not later than the date on which he becomes 60 years of age."

(32) The analysis of chapter 363 is amended by striking out the following items:

"3841. Age 50: Army Nurse Corps or Army Medical Specialist Corps; reserve officers below major.

"3842. Age 55: Army Nurse Corps or Army Medical Specialist Corps; reserve officers above captain.

* * * * *

"3847. Twenty-five years: Women's Army Corps majors.

* * * * *

"3849. Twenty-eight years: Women's Army Corps lieutenant colonels."

and inserting the following item in place thereof:

"3847. Twenty-five years: officers below lieutenant colonel; Army Nurse Corps, Army Medical Specialist Corps, and Women's Army Corps.";

and adding the following item at the end thereof:

"3855. Retention in active status of certain officers until age 60."

(33) Section 5414 is amended by striking out the word "permanent" wherever it appears therein.

Navy and Marine
Corps.

(34) Section 5414(b) is amended by striking out the figure "29,500" and inserting the figure "24,500" in place thereof.

(35) Section 5457 is amended by striking out the word "permanent" wherever it appears in subsection (a) or (b).

(36) Section 5457(b) is amended by inserting the word "authorized" before the words "number of such officers".

(37) Section 5458 is amended by striking out the word "permanent" wherever it appears in subsection (a) or (b).

(38) Section 5458(a) is amended by striking out the figure "5" and inserting the figure "10" in place thereof.

(39) Section 5458(b) is amended by inserting the word "authorized" before the words "number of such officers".

(40) Section 5505 is amended by adding the following new subsection at the end thereof:

"(d) Any officer of the Naval Reserve or Marine Corps Reserve who is selected for participation in a personnel procurement program under which he will be ordered to active duty for at least one academic year at a civilian school or college may, upon his request, be ordered to that duty in a temporary grade that is lower than his permanent or temporary grade, without affecting his permanent or temporary grade."

(41) Section 5600(a) is amended by striking out the words "who is not already an officer in an armed force in a permanent grade above chief warrant officer, W-4," and by adding the following new sentence

at the end thereof: "The Secretary shall report to the Committees on Armed Services of the Senate and House of Representatives by March 1 of each year on the number, categories, and grades of reserve officers (other than in the Medical Corps or Dental Corps) originally appointed in the reserve grade of lieutenant in the Naval Reserve, or captain in the Marine Corps Reserve, or above, during the preceding calendar year.

(42) Section 5899 is amended—

(A) by adding the following new sentence at the end of subsection (a): "However, until July 1, 1961, an officer in the grade of captain is eligible for consideration for promotion when his running mate is eligible for consideration for promotion."; and

(B) by adding the following new subsection at the end thereof:

"(h) Notwithstanding any other provision of this title, a reserve commissioned officer in a permanent grade above chief warrant officer, W-4, who has been in an inactive status may not be considered for promotion until at least one year after the date he is returned to an active status."

(43) Section 5902 is amended by adding the following new subsection at the end thereof:

"(e) The promotion of an officer of the Naval Reserve or the Marine Corps Reserve who is under investigation or against whom proceedings of a court-martial or a board of officers are pending may be delayed by the Secretary of the Navy until the investigation or proceedings are completed. However, the promotion of an officer may not be delayed under this subsection for more than one year after the date he is selected for promotion unless the Secretary determines that a further delay is necessary in the public interest."

(44) Section 5907 is amended by adding the following new sentence at the end thereof: "However, if an officer has not established his professional and moral qualifications, as prescribed by the Secretary of the Navy under section 5867 of this title, within one year after the date on which the President approved the report of the selection board that recommended him for promotion, he is entitled to the pay and allowances of the grade to which promoted only from the date he is appointed in that grade."

(45) The last sentence of section 5911 is amended by striking out the word "may" and inserting the word "shall" in place thereof.

(46) Section 6389(c) is amended by adding the following at the end thereof:

"Notwithstanding the first sentence of this subsection, the Secretary may defer the retirement or discharge of such number of officers serving in the grade of lieutenant commander as are necessary to maintain the authorized officer strength of the Ready Reserve, but the duration of such deferment for any individual officer may not be in excess of five years. Notwithstanding the first two sentences of this subsection, the Secretary may defer the retirement or discharge under this subsection of an officer serving in the permanent grade of lieutenant commander or above in the Naval Reserve or in the permanent grade of major or above in the Marine Corps Reserve for a period of time which does not exceed the amount of service in an active status which was credited to the officer at the time of his original appointment or thereafter under any provision of law, if the officer can complete at least 20 years of service as computed under section 1332 of this title during the period of such deferment. Notwithstanding the first two sentences of this subsection, the Secretary may defer the retirement or discharge under this subsection of such number of officers serving in the permanent grade of captain or commander in the Medical Corps, Chaplain Corps, or Dental Corps in the Naval Reserve as are necessary to provide for mobilization requirements."

(47) Section 6391(a) is amended by inserting the words "or on the inactive status list" after the words "active status".

(48) Section 8212 is amended—

Air Force.

(A) by striking out the figures "8375, 8376," and inserting the words "8370 (a) or (c), 8372(b) (except for the grade of colonel), 8374 (except for the grade of colonel), 8375, 8376 (except for general officer grades)," in place thereof;

(B) by inserting the words "to the extent necessary to allow the appointment of reserve officers, in grades not above lieutenant colonel, to fill prescribed mobilization or active duty requirements" before the period at the end of the first sentence; and

(C) by inserting the words "or not to fill one of those requirements" after the word "sections" in the last sentence.

The amendments made by this clause are effective only until July 1, 1964.

(49) Section 8353 is amended—

(A) by striking out the words "and is not already a commissioned officer of an armed force" in subsection (a); and

(B) by adding the following new subsection at the end thereof:

"(d) The Secretary shall report to the Committees on Armed Services of the Senate and House of Representatives by March 1 of each year on the number, categories, and grades of the reserve officers (other than medical or dental officers) originally appointed in the reserve grade of captain or above during the preceding calendar year."

Report to Congress.

(50) Section 8361 is amended—

(A) by inserting the word "reserve" before the word "grade" wherever it occurs in subsection (a); and

(B) by adding the following new sentence at the end of the subsection (e): "Notwithstanding any other provision of this title, such a reserve commissioned officer may not be considered for promotion until at least one year after the date on which he is returned to an active status."

(51) Section 8362(e) is amended by adding the following new sentence at the end thereof:

"Notwithstanding any other provision of law, a board that is to recommend officers for promotion whom it considers to be the best qualified may recommend only those officers whom it also considers to be fully qualified."

(52) Section 8363 is amended—

(A) by striking out the figure "8372" in subsection (c) and inserting the figures "8366, 8372, or 8373" in place thereof;

(B) by striking out the words "8379, or 8380 of this title or subsection (f)" in subsection (e) and inserting the words "or 8379 of this title or subsection (f) or (g)" in place thereof; and

(C) by adding the following new subsection at the end thereof:

"(g) The promotion of a reserve commissioned officer who is under investigation or against whom proceedings of a court-martial or a board of officers are pending may be delayed until the investigation or proceedings are completed. However, a promotion may not be delayed under this subsection for more than one year after the date he is selected for promotion unless the Secretary of the Air Force determines that a further delay is necessary in the public interest."

(53) Section 8366 is amended—

(A) by amending subsection (e) (2) to read as follows:

"(2) all service before June 15, 1933, as a commissioned officer in the federally recognized National Guard or in a federally recognized commissioned status in the National Guard, and in the National Guard after June 14, 1933, if his service therein was

continuous from the date of his Federal recognition as an officer therein to the date of his appointment in the National Guard of the United States; and"; and

(B) by amending subsection (f) to read as follows:

"(f) This section does not apply to the promotion to a grade above major of any Air Force nurse or medical specialist or any female reserve officer who is not designated under section 8067(a)-(d) or (g)-(i) of this title or appointed in the Air Force with a view to designation under that section."

(54) The last sentence of section 8367(c) is amended to read as follows: "However, the number recommended by the selection board must be at least 80 percent of those listed for consideration for the first time."

(55) Section 8368 is amended—

(A) by amending subsection (a) to read as follows:

"(a) In this chapter, 'deferred officer' means any of the following officers who has been considered, for the first time under this chapter, by a selection board for promotion to the next grade higher than his current reserve grade but not recommended for that promotion, who has been examined for the first time for Federal recognition in the next grade higher than his current reserve grade, but found not qualified for that recognition, or who has been recommended or found qualified and declined that promotion:

"(1) An officer in the reserve grade of first lieutenant or captain.

"(2) An officer in the reserve grade of major, other than an Air Force nurse or medical specialist or a female officer who is not designated under section 8067 (a)-(d) or (g)-(i) of this title or appointed in the Air Force with a view to designation under that section.";

(B) by inserting the words "or is recommended and declines the promotion" after the words "not recommended for promotion" in subsection (f); and

(C) by inserting the words "or is recommended or found qualified and declines the promotion" after the words "found qualified for Federal recognition" in subsection (g).

(56) Section 8370 is amended—

(A) by striking out the word "captain" in subsection (b) and inserting the word "major" in place thereof; and

(B) by amending subsection (c) to read as follows:

"(c) A reserve officer who is designated as an Air Force nurse or medical specialist may be promoted to a reserve grade above major only to fill a vacancy in the number authorized by the Secretary for that category."

(57) Section 8372(b) is amended to read as follows:

"(b) Whenever the Secretary considers that the number of officers in the reserve grade of captain, major, lieutenant colonel, or colonel in—

"(1) any unit of the Air Force Reserve that is in the Ready Reserve and is not on active duty or is on active duty for training; or

"(2) the Air Force Reserve, in positions to be filled by officers with a mobilization assignment in the Ready Reserve;

is or may become unbalanced, he may direct that a number specified by him be selected from officers of the Air Force Reserve who are in the Ready Reserve, who are not on active duty or are on active duty for training, but who are determined to be specially qualified for, and available to fill, those vacancies. Selection for promotion under this subsection shall be made under the procedures prescribed in the first two sentences of section 8367(c) of this title, but no officer may be

selected for promotion under this subsection unless he is fully qualified for promotion to the grade concerned."

(58) Section 8373 is amended to read as follows:

"§ 8373. Commissioned officers: Air Force Reserve; promotion to brigadier general and major general

"(a) Officers of the Air Force Reserve may be promoted to the reserve grades of brigadier general and major general to fill vacancies in those grades.

"(b) The Secretary of the Air Force may furnish the name of an officer of the Air Force Reserve who is assigned to the duties of a general officer of the next higher reserve grade, and who meets standards to be prescribed by the Secretary, to a selection board for consideration for promotion to that grade. In addition, the Secretary may furnish to the board for consideration for promotion to that grade the names of such additional officers of the Air Force Reserve in the reserve grade of colonel or brigadier general, as the case may be, who are assigned to the duties of a general officer of the next higher reserve grade, as he determines to be available and who meet standards prescribed by him.

"(c) Of those officers considered under subsection (b), the selection board shall recommend the best qualified of those whom it determines to meet the standards prescribed by the Secretary and to be fully qualified for promotion.

"(d) This section is not effective after June 30, 1964."

(59) Section 8375(a) is amended by striking out the words "to fill a vacancy" and inserting the words "under section 8373 or 8376 of this title" in place thereof.

(60) Section 8376 is amended—

(A) by striking out the words ", and who was promoted to that temporary grade under a general selection board procedure," in subsection (a);

(B) by amending the first two sentences of subsection (c) to read as follows: "A reserve officer who is serving on active duty (other than for training) in a temporary grade that is higher than his reserve grade retains that temporary grade if he is released from active duty before completing the amount of service prescribed in section 8363(a) of this title or before applying for promotion under subsection (a). When he completes that amount of service and applies, or if, having completed that amount of service before being released from active duty, he applies, an officer covered by this subsection shall be promoted to the next higher reserve grade, without regard to vacancies.";

(C) by adding the following new sentence at the end of subsection (c): "This subsection does not apply to promotion to the reserve grade of brigadier general or major general."; and

(D) by adding the following new subsection at the end thereof:

"(d) An officer who is released from active duty after being promoted to a reserve general officer grade under this section becomes subject to section 8375 of this title."

(61) Section 8377(b) is amended by striking out the words ", except as provided in sections 1005 and 1006 of this title, be transferred to the Retired Reserve, if he is qualified and applies therefor, or be discharged from his reserve appointment" and inserting the words "be treated in the manner provided for deferred officers in section 8846 of this title" in place thereof.

(62) Section 8380 is amended—

(A) by striking out the words "Except as provided in subsection (c), a" in subsection (b) and inserting the word "A" in place thereof;

(B) by striking out the last sentence of subsection (b) and inserting the following in place thereof: "If he has completed the period of active duty (other than for training) that he is required by law or regulation to perform as a member of a reserve component and declines the temporary appointment, he shall be released from active duty. If he has not completed that period of active duty, he shall be retained on active duty in the grade in which he was serving before the promotion and may not be released from active duty on his application until he completes the period of active duty he is so required by law or regulation to perform."; and

(C) by repealing subsection (c).

(63) Section 8494 is amended by adding the following new sentence at the end thereof: "However, a reserve commissioned officer who is selected for participation in a program under which he will be ordered to active duty for at least one academic year at a civilian school or college may, upon his request, be ordered to that duty in a temporary grade that is lower than his reserve grade, without affecting his reserve grade."

(64) Section 8571(a)(3) is amended to read as follows:

"(3) for a reserve officer, precedes his date of entry on active duty by a period computed by adding—

"(A) the years of service after June 30, 1955, while in his current reserve grade or in any higher reserve grade, that are credited to him under section 1332(a)(2) of this title;

"(B) the days and months of any part of the year preceding his date of entry on active duty, while in his current reserve grade or in any higher reserve grade, that are not credited to him under clause (A), if under regulations to be prescribed by the Secretary of the Air Force, his service during that part of a year was satisfactory;

"(C) the periods of active service, while in his current reserve grade or in any higher reserve grade, that are not credited to him under clause (A) or (B);

"(D) the periods of service, while in his current reserve grade or in any higher reserve grade, that he has performed under section 502, 503, 504, or 505 of title 32, and that are not credited to him under clause (A) or (B); and

"(E) one day for each point for drill or equivalent instruction after June 30, 1955, while in his current reserve grade or in any higher reserve grade, that is credited to him under section 1332(a)(2)(B) of this title and not credited to him under clause (A) or (B)."

(65) Section 8819(b) is amended to read as follows:

"(b) Except as provided by section 1005 of this title, each second lieutenant of the Air National Guard of the United States who completes three years of service, computed under section 8360(e) of this title, in that grade shall be discharged from his reserve appointment if he is found to be not qualified for promotion, unless before he completes that service he is appointed in the grade of first lieutenant by the governor or other appropriate authority of the jurisdiction concerned."

(66) Sections 8841 and 8842 are repealed.

(67) Section 8843 is amended—

(A) by amending the catchline to read as follows:

“§ 8843. Age 60: reserve officers below major general, except those covered by section 8845 of this title”; and

(B) by inserting the words “, except an officer covered by section 8845 of this title” after the words “major general”.

(68) Section 8844 is amended—

(A) by amending the catchline to read as follows:

“§ 8844. Age 62: reserve major generals, except those covered by section 8845 of this title”; and

(B) by striking out the words “the Chief of the National Guard Bureau” and inserting the words “an officer covered by section 8845 of this title” in place thereof.

(69) Section 8845 is amended—

(A) by amending the catchline to read as follows:

“§ 8845. Age 64: Chief of National Guard Bureau; adjutants general”; and

(B) by inserting the words “or adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia” after the words “National Guard Bureau”.

(70) Section 8847 is amended to read as follows:

“§ 8847. Twenty-five years: female reserve officers below lieutenant colonel, except those designated under section 8067 (a)–(d) or (g)–(i) of this title; Air Force nurses and medical specialists

“(a) After June 30, 1960, each female commissioned officer, and each Air Force nurse or medical specialist, who is in an active status in a reserve grade below lieutenant colonel, except an officer whose name is on a recommended list for promotion to that reserve grade, shall, 30 days after he completes 25 years of service computed under section 8853 of this title—

“(1) be transferred to the Retired Reserve, if he is qualified and applies therefor; or

“(2) if he is not qualified or does not apply therefor, be discharged from his reserve appointment.

“(b) This section does not apply to female commissioned officers who are designated under section 8067 (a)–(d) or (g)–(i) of this title.”

(71) Section 8848 is amended to read as follows:

“§ 8848. Twenty-eight years: reserve first lieutenants, captains, majors, and lieutenant colonels

“(a) After June 30, 1960, each officer in an active status in the reserve grade of first lieutenant, captain, or major, except an officer covered by section 8847 of this title, and each officer in an active status in the reserve grade of lieutenant colonel who is not on a recommended list for promotion to the reserve grade of colonel, shall, 30 days after he completes 28 years of service computed under section 8853 of this title—

“(1) be transferred to the Retired Reserve if he is qualified and applies therefor; or

“(2) if he is not qualified or does not apply therefor, be discharged from his reserve appointment.

“(b) Notwithstanding subsection (a), an Air Force nurse or medical specialist who is in the reserve grade of lieutenant colonel, or a female officer who is not designated under section 8067 (a)–(d) or (g)–(i) of this title and who is in the reserve grade of lieutenant colonel, may, in the discretion of the Secretary of the Air Force, be retained in an active status if he would otherwise be removed from an active status under subsection (a). An officer may not be retained in an active status under this section later than 30 days after he completes 30 years of service computed under section 8853 of this title.”

(72) Section 8849 is repealed.

(73) Section 8851(a) is amended by inserting the words "except for the adjutant general or assistant adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia" after the words "After June 30, 1960,".

(74) Section 8852(a) is amended by inserting the words "except for the adjutant general or assistant adjutant general of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia" after the words, "After June 30, 1960,".

(75) Section 8853(2) is amended to read as follows:

"(2) all service before June 15, 1933, as a commissioned officer in the federally recognized National Guard or in a federally recognized commissioned status in the National Guard, and in the National Guard after June 14, 1933, if his service therein was continuous from the date of his Federal recognition as an officer therein to the date of his appointment in the National Guard of the United States; and".

(76) Chapter 863 is amended by adding the following new section at the end thereof:

"§ 8855. Retention in active status of certain officers until age 60

"Notwithstanding any other section of this chapter except section 8846, the Secretary of the Air Force may, with the officer's consent, retain in an active status any reserve officer of the Air Force who is designated as a medical officer, dental officer, chaplain, Air Force nurse, or Air Force medical specialist, but not later than the date upon which he becomes 60 years of age."

(77) The analysis of chapter 863 is amended by striking out the following items:

"8841. Age 50: female reserve nurses and medical specialists below major.

"8842. Age 55: female reserve nurses and medical specialists above captain.

"8843. Age 60: reserve officers below major general.

"8844. Age 62: reserve major generals, except Chief of National Guard Bureau.

"8845. Age 64: Chief of National Guard Bureau.

* * * * *

"8847. Twenty-five years: female reserve officers below lieutenant colonel, except those designated under section 8067 of this title.

* * * * *

"8849. Twenty-eight years: female reserve lieutenant colonels, except those designated under section 8067 of this title."

and inserting the following items in place thereof:

"8843. Age 60: reserve officers below major general except those covered by section 8845 of this title.

"8844. Age 62: reserve major generals, except those covered by section 8845 of this title.

"8845. Age 64: Chief of National Guard Bureau; adjutants general.

* * * * *

"8847. Twenty-five years: female reserve officers below lieutenant colonel, except those designated under section 8067(a)-(d) or (g)-(i) of this title; Air Force nurses and medical specialists,";

and adding the following new item at the end thereof:

"8855. Retention in active status of certain officers until age 60."

SEC. 2. Title 14, United States Code, is amended as follows:

(1) Section 772 is amended to read as follows:

"§ 772. Authorized number of officers

"(a) The authorized number of officers in the Coast Guard Reserve in active status is 5,000. The actual number of Reserve officers in active status at any time shall not exceed these authorized numbers unless the Secretary shall determine that a greater number is necessary for planned mobilization requirements, or unless such excess shall

result directly from the operation of mandatory provisions of this or other laws.

"(b) The authorized number of officers of the Coast Guard Reserve in active status in each of the grades below the grade of rear admiral shall be a percentage of the total authorized number of such officers in active status below the grade of rear admiral, and shall be 1.5 percent in the grade of captain, 7.0 percent in the grade of commander, 22.0 percent in the grade of lieutenant commander, 37.0 percent in the grade of lieutenant, and 32.5 percent in the combined grades of lieutenant (junior grade) and ensign, except that when the actual number of Coast Guard Reserve officers in an active status in any grade is less than the number which is so authorized, the difference may be applied to increase the authorized number in any lower grade or grades. No Reserve officer shall be reduced in rank or grade solely because of a reduction in an authorized number provided in this subsection. The authorized number of Coast Guard Reserve officers in an active status in the grade of rear admiral shall be two.

"(c) The Secretary may determine the number of Reserve officers in each grade who may be promoted annually under the provisions of this subchapter. The number which shall be so determined for each grade shall be the number deemed to be necessary to provide equitable opportunity for promotion among succeeding groups of Reserve officers and an adequate continuing strength of Reserve officers in an active status, and shall not cause the number of Reserve officers in active status in any grade to exceed the number authorized in this section for that grade."

(2) Section 773 is amended by striking out the words "who holds no appointment as a commissioned officer of the Armed Forces".

(3) Chapter 21 is amended by inserting the following new section after section 787:

"§ 787a. Excessive number; elimination from active status to provide a flow of promotion"

"(a) Notwithstanding any other provisions of this title, whenever the Secretary shall determine it to be necessary to provide a steady flow of promotions or that there is an excessive number of Reserve officers in an active status in any grade, he may convene a board which shall consider all such Reserve officers of that grade in an active status not on active duty. The Secretary shall direct the board to select and recommend by name a specified number of such officers for retention in an active status.

"(b) The Secretary may in the case of an officer not recommended for retention in an active status under subsection (a) of this section—

"(1) Transfer the officer to the Retired Reserve if he is qualified and applies for transfer;

"(2) Transfer the officer to the Inactive Status List, if qualified;

or

"(3) Discharge the officer."

(4) The analysis of chapter 21 is amended by inserting the following new item between items 787 and 788:

"787a. Excessive number; elimination from active status to provide a flow of promotion."

SEC. 3. Section 20 of the Act of September 2, 1958, Public Law 85-861 (72 Stat. 1559), is repealed.

SEC. 4. Section 22 of the Act of September 2, 1958, Public Law 85-861 (72 Stat. 1560), is amended by striking out the words "and who was not a commissioned officer of an armed force" and inserting the words "or who was transferred to a special branch of that corps in the lowest grade of that branch or corps" in place thereof.

10 USC 3366
note.

10 USC 3353
note.

Discharge or
transfer to Retired
Reserve.

SEC. 5. Notwithstanding any other provision of law except section 1001 of title 10, United States Code, the discharge or transfer to the Retired Reserve (because of his length of service) of any reserve officer of the Army who—

(1) was originally appointed as a reserve officer before September 3, 1954;

(2) upon completing the number of years of service, computed under section 3853(2) of title 10, at which his discharge or transfer to the Retired Reserve would otherwise be required, has not, because of hardship or circumstances beyond his control, completed 20 years of service computed under section 1332 of title 10, but who could complete that amount of service before becoming 60 years of age; and

(3) has remained in an active status since September 3, 1954; may be deferred until he completes that amount of service if he can complete it before he becomes 60 years of age.

Air Force nurse,
etc.

SEC. 6. A reserve officer who is designated as an Air Force nurse or medical specialist, or a female reserve officer of the Air Force (other than an officer designated under section 8067 of title 10, United States Code), who, after June 30, 1955, and before the enactment of this Act, received a temporary appointment under section 8442 of that title, in a grade higher than his reserve grade may, if he applies within one year after the enactment of this Act, be promoted to a reserve grade equal to that temporary grade if he is otherwise eligible for promotion to that grade under section 8363(a) of that title.

70 A Stat. 632.

SEC. 7. Section 29(a) of the Act of August 10, 1956, chapter 1041, as amended (5 U.S.C. 30r), is amended by striking out the words "calendar year" wherever they appear therein and inserting the words "fiscal year" in place thereof.

63 Stat. 826.

SEC. 8. Effective August 10, 1956, section 501 of the Career Compensation Act of 1949, as amended (37 U.S.C. 301), is amended by inserting the words "Air Force Reserve," after the words "Naval Reserve," wherever they appear therein.

SEC. 9. Until July 1, 1964, the number of line officers in an active status in the Naval Reserve in the grade of commander may exceed the number authorized for that grade by section 5457(b) of title 10, United States Code.

Approved June 30, 1960.

Public Law 86-560

June 30, 1960
[H. R. 12052]

AN ACT

To extend the Defense Production Act of 1950, as amended, for an additional two years.

Defense Production
Act of 1950,
amendment.

72 Stat. 241.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (a) of section 717 of the Defense Production Act of 1950, as amended (50 U.S.C. app. 2166), is amended by striking out "June 30, 1960" and inserting in lieu thereof "June 30, 1962".

64 Stat. 802.

SEC. 2. The second proviso to the first sentence of subsection (b) of section 304 is amended by striking out the word "quarter" and inserting in lieu thereof the words "six months".

Approved June 30, 1960.