

“Commissioned officers: original appointment; age limitations”, 8287 “Commissioned officers: original appointment; service credit”, 8288 “Commissioned officers: original appointment; determination of grade”, 8289 “Commissioned officers: medical officers; original appointment; professional examination”, 8293 “Commissioned officers; chaplains: original appointment; examination”, 8294 “Commissioned officers: medical and dental officers: original appointment”, 8295 “Commissioned officers: original appointment; determination of place on promotion list”, 8296 “Promotion lists: promotion-list officer defined; determination of place upon transfer or promotion”, 8297 “Selection boards”, 8298 “Commissioned officers: promotion to first lieutenant; effect of failure of promotion”, 8299 “Commissioned officers: promotion to captain, major, or lieutenant colonel”, 8300 “Commissioned officers: promotion to captain, major, or lieutenant colonel; selection board procedure”, 8301 “Commissioned officers: promotion to captain, major, or lieutenant colonel; officers with special qualifications”, 8302 “Commissioned officers: medical, dental, and veterinary officers: promotion to captain, major, or lieutenant colonel; professional examination”, 8303 “Commissioned officers: effect of failure of promotion to captain, major, or lieutenant colonel”, 8305 “Commissioned officers: promotion to colonel”, 8306 “Commissioned officers: promotion to brigadier general”, 8307 “Commissioned officers: promotion to major general”, 8308 “Commissioned officers: effect of removal from recommended list by President or failure of confirmation by Senate”, 8309 “Commissioned officers: physical examination for promotion”, 8312 “Officers: acceptance of promotion”, 8313 “Suspension of laws for promotion or mandatory retirement or separation during war or emergency”, and 8314 “Commissioned officers: promotion not to be delayed by another appointment”.

1958—Pub. L. 85-861, §§1(177)(B), 33(a)(38), Sept. 2, 1958, 72 Stat. 1520, 1566, substituted “officers” for “Officers” in item 8309, and added item 8314.

1957—Pub. L. 85-155, title III, §301(15), Aug. 21, 1957, 71 Stat. 388, struck out items 8291 “Commissioned officers; Air Force nurses and women medical specialists: original appointment; additional qualifications, grade” and 8304 “Commissioned officers; Air Force nurses and women medical specialists: promotion to first lieutenant, captain, major, lieutenant colonel, or colonel”.

§ 9151. Commissioned officer grades

The commissioned grades in the Regular Air Force and in the Space Force are:

- (1) Major general.
- (2) Brigadier general.
- (3) Colonel.
- (4) Lieutenant colonel.
- (5) Major.
- (6) Captain.
- (7) First lieutenant.
- (8) Second lieutenant.

(Aug. 10, 1956, ch. 1041, 70A Stat. 507, §8281; renumbered §9151, Pub. L. 115-232, div. A, title VIII, §806(b)(3), Aug. 13, 2018, 132 Stat. 1832; Pub. L. 118-31, div. A, title XVII, §1741(a)(1), Dec. 22, 2023, 137 Stat. 679.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8281	10:506(a) (last 24 words).	Aug. 7, 1947, ch. 512, §502(a) (last 24 words), 61 Stat. 884.

Editorial Notes

AMENDMENTS

2023—Pub. L. 118-31 inserted “and in the Space Force” after “in the Regular Air Force” in introductory provisions.

2018—Pub. L. 115-232 renumbered section 8281 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

[§ 9160. Repealed. Pub. L. 118-159, div. A, title V, § 509D(a), Dec. 23, 2024, 138 Stat. 1874]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 518, §8310; renumbered §9160, Pub. L. 115-232, div. A, title VIII, §806(b)(3), Aug. 13, 2018, 132 Stat. 1832; Pub. L. 116-283, div. A, title IX, §923(c)(3)(A), Jan. 1, 2021, 134 Stat. 3810; Pub. L. 118-31, div. A, title XVII, §1721(a)(3), Dec. 22, 2023, 137 Stat. 665, provided that original appointments as warrant officers in the Regular Air Force or the Space Force would be made from persons who had served on active duty at least one year in the Air Force or the Space Force.

CHAPTER 919—TEMPORARY APPOINTMENTS

Sec.
9176. Retention on active duty.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(A), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 839 of this title as this chapter and item 8446 as 9176.

1980—Pub. L. 96-513, title V, §504(12), Dec. 12, 1980, 94 Stat. 2917, struck out items 8441 “General rule”, 8442 “Commissioned officers; regular and reserve components: appointment in higher grade”, 8444 “Commissioned officers: during war or emergency”, 8445 “Officers: additional appointments during war or emergency”, 8447 “Appointments in commissioned grade: how made; how terminated”, 8448 “Warrant officers: grades; appointment”, 8449 “Warrant officers: promotion”, 8451 “Officers: acceptance of appointment in higher grade”, and 8452 “Medical and dental officers: temporary promotion to captain”.

1968—Pub. L. 90-235, §3(b)(6), Jan. 2, 1968, 81 Stat. 758, struck out item 8450 “Warrant officers: suspension of laws for promotion or mandatory retirement or separation during war or emergency”.

1958—Pub. L. 85-861, §1(180)(F), (G), Sept. 2, 1958, 72 Stat. 1532, struck out item 8443 “Commissioned officers; Reserves; appointment in higher or lower grade”, and added item 8452.

§ 9176. Retention on active duty

The President may retain on active duty a disabled officer until—

- (1) the physical condition of the officer is such that the officer will not be further benefited by retention in a military hospital or a medical facility of the Department of Veterans Affairs; or
- (2) the officer is processed for physical disability benefits provided by law.

(Aug. 10, 1956, ch. 1041, 70A Stat. 522, §8446; Pub. L. 85-861, §1(180)(C), Sept. 2, 1958, 72 Stat. 1532; Pub. L. 101-189, div. A, title XVI, §1621(a)(10), Nov. 29, 1989, 103 Stat. 1603; Pub. L. 102-25, title VII, §701(j)(6), Apr. 6, 1991, 105 Stat. 116; renumbered §9176, Pub. L. 115-232, div. A, title VIII, §806(b)(4), Aug. 13, 2018, 132 Stat. 1832.)

HISTORICAL AND REVISION NOTES
1956 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8446	10:499.	June 19, 1948, ch. 511, 62 Stat. 489.

The word “Shall” is substituted for the words “authorized and directed”. The words “on active duty” are substituted for the words “in service”. The words “warrant officers, and flight officers” are omitted, since the definition of “officer” in section 101(14) of this title covers commissioned, warrant, and flight officers. The words “who has only a temporary appointment” are substituted for the words “of the Air Force * * * of the United States”. The words “his physical condition is such that he” are substituted for the words “their treatment for physical reconstruction has reached a point where they”. The words “in the Air Force” are substituted for the words “in the military service”.

1958 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8446	10 App.:499.	June 15, 1956, ch. 388, 70 Stat. 282.

The words “commissioned officers and warrant” are omitted as covered by the definition of the word “officer” in section 101(14) of this title. The words “condition is such that” are substituted for the words “reconstruction has reached a point where”.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8446 of this title as this section.

1991—Par. (2). Pub. L. 102-25 struck out “as” before “provided by law”.

1989—Pub. L. 101-189 amended section generally. Prior to amendment, section read as follows: “Notwithstanding any other provision of law, the President may retain on active duty any disabled officer until his physical condition is such that he will not be further benefited by retention in a military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law.”

1958—Pub. L. 85-861 substituted “may retain on active duty any disabled officer” for “shall retain on active duty any disabled officer who has only a temporary appointment”, and “military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law”, for “military hospital or in the Army”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 921—ACTIVE DUTY

Sec.

9191. Non-regular officers: status.

9203. Retired commissioned officers: status.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(A), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 841 of this title as this chapter and items 8491 and 8503 as 9191 and 9203, respectively.

1994—Pub. L. 103-337, div. A, title XVI, §1674(b)(4), Oct. 5, 1994, 108 Stat. 3016, struck out items 8495 “Air National Guard of United States: status”, 8496 “Air National Guard of United States: commissioned officers; duty in National Guard Bureau”, 8497 “Air National Guard of United States: members; status in which ordered into Federal service”, 8498 “Air National Guard of United States: mobilization; maintenance of organization”, 8499 “Air National Guard in Federal service: status”, 8500 “Air National Guard in Federal service: call”, 8501 “Air National Guard in Federal service: period of service; apportionment”, and 8502 “Air National Guard in Federal service: physical examination”.

1980—Pub. L. 96-513, title V, §504(13), Dec. 12, 1980, 94 Stat. 2917, struck out items 8494 “Commissioned officers: grade in which ordered to active duty” and 8504 “Retired commissioned officers: status”.

1968—Pub. L. 90-235, §1(a)(4), Jan. 2, 1968, 81 Stat. 753, struck out item 8492 “Members: service extension during war”.

1967—Pub. L. 90-130, §1(29)(B), Nov. 8, 1967, 81 Stat. 382, struck out “: limitations; grade” after “Retired members” in item 8504.

1958—Pub. L. 85-861, §1(181)(B), Sept. 2, 1958, 72 Stat. 1533, added item 8494.

§ 9191. Non-regular officers: status

A commissioned officer of the Air Force, other than of the Regular Air Force, who is on active duty in any commissioned grade has the rights and privileges, and is entitled to the benefits, provided by law for a commissioned officer of the Air Force Reserve—

- (1) whose reserve grade is that in which the officer not of the Regular Air Force is serving;
- (2) who has the same length of service as the officer not of the Regular Air Force; and
- (3) who is on active duty in his reserve grade.

(Aug. 10, 1956, ch. 1041, 70A Stat. 524, §8491; renumbered §9191, Pub. L. 115-232, div. A, title VIII, §806(b)(5), Aug. 13, 2018, 132 Stat. 1832.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8491	10:506d(h).	Aug. 7, 1947, ch. 512, §515(h), 61 Stat. 908.

The first 12 words are substituted for 10:506d(h) (1st 11 words). The words “has the rights and privileges, and is entitled to the benefits” are substituted for the words “shall be entitled * * * to the same rights, privileges, and benefits”. Clause (1) is substituted for the words “in a grade the same as such ‘active-duty grade’”. The words “as the officer not of the Regular Air Force” are substituted for the words “holding appointment in the Army Reserve”. The words “his reserve grade” are substituted for the words “the grade held in the Army”.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8491 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.