

- Sec.
- 9320. More than thirty years: permanent professors and the Director of Admissions of the United States Air Force Academy.
- 9321. Mandatory retirement: Superintendent of the United States Air Force Academy; waiver authority.
- 9324. Forty years or more: Air Force officers and Space Force officers.
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- 9326. Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
- 9329. Computation of retired pay: law applicable.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior chapter 941, consisting of sections 9651 to 9656, related to issue of serviceable material other than to Armed Forces, prior to renumbering as chapter 971 of this title.

**AMENDMENTS**

2021—Pub. L. 116-283, div. A, title IX, §923(c)(17)(C), Jan. 1, 2021, 134 Stat. 3812, added item 9324 and struck out former item 9324 “Forty years or more: Air Force officers”.

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(B)(ii), (e)(1), Aug. 13, 2018, 132 Stat. 1833, re-designated chapter 867 of this title as this chapter and items 8911, 8914, 8917, 8918, 8920, 8921, 8924 to 8926, and 8929 as 9311, 9314, 9317, 9318, 9320, 9321, 9324 to 9326, and 9329, respectively.

2004—Pub. L. 108-375, div. A, title V, §541(c)(3)(B), Oct. 28, 2004, 118 Stat. 1904, inserted “; waiver authority” after “Academy” in item 8921.

1999—Pub. L. 106-65, div. A, title V, §532(a)(4)(E), Oct. 5, 1999, 113 Stat. 604, added item 8921.

1996—Pub. L. 104-106, div. A, title V, §509(b)(2), Feb. 10, 1996, 110 Stat. 298, substituted “permanent professors and the Director of Admissions” for “professors” in item 8920.

1980—Pub. L. 96-513, title V, §504(17), Dec. 12, 1980, 94 Stat. 2917, struck out items 8913 “Twenty years or more: deferred officers not recommended for promotion”, 8915 “Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major”, 8916 “Twenty-eight years: promotion-list lieutenant colonels”, 8919 “Thirty years or more: regular commissioned officers; excessive number”, 8921 “Thirty years or five years in grade: promotion-list colonels”, 8922 “Thirty years or five years in grade: regular brigadier generals”, 8923 “Thirty-five years or five years in grade: regular major generals”, and 8927 “Computation of years of service: mandatory retirement; regular commissioned officers”.

Pub. L. 96-343, §9(b)(3), Sept. 8, 1980, 94 Stat. 1129, struck out “regular” before “enlisted members” in items 8914 and 8925.

1967—Pub. L. 90-130, §1(32)(C), Nov. 8, 1967, 81 Stat. 383, substituted “Twenty-eight years: deferred retirement of nurses and medical specialists in regular grade of major” for “Twenty-five years: female majors except those designated under section 8067(a)-(d) or (g)-(i) of this title; male majors designated under section 8067(e) or (f) of this title” in item 8915.

1966—Pub. L. 89-609, §1(32), Sept. 30, 1966, 80 Stat. 854, inserted “; male majors designated under section 8067(e) or (f) of this title” in item 8915.

1957—Pub. L. 85-155, title III, §301(21), Aug. 21, 1957, 71 Stat. 389, struck out items 8912 and 8928, and substituted “section 8067(a)-(d) or (g)-(i)” for “section 8067” in item 8915.

**§ 9311. Twenty years or more: regular or reserve commissioned officers**

(a) The Secretary of the Air Force may, upon the officer’s request, retire a regular or reserve

commissioned officer of the Air Force or the Space Force who has at least 20 years of service computed under section 9326 of this title, at least 10 years of which have been active service as a commissioned officer.

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

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

(Aug. 10, 1956, ch. 1041, 70A Stat. 549, §8911; Pub. L. 101-510, div. A, title V, §523(c), Nov. 5, 1990, 104 Stat. 1562; Pub. L. 103-160, div. A, title V, §561(c), Nov. 30, 1993, 107 Stat. 1667; Pub. L. 105-261, div. A, title V, §561(e), Oct. 17, 1998, 112 Stat. 2025; Pub. L. 106-398, §1 [[div. A], title V, §571(e)], Oct. 30, 2000, 114 Stat. 1654, 1654A-134; Pub. L. 109-163, div. A, title V, §502(c), Jan. 6, 2006, 119 Stat. 3225; Pub. L. 109-364, div. A, title X, §1071(a)(37), Oct. 17, 2006, 120 Stat. 2400; Pub. L. 111-383, div. A, title V, §506(c), Jan. 7, 2011, 124 Stat. 4210; Pub. L. 112-239, div. A, title V, §505(c), title X, §1076(e)(6), Jan. 2, 2013, 126 Stat. 1715, 1951; re-numbered §9311 and amended Pub. L. 115-232, div. A, title VIII, §§806(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840; Pub. L. 116-283, div. A, title IX, §923(c)(13), Jan. 1, 2021, 134 Stat. 3811.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8911 .....	10:943a. 10:971b (1st 100 words).	July 31, 1935, ch. 422, §5 (1st 101 words); re-stated June 13, 1940, ch. 344, §3 (1st 45 words), 54 Stat. 380; June 29, 1948, ch. 708, §202 (1st 105 words), 62 Stat. 1084; July 16, 1953, ch. 203, 67 Stat. 175.

The words “a regular or reserve commissioned officer of the Air Force” are substituted for the words “any officer on the active list of the \* \* \* Regular Air Force \* \* \* or any officer of the reserve components of the \* \* \* Air Force of the United States”. The words “Philippine Scouts” are omitted as obsolete. The words “has at least 20” are substituted for the words “shall have completed not less than twenty”. The words “upon his request” are substituted for the words “upon his own application”. The words “service computed under section 8926 of this title” are substituted for the words “active Federal service in the armed forces of the United States”, since that revised section makes explicit the service covered.

**Editorial Notes**

**AMENDMENTS**

2021—Subsec. (a). Pub. L. 116-283 inserted “or the Space Force” after “officer of the Air Force”.

2018—Pub. L. 115-232, §806(b)(13), renumbered section 8911 of this title as this section.

Subsec. (a). Pub. L. 115-232, §809(a), substituted “section 9326” for “section 8926”.

2013—Subsec. (b)(2). Pub. L. 112-239, §1076(e)(6), substituted “January 7, 2011,” for “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011”.

Pub. L. 112-239 substituted “September 30, 2018” for “September 30, 2013”.

2011—Subsec. (b)(2). Pub. L. 111-383 substituted “the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 and ending on September 30, 2013” for “January 6, 2006, and ending on December 31, 2008”.

2006—Subsec. (b). Pub. L. 109-364 struck out second comma after “paragraph (2)” in par. (1) and substituted “January 6, 2006,” for “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2006” in par. (2).

Pub. L. 109-163 designated existing provisions as par. (1), substituted “during the period specified in paragraph (2),” for “during the period beginning on October 1, 1990, and ending on December 31, 2001”, and added par. (2).

2000—Subsec. (b). Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001”.

1998—Subsec. (b). Pub. L. 105-261 substituted “during the period beginning on October 1, 1990, and ending on September 30, 2001” for “during the nine-year period beginning on October 1, 1990”.

1993—Subsec. (b). Pub. L. 103-160 substituted “nine-year period” for “five-year period”.

1990—Pub. L. 101-510 designated existing provisions as subsec. (a) and added subsec. (b).

### 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.

#### TEMPORARY EARLY RETIREMENT AUTHORITY

For provisions authorizing the Secretary of the Air Force, during the period beginning Oct. 23, 1992, and ending Oct. 1, 1995, to apply this section to a regular or reserve commissioned officer with at least 15 but less than 20 years of service by substituting “at least 15 years” for “at least 20 years” in subsec. (a) of this section, see section 4403 of Pub. L. 102-484, set out as a note under section 1293 of this title.

### § 9314. Twenty to thirty years: enlisted members

Under regulations to be prescribed by the Secretary of the Air Force, an enlisted member of the Air Force or the Space Force who has at least 20, but less than 30, years of service computed under section 9325 of this title may, upon his request, be retired.

(Aug. 10, 1956, ch. 1041, 70A Stat. 550, §8914; Pub. L. 96-343, §9(b)(1), Sept. 8, 1980, 94 Stat. 1128; Pub. L. 103-337, div. A, title V, §515(b), Oct. 5, 1994, 108 Stat. 2753; renumbered §9314 and amended Pub. L. 115-232, div. A, title VIII, §§806(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840; Pub. L. 116-283, div. A, title IX, §923(c)(14), Jan. 1, 2021, 134 Stat. 3811.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8914 .....	10:948 (1st sentence), 10:948a.	Oct. 6, 1945, ch. 393, §4 (1st sentence); restated Aug. 10, 1946, ch. 952, §6(a) (1st sentence), 60 Stat. 996. Aug. 10, 1946, ch. 952, §7, 60 Stat. 996.

The words “now or hereafter”, in 10:948a, are omitted as surplusage. The words “computed under section 8925 of this title” are substituted for the words “active Federal service”, in 10:948, and “active Federal military service”, in 10:948a, since that revised section makes

explicit the service covered. The words “be retired from” are substituted for the words “will be placed on the retired list of”, in 10:948. The words “completed a minimum”, in 10:948; and “the period of”, “be subject to”, “period of”, and “now or after August 10, 1946”, in 10:948a; are omitted as surplusage.

### Editorial Notes

#### PRIOR PROVISIONS

Prior sections 9314, 9314a, 9314b, and 9315 were renumbered sections 9414, 9414a, 9414b, and 9415 of this title, respectively.

A prior section 9316, added Pub. L. 101-510, div. A, title XIV, §1439(c), Nov. 5, 1990, 104 Stat. 1689, related to training and support for A-10 aircraft, prior to repeal by Pub. L. 110-417, [div. A], title III, §353(a), Oct. 14, 2008, 122 Stat. 4425.

#### AMENDMENTS

2021—Pub. L. 116-283 inserted “or the Space Force” after “member of the Air Force”.

2018—Pub. L. 115-232 renumbered section 8914 of this title as this section and substituted “section 9325” for “section 8925”.

1994—Pub. L. 103-337 struck out at end “A regular enlisted member then becomes a member of the Air Force Reserve. A member retired under this section shall perform such active duty as may be prescribed by law until his service computed under section 8925 of this title, plus his inactive service as a member of the Air Force Reserve, equals 30 years.”

1980—Pub. L. 96-343 struck out “regular” before “enlisted members” in section catchline and substituted in text “an enlisted member” for “a regular enlisted member”, “A regular enlisted member” for “He”, and “Air Force Reserve. A member retired under this section” for “Air Force, and”.

### 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.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-343 effective with respect to retired pay payable for months beginning after Sept. 8, 1980, see section 9(c) of Pub. L. 96-343, set out as a note under section 7314 of this title.

#### TEMPORARY EARLY RETIREMENT AUTHORITY

For provisions authorizing the Secretary of the Air Force, during the period beginning Oct. 23, 1992, and ending Oct. 1, 1995, to apply this section to an enlisted member with at least 15 but less than 20 years of service by substituting “at least 15” for “at least 20”, see section 4403 of Pub. L. 102-484, set out as a note under section 1293 of this title.

### § 9317. Thirty years or more: regular enlisted members

A regular enlisted member of the Air Force or the Space Force who has at least 30 years of service computed under section 9325 of this title shall be retired upon his request.

(Aug. 10, 1956, ch. 1041, 70A Stat. 550, §8917; renumbered §9317 and amended Pub. L. 115-232, div. A, title VIII, §§806(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840; Pub. L. 116-283, div. A, title IX, §923(c)(15), Jan. 1, 2021, 134 Stat. 3811.)