

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3212 and 8212 of this title, prior to repeal by Pub. L. 103-337, § 1662(a)(3).

§ 12010. Computations for Naval 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 Naval 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.)

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).

§ 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) The 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, as of the end of any fiscal year for duty described in subclauses (B) and (C) of section 523(b)(1) of this title or full-time National Guard duty (other than for training) under section 502(f) of title 32 may not exceed the number for that grade and armed force in the following table:

Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,227	1,071	860	140
Lieutenant Colonel or Commander	1,611	520	777	90
Colonel or Navy Captain ..	471	188	297	30

(b) 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.

(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.)

AMENDMENTS

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 from 875, 520, and 185; Air Force, to 575, 476, and 190 from 575, 322, 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.