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AMENDMENTS

1967— Pub. L. 90-130, § 1(28) (C), Nov. 8, 1967, 81 Stat. 382, eliminated item 8370 which read: "Commissioned officers: promotion of female officers, nurses, and medical specialists."

1964—Pub. L. 88-647, title III, § 301(22), Oct. 13, 1964, 78 Stat. 1073, deleted item 8355.

1958—Pub. L. 85-861, § 1(179), Sept. 2, 1958, 72 Stat. 1531, struck out "Air Force Reserve" following "Commissioned officers" and inserted "status" following "United States" in item 8354, and added items 8353, 8358-8363, 8365-8368, 8370-8381, 8392 and 8393.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 133, 1005, 1006, 1007 of this title.

§ 8351. Officers: Air National Guard of United States.

(a) Upon being federally recognized, an officer of the Air National Guard shall be appointed as a Reserve for service as a member of the Air National Guard of the United States in the grade that he holds in the Air National Guard. However, an officer of the Air Force Reserve who is federally recognized as an officer of the Air National Guard becomes an officer of the Air National Guard of the United States and ceases to be an officer of the Air Force Reserve. The acceptance of an appointment as a Reserve for service as a member of the Air National Guard of the United States by an officer

of the Air National Guard does not vacate his office in the Air National Guard.

(b) When an officer of the Air National Guard to whom temporary Federal recognition has been extended is appointed as a Reserve for service as a member of the Air National Guard of the United States, his appointment shall bear the date of the temporary recognition and shall be considered to have been accepted and effective on that date.

(c) When the Air National Guard of the United States is ordered to active duty, any officer of the Air National Guard who is not a Reserve of the Air Force may be appointed by the President as a Reserve for service as a member of the Air National Guard of the United States in the grade that he holds in the Air National Guard. (Aug. 10, 1956, ch. 1041, 70A Stat. 519.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
8351 (a)....	50: 1113 (less (a)), 50: 1115 (a) (last 39 words).	July 9, 1952, ch. 508, § 703 (less (a)), 704 (2d sentence), 705 (a) (last 39 words), 713 (less (a)), 66 Stat. 502-304.
8351 (b)....	50: 1114 (2d sentence).	
8351 (c)....	50: 1123 (less (a)).	

In subsection (a), the words "as a Reserve" are substituted for the words "as Reserve officers of the appropriate Armed Force of the United States" and "as a Reserve officer of the Armed Force of the United States concerned" in 50: 1113 (b). The words "federally recognized appointments" and "in the same grade and branch", in 50: 1113 (b), are omitted as surplusage. The words "those officers who do not hold appointments as reserve officers of the appropriate Armed Force of the United States", in 50: 1113 (b), are omitted as covered by the second sentence of the revised subsection.

In subsection (c), the words "active duty" are substituted for the words "active military service of the United States". The words "and branch" are omitted as surplusage. The words "of the Air National Guard of the United States" are inserted for clarity.

CROSS REFERENCES

Regulations to carry out this section, see section 280 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 280 of this title.

§ 8352. Officers; Air Force Reserve: transfer from Air National Guard of United States.

(a) Under such regulations as the Secretary of the Air Force may prescribe, and with the consent of the governor or other appropriate authority of the State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia, whichever is concerned, an officer of the Air National Guard of the United States may be transferred in grade to the Air Force Reserve.

(b) Unless discharged from his appointment as a Reserve, an officer of the Air National Guard of the United States whose Federal recognition as a member of the Air National Guard is withdrawn becomes a member of the Air Force Reserve. An officer who so becomes a member of the Air Force Reserve ceases to be a member of the Air National Guard of the United States. (Aug. 10, 1956, ch. 1041, 70A Stat. 520; Sept. 7, 1962, Pub. L. 87-651, title I, § 126, 76 Stat. 514.)