

Public Law 96-584
96th Congress

An Act

To amend title 10, United States Code, to provide greater flexibility for the Armed Forces in ordering Reserves to active duty, and for other purposes.

Dec. 23, 1980

[H.R. 7682]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 672 of title 10, United States Code, is amended to read as follows:

Armed Forces Reserves, active duty, amendment.

“(e) The period of time allowed between the date when a Reserve ordered to active duty (other than for training) is alerted for that duty and the date when the Reserve is required to enter upon that duty shall be determined by the Secretary concerned based upon military requirements at that time.”

SEC. 2. Section 673b(c) of title 10, United States Code, is amended by striking out “50,000” and inserting in lieu thereof “100,000”.

SEC. 3. (a) Section 6(d)(1) of the Military Selective Service Act (50 U.S.C. App. 456(d)(1)) is amended by striking out “less than three months or” in the fifth sentence.

(b) The amendment made by subsection (a) shall apply only to persons ordered to active duty for training after the effective date of this Act.

50 USC app. 456 note.

SEC. 4. Section 517 of title 10, United States Code, relating to the authorized daily average in enlisted members that may be on active duty in the grades of E-8 and E-9, is amended—

(1) by inserting “(a)” before “Except”;

(2) by adding the following new sentence: “In computing the limitations prescribed in the preceding sentence, there shall be excluded enlisted members of an armed force on active duty (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve component of an armed force.”; and

(3) by adding the following new subsection:

“(b) The number of enlisted members in pay grades E-8 and E-9 who may be on active duty as of the end of any fiscal year in connection with organizing, administering, recruiting, instructing, or training the reserve components of the armed forces may not exceed the number prescribed for the grade and the armed force in the following table:

Grade	Army	Navy	Air Force
E-9.....	209	140	71
E-8.....	823	302	302

Approved December 23, 1980.

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 96-1215 (Comm. on Armed Services).
- SENATE REPORT No. 96-1052 (Comm. on Armed Services).
- CONGRESSIONAL RECORD, Vol. 126 (1980):
 - Aug. 25, considered and passed House.
 - Dec. 4, considered and passed Senate, amended.
 - Dec. 5, House concurred in Senate amendments.