

Chapter 19.—PHILIPPINE SCOUTS.

Section 321a. Disbandment or reduction of personnel.—The President is authorized at any time to disband the Philippine Scouts or to reduce the personnel thereof. (June 30, 1932, c. 314, § 301, 47 Stat. 407.)

★ 323. Appointment of officers.—

The words "after July 1, 1920" in line 1 of this section should be omitted as no longer necessary.

★ 324. Officers commissioned prior to July 1, 1920, and not recommissioned in Regular Army continued in service.—

The War Department recommends the omission of this section from the Code as superfluous "in view of § 482 of this title which includes officers of Philippine Scouts among the officers who, by § 321 of Title 10, may be detailed to tactical units of Philippine Scouts." If retained the Department is of opinion that to express existing law it should read: "Officers of the Philippine Scouts commissioned therein shall continue to serve under their commissions as such."

★ 325. Computation of period of service of officers.—

The page of the citation to this section should read "501" and not "500."

★ 329. Ratification of administrative action as to pay of retired officers on duty mentioned in next preceding section.—

This section should in the opinion of the War Department be omitted from the Code as being of a special and temporary nature.

334. Pay and allowances of enlisted men.—The pay and allowances of whatever nature and kind to be authorized for the enlisted men of the Philippine Scouts shall be fixed by the Secretary of War and shall not exceed or be of other classes than those now or which may hereafter be authorized by law for enlisted men of the Regular Army: *Provided*, That payments of travel pay and of commutation of quarters, heat, and light heretofore made to enlisted men of the Philippine Scouts, if not in excess of those authorized at the time for enlisted men of the Regular Army, be, and the same are hereby, validated: *And provided further*, That any such payments of travel pay and commutation of quarters, heat, and light which have been collected back from enlisted men of the Philippine Scouts to whom originally paid shall be refunded to them. (As amended May 10, 1926, c. 279, 44 Stat. 496.)

The Act cited to the text was entitled "An Act to authorize the Secretary of War to fix all allowances for enlisted men of the Philippine Scouts; to validate certain payments for travel pay, commutation of quarters, heat, light, and so forth, and for other purposes."

The amendment made numerous changes and added the two provisos at the end of the section.

★ 335. Philippine Scouts cooperating with Philippine Constabulary.—

The War Department recommends that instead of the words "as herein provided" in line 6 of this section, there be substituted the words "as provided in section 537 of this title." Such a change would make the section express existing law.

Chapter 20.—RESERVE FORCES.

OFFICERS' RESERVE CORPS

CROSS REFERENCE

Payment of arrears to members of Officers' Reserve Corps and Enlisted Reserve Corps who have become entitled for a continuous period of less than one month to Federal pay at rates fixed for Regular Army, see § 159 of Title 32.

Section 351. Organization of Officers' Reserve Corps.—For the purpose of providing a reserve of officers available for military service when needed there shall be organized an Officers' Reserve Corps consisting of general officers and officers assigned to sections corresponding to the various branches of the Regular Army and such additional sections as the President may direct.

The grades in each section and the number in each grade shall be as the President may prescribe. (June 3, 1916, c. 134, § 37, 39 Stat. 189, as amended June 4, 1920, c. 227, subchapter I, § 32, 41 Stat. 775; June 15, 1933, c. 87, § 3, 48 Stat. 154.)

352. Appointment of reserve officers.—Appointments in the Officers' Reserve Corps in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate. (June 3, 1916, c. 134, § 37, 39 Stat. 189, as amended June 4, 1920, c. 227, subchapter I, § 32, 41 Stat. 775; June 15, 1933, c. 87, § 3, 48 Stat. 154.)

352a. Appointment of officers in National Guard of United States.—Appointments in the National Guard of the United States in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate. (June 3, 1916, c. 134, § 38, as amended June 15, 1933, c. 87, § 4, 48 Stat. 155.)

353. Qualifications and eligibility; grade of appointment.—In time of peace an officer of the Officers' Reserve Corps must at the time of his appointment be a citizen of the United States between the ages of twenty-one and sixty years. Any person who has been an officer of the Army of the United States at any time between April 6, 1917, and June 30, 1919, or who has been an officer of the Regular Army at any time, if qualified, may be appointed in the Officers' Reserve Corps in the highest grade which he held or any lower grade. No other person except as herein provided shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery, or Air Corps in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery, and Air Corps shall be limited to former officers of the Army, former officers of the National Guard of the United States, graduates of the Reserve Officers' Training Corps, as provided in section 47b hereof; warrant officers, and enlisted men of the Regular Army, National Guard of the United States, and Enlisted Reserve Corps and persons who served in the Army at some time between April 6, 1917, and November 11, 1918. (June 3, 1916, c. 134, § 37, 39 Stat. 189, as amended June 4, 1920, c. 227, subchapter 1, § 32, 41 Stat. 775; June 15, 1933, c. 87, § 3, 48 Stat. 154.)

355. Form of commission.—All persons appointed officers in the National Guard of the United States are reserve officers and shall be commissioned in the Army of the United States. (As amended June 15, 1933, c. 87, § 4, 48 Stat. 155.)

355a. Same; officers in Reserve Corps.—All persons appointed in the Officers' Reserve Corps are reserve officers and shall be commissioned in the Army of the United States. (June 3, 1916, c. 134, § 37, as amended June 15, 1933, c. 87, § 3, 48 Stat. 154.)

★ 356. Contemporaneous commissions in Officers' Reserve Corps and National Guard.—

Additional citations to this section are, "June 3, 1916, c. 134, § 37, 39 Stat. 189; June 4, 1920, c. 227, subchapter I, § 32, 41 Stat. 775."

★ 357. Recommission of officers called for service in grade lower than reserve commission.—

It is recommended by the War Department that this section be omitted from the Code as expressly repealed. The source of the section is a provision in Act May 12, 1917, c. 12, 40 Stat. 74, cited thereto, and the provision is a portion of an amendment of § 37 of Act June 3, 1916, c. 134, 39 Stat. 189. Section 37 was amended by § 32 of Act June 4, 1920, c. 227, 41 Stat. 775 "by striking out the same and inserting" a new section 37 which discloses no language similar to that found in the provision in question.

358. Period of service; right to discharge on termination of war.—Appointment in every case in the Officers' Reserve Corps shall be for a period of five years, but an appointment in force at the outbreak of war shall continue in force until six months