

TITLE 10 - ARMED FORCES**Subtitle A - General Military Law****PART II - PERSONNEL****CHAPTER 33A - APPOINTMENT, PROMOTION, AND INVOLUNTARY SEPARATION AND RETIREMENT FOR MEMBERS ON THE WARRANT OFFICER ACTIVE-DUTY LIST****§ 582. Warrant officer active-duty list: exclusions**

Warrant officers in the following categories are not subject to this chapter:

- (1) Reserve warrant officers—
 - (A) on active duty as authorized under section 115 (a)(1)(B) or 115 (b)(1) of this title, or excluded from counting for active duty end strengths under section 115 (i) of this title; or
 - (B) on full-time National Guard duty.
- (2) Retired warrant officers on active duty (other than retired warrant officers who were recalled to active duty before February 1, 1992, and have served continuously on active duty since that date).
- (3) Students enrolled in the Army Physician's Assistant Program.

(Added Pub. L. 102–190, div. A, title XI, § 1112(a), Dec. 5, 1991, 105 Stat. 1500; amended Pub. L. 103–337, div. A, title V, § 501(d), Oct. 5, 1994, 108 Stat. 2748; Pub. L. 104–106, div. A, title XV, § 1501(c)(5), Feb. 10, 1996, 110 Stat. 498; Pub. L. 108–375, div. A, title IV, § 416(i), Oct. 28, 2004, 118 Stat. 1869.)

Amendments

2004—Par. (1). Pub. L. 108–375 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “Reserve warrant officers—

“(A) on active duty for training;

“(B) on active duty under section 12301 (d) of this title in connection with organizing, administering, recruiting, instructing, or training the reserve components;

“(C) on active duty to pursue special work;

“(D) ordered to active duty under section 12304 of this title; or

“(E) on full-time National Guard duty.”

1996—Par. (1)(B). Pub. L. 104–106 substituted “section 12301 (d)” for “section 672 (d)”.

Par. (1)(D). Pub. L. 104–106 substituted “section 12304” for “section 673b”.

1994—Par. (2). Pub. L. 103–337 inserted before period at end “(other than retired warrant officers who were recalled to active duty before February 1, 1992, and have served continuously on active duty since that date)”.

Effective Date of 1996 Amendment

Section 1501(c) of Pub. L. 104–106 provided that the amendment made by that section is effective as of Dec. 1, 1994, and as if included as an amendment made by the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103–337, as originally enacted.