

1988—Pub. L. 100-456, div. A, title V, § 522(a)(2), Sept. 29, 1988, 102 Stat. 1973, added item 8252.

1968—Pub. L. 90-235, § 2(a)(4)(C), Jan. 2, 1968, 81 Stat. 756, struck out item 8252 “Temporary enlistments”, item 8254 “Air Force: during war or emergency”, item 8255 “Regular Air Force: recruiting campaigns”, item 8256 “Regular Air Force: qualifications, term, grade”, item 8262 “Extension of enlistment for members needing medical care or hospitalization”, and item 8263 “Voluntary extension of enlistment”.

1958—Pub. L. 85-861, § 1(166)(C), (D), Sept. 2, 1958, 72 Stat. 1516, struck out “: enlistment” after “United States” in item 8261, and added item 8263.

§ 8251. Definition

In this chapter, the term “enlistment” means original enlistment or reenlistment.

(Aug. 10, 1956, ch. 1041, 70A Stat. 503; Pub. L. 100-180, div. A, title XII, § 1231(19)(A), Dec. 4, 1987, 101 Stat. 1161.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8251	[No source].	[No source].

The revised section is inserted for clarity.

AMENDMENTS

1987—Pub. L. 100-180 inserted “, the term” after “In this chapter”.

WOMEN IN ARMED FORCES

Pub. L. 98-525, title V, § 551(a), Oct. 19, 1984, 98 Stat. 2530, as amended by Pub. L. 99-661, div. A, title V, § 504, Nov. 14, 1986, 100 Stat. 3864; Pub. L. 100-180, div. A, title V, § 506, Dec. 4, 1987, 101 Stat. 1086, which required the Secretary of the Air Force to provide that of all persons originally enlisting in the Regular Air Force during fiscal year 1989, not less than 22 percent be women, was repealed by Pub. L. 100-456, div. A, title V, § 522(d), Sept. 29, 1988, 102 Stat. 1974. See section 8252 of this title.

§ 8252. Regular Air Force: gender-free basis for acceptance of original enlistments

In accepting persons for original enlistment in the Regular Air Force, the Secretary of the Air Force may not—

- (1) set a minimum or maximum percentage of persons who may be accepted for such an enlistment according to gender for skill categories or jobs; or
- (2) in any other way base the acceptance of a person for such an enlistment on gender.

(Added Pub. L. 100-456, div. A, title V, § 522(a)(1), Sept. 29, 1988, 102 Stat. 1973; amended Pub. L. 102-484, div. A, title X, § 1052(40), Oct. 23, 1992, 106 Stat. 2501.)

PRIOR PROVISIONS

A prior section 8252, act Aug. 10, 1956, ch. 1041, 70A Stat. 503, provided that temporary enlistments could be made only in Air Force without specification of component, prior to repeal by Pub. L. 90-235, § 2(a)(4)(B), Jan. 2, 1968, 81 Stat. 756.

AMENDMENTS

1992—Pub. L. 102-484 substituted “In” for “(a) Except as provided in subsection (b), in” and struck out subsec. (b) which read as follows: “Subsection (a) shall not apply with respect to an enlistment specified as being for training leading to designation in a skill category

involving duty assignments to which, under section 8549 of this title, female members of the Air Force may not be assigned.”

EFFECTIVE DATE

Pub. L. 100-456, div. A, title V, § 522(c), Sept. 29, 1988, 102 Stat. 1974, provided that: “Such section [10 U.S.C. 8252] shall apply with respect to persons accepted for original enlistment in the Regular Air Force after September 30, 1989.”

IMPLEMENTATION

Pub. L. 100-456, div. A, title V, § 522(b), Sept. 29, 1988, 102 Stat. 1973, provided that: “The Secretary of the Air Force shall develop a methodology for implementing section 8252 of title 10, United States Code, as added by subsection (a), not later than October 1, 1989.”

[§ 8253. Repealed. Pub. L. 109-163, div. A, title V, § 542(b)(1), Jan. 6, 2006, 119 Stat. 3253]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 503; Pub. L. 87-143, § 1(2), Aug. 17, 1961, 75 Stat. 364; Pub. L. 90-235, § 2(a)(4)(A), Jan. 2, 1968, 81 Stat. 756; Pub. L. 96-513, title V, § 514(2), Dec. 12, 1980, 94 Stat. 2935, provided that, in peace time, Air Force enlistment was available only to citizens and persons lawfully admitted to the United States for permanent residence.

[§§ 8254 to 8256. Repealed. Pub. L. 90-235, § 2(a)(4)(B), Jan. 2, 1968, 81 Stat. 756]

Section 8254, act Aug. 10, 1956, ch. 1041, 70A Stat. 503, provided for temporary enlistments in Air Force during war or emergency.

Section 8255, act Aug. 10, 1956, ch. 1041, 70A Stat. 504, provided for recruiting campaigns to obtain enlistments in Regular Air Force.

Section 8256, act Aug. 10, 1956, ch. 1041, 70A Stat. 504, set forth qualifications for and term of enlistments in Regular Air Force and grade in which such enlistments were made.

MEMBERS OF ARMY AND AIR FORCE SERVING UNDER ENLISTMENTS FOR UNSPECIFIED PERIODS ON JAN. 2, 1968; CONTINUANCE IN STATUS; DISCHARGE

Members of Air Force serving under enlistments for unspecified periods on Jan. 2, 1968, continued in that status and discharged in accordance with laws applicable on Jan. 1, 1968, see section 3(c) of Pub. L. 90-235, set out as a note under section 3256 of this title.

§ 8257. Regular Air Force: aviation cadets; qualifications, grade, limitations

(a) The grade of aviation cadet is a special enlisted grade in the Regular Air Force.

(b) Any citizen of the United States may be enlisted as an aviation cadet, if he is otherwise qualified.

(c) Any enlisted member of the Regular Air Force who is otherwise qualified may be designated, with his consent, as an aviation cadet by the Secretary of the Air Force.

(d) Except in time of war or of emergency declared by Congress, at least 20 percent of the aviation cadets designated in each fiscal year shall be selected from members of the Regular Air Force or the Regular Army who are eligible and qualified. No person may be enlisted or designated as an aviation cadet unless—

- (1) he agrees in writing that, upon his successful completion of the course of training as an aviation cadet, he will accept a commission as second lieutenant in the Air Force Reserve, and will serve on active duty as such for a period of three years, unless sooner released; and