

Sec.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 353 of this title as this chapter and items 3681, 3684, and 3691 as 7251, 7252, and 7253, respectively.

1998—Pub. L. 105-261, div. A, title VI, §644(a)(2), Oct. 17, 1998, 112 Stat. 2048, added item 3681.

1994—Pub. L. 103-337, div. A, title XVI, §1672(b)(6), Oct. 5, 1994, 108 Stat. 3015, struck out item 3686 “Members of Army National Guard of United States: credit for service as members of Army National Guard”.

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(i), Nov. 14, 1986, 100 Stat. 3877, struck out item 3687 “Compensation: members of Army other than of Regular Army; when same as that provided for members of Regular Army”.

1985—Pub. L. 99-145, title XIII, §1301(b)(1)(B), Nov. 8, 1985, 99 Stat. 735, struck out item 3683 “Service credit: certain service as a nurse, woman medical specialist, or civilian employee of Army Medical Department to be counted”.

1980—Pub. L. 96-513, title V, §512(7), Dec. 12, 1980, 94 Stat. 2929, struck out item 3689 “Assignments and allotments of pay”.

1971—Pub. L. 92-168, §1(2), Nov. 24, 1971, 85 Stat. 489, struck out item 3692 “Pilot rating in time of peace: qualifications”.

1968—Pub. L. 90-235, §§6(a)(3), 7(a)(4), (b)(3), Jan. 2, 1968, 81 Stat. 762, 763, struck out item 3682 “Service credit: officers; service as cadet not counted”, item 3685 “Regular Army; Army Reserve: female members; definition of ‘dependents’”, item 3690 “Exemption from arrest for debt: enlisted members”, and item 3693 “Replacement of certificate of discharge”.

1958—Pub. L. 85-861, §1(91), Sept. 2, 1958, 72 Stat. 1482, struck out items 3681 “Army Register: regular officers; service to be listed” and 3688 “Death Gratuity”.

ESTABLISHMENT OF BREASTFEEDING POLICY FOR THE DEPARTMENT OF THE ARMY

Pub. L. 114-92, div. A, title V, §527, Nov. 25, 2015, 129 Stat. 813, provided that: “The Secretary of the Army shall develop a comprehensive policy regarding breastfeeding by female members of the Army who are breastfeeding. At a minimum, the policy shall address the following:

- “(1) The provision of a designated room or area that will provide the member with adequate privacy and cleanliness and that includes an electrical outlet to facilitate the use of a breast pump. Restrooms should not be considered an appropriate location.
- “(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.”

§ 7251. Presentation of United States flag upon retirement

(a) PRESENTATION OF FLAG.—Upon the release of a member of the Army from active duty for retirement, the Secretary of the Army shall present a United States flag to the member.

(b) MULTIPLE PRESENTATIONS NOT AUTHORIZED.—A member is not eligible for a presentation of a flag under subsection (a) if the member has previously been presented a flag under this section or any other provision of law providing for the presentation of a United States flag incident to release from active service for retirement.

(c) NO COST TO RECIPIENT.—The presentation of a flag under this section shall be at no cost to the recipient.

(Added Pub. L. 105-261, div. A, title VI, §644(a)(1), Oct. 17, 1998, 112 Stat. 2048, §3681; amended Pub. L. 106-65, div. A, title VI, §652(e), Oct. 5, 1999, 113

Stat. 666; renumbered §7251, Pub. L. 115-232, div. A, title VIII, §808(b)(9), Aug. 13, 2018, 132 Stat. 1838.)

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3681 of this title as this section.

1999—Subsec. (b). Pub. L. 106-65 substituted “under this section or any other provision of law providing for the presentation of a United States flag incident to release from active service for retirement.” for “under this section or section 6141 or 8681 of this title or section 516 of title 14.”

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE

Pub. L. 105-261, div. A, title VI, §644(e), Oct. 17, 1998, 112 Stat. 2049, provided that: “Sections 3681, 6141, and 8681 [now 7251, 8261, and 9251] of title 10, United States Code (as added by this section), and section 516 [now 2748] of title 14, United States Code (as added by subsection (d)), shall apply with respect to releases from active duty described in those sections on or after October 1, 1998.”

§ 7252. Service credit: regular enlisted members; service as an officer to be counted as enlisted service

An enlisted member of the Regular Army is entitled to count active service as an officer in the Army as enlisted service for all purposes.

(Aug. 10, 1956, ch. 1041, 70A Stat. 211, §3684; renumbered §7252, Pub. L. 115-232, div. A, title VIII, §808(b)(9), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3684	10:631a (last proviso).	July 14, 1939, ch. 267, §1 (last proviso); restated May 29, 1954, ch. 249, §19(b) (last proviso), 68 Stat. 166.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3684 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 7253. Flying officer rating: qualifications

Only officers of the Army in the following categories may be rated as flying officers:

- (1) Officers who have aeronautical ratings as pilots of service types of aircraft or as aircraft observers.
- (2) Flight surgeons.
- (3) Officers undergoing flight training.
- (4) Officers who are members of combat crews, other than pilots of service types of aircraft, aircraft observers, and observers.
- (5) In time of war, officers who have aeronautical ratings as observers.