

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.

Prior sections 8257 and 8258 were renumbered sections 9137 and 9138 of this title.

Prior sections 8259 and 8260 were repealed by Pub. L. 103-337, div. A, title XVI, §1662(b)(3), Oct. 5, 1994, 108 Stat. 2990.

Section 8259, acts Aug. 10, 1956, ch. 1041, 70A Stat. 505; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, §1234(a)(1), 102 Stat. 2059, related to transfers in grade of members of Air National Guard of United States to Air Force Reserve. See section 12105 of this title.

Section 8260, act Aug. 10, 1956, ch. 1041, 70A Stat. 505, provided that enlisted members of Air National Guard of United States are transferred to Air Force Reserve upon withdrawal as members of Air National Guard. See section 12106 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6113 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.

CHAPTER 831—MISCELLANEOUS RIGHTS AND BENEFITS

Sec.	
8261.	Presentation of United States flag upon retirement.
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8263.	Emergency shore duty: advance of funds.
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PRIOR PROVISIONS

A prior chapter 831, consisting of sections 8201 to 8230, related to the force strength of the Air Force, prior to renumbering as chapter 911 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §807(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 561 of this title as this chapter and items 6141, 6151 to 6156, 6160, and 6161 as 8261 to 8267, 8270, and 8271, respectively.

2006—Pub. L. 109-364, div. A, title X, §1071(a)(32), Oct. 17, 2006, 120 Stat. 2400, substituted colon for semicolon in item 6154 and “Settlement of accounts: remission or cancellation of indebtedness of members” for “Remission of indebtedness of enlisted members discharge” in item 6161.

Pub. L. 109-163, div. A, title VI, §683(b)(2), Jan. 6, 2006, 119 Stat. 3323, struck out “upon” after “members” in item 6161.

1998—Pub. L. 105-261, div. A, title VI, §644(b)(2), Oct. 17, 1998, 112 Stat. 2049, added item 6141.

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(iii), Nov. 14, 1986, 100 Stat. 3877, struck out item 6148 “Disability and death benefits: Naval Reserve and Marine Corps Reserve”.

1980—Pub. L. 96-513, title V, §513(13), Dec. 12, 1980, 94 Stat. 2932, struck out items 6141 “Pay: officers; date of commencement”, 6142 “Pay: assignments”, 6143 “Pay: sale to be discouraged by commanding officer”, 6144 “Pay accounts: settlement when lost with vessel”, 6145 “Pay accounts: settlement; fixing date of loss of vessel”, 6146 “Allotments: officers”, and 6147 “Allowances: prisoners”.

1970—Pub. L. 91-482, §2D, Oct. 21, 1970, 84 Stat. 1082, struck out item 6159 “Half rating to disabled naval enlisted personnel serving twenty years”.

1968—Pub. L. 90-235, §7(b)(4), Jan. 2, 1968, 81 Stat. 763, struck out item 6158 “Exemption from arrest for debt: enlisted members of Marine Corps”.

1963—Pub. L. 88-132, §5(h)(3), Oct. 2, 1963, 77 Stat. 214, struck out item 6149 “Retired pay: computed on basis of rates of pay for officers on the active list”.

1962—Pub. L. 87-651, title I, §123(c), Sept. 7, 1962, 76 Stat. 514, struck out item 6157 “Motor vehicles: transportation on permanent change of station”.

1960—Pub. L. 86-511, §1(b), June 11, 1960, 74 Stat. 207, added item 6161.

1959—Pub. L. 86-155, §9(a)(2), Aug. 11, 1959, 73 Stat. 337, struck out item 6150 “Higher retired grade for officers specially commended”.

1958—Pub. L. 85-861, §1(139)(B), Sept. 2, 1958, 72 Stat. 1508, substituted “who serve satisfactorily under temporary appointments” for “temporarily appointed or promoted during World War II” in item 6151.

1957—Pub. L. 85-56, title XXII, §2201(31)(D), June 17, 1957, 71 Stat. 162, eff. Jan. 1, 1958, added items 6159 and 6160.

§ 8261. Presentation of United States flag upon retirement

(a) PRESENTATION OF FLAG.—Upon the release of a member of the Navy or Marine Corps from active duty for retirement or transfer to the Fleet Reserve or the Fleet Marine Corps Reserve, the Secretary of the Navy 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(b)(1), Oct. 17, 1998, 112 Stat. 2048, §6141; amended Pub. L. 106-65, div. A, title VI, §652(e), Oct. 5, 1999, 113 Stat. 666; renumbered §8261, Pub. L. 115-232, div. A, title VIII, §807(b)(10), Aug. 13, 2018, 132 Stat. 1835.)

PRIOR PROVISIONS

A prior section 8261, acts Aug. 10, 1956, ch. 1041, 70A Stat. 505; Oct. 4, 1961, Pub. L. 87-378, §4, 75 Stat. 808, related to enlistment in Air National Guard of United States, prior to repeal by Pub. L. 103-337, div. A, title XVI, §1662(b)(3), Oct. 5, 1994, 108 Stat. 2990. See section 12107 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6141 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 3681 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

Section applicable with respect to releases from active duty described in this section, sections 7251 and 9251 of this title, and section 2748 of Title 14, Coast Guard, on or after Oct. 1, 1998, see section 644(e) of Pub. L. 105-261, set out as a note under section 7251 of this title.

§ 8262. Higher retired grade and pay for members who serve satisfactorily under temporary appointments

(a) Unless otherwise entitled to a higher retired grade and subject to sections 689 and 1370 of this title, each member, other than a retired member, of the Navy or the Marine Corps shall, when retired, be advanced on the retired list to the highest officer grade in which he served satisfactorily under a temporary appointment as determined by the Secretary of the Navy.

(b) Each member (other than a former member of the Fleet Reserve or the Fleet Marine Corps Reserve) who is advanced on the retired list under this section is (unless otherwise entitled to higher retired pay) entitled to retired pay determined in accordance with the following table. References in the table are to sections of this title.

Column 1 Take	Column 2 Multiply by
Retired pay base computed under section 1406(d) or 1407.	Retired pay multiplier prescribed under section 1409 for the years of service that may be credited to him under section 1405.

(c) Each former member of the Fleet Reserve or the Fleet Marine Corps Reserve who is advanced on the retired list under this section is entitled to retired pay determined in accordance with the following table. References in the table are to sections of this title.

Column 1 Take	Column 2 Multiply by
Retired pay base computed under section 1406(d) or 1407.	Retired pay multiplier prescribed under section 1409 for the number of years of service creditable for his retainer pay at the time of retirement.

(d) A member who is advanced on the retired list under this section from the grade of warrant officer, W-1, or from an enlisted grade to a commissioned grade, and who applies to the Secretary within three months after his advancement, shall, if the Secretary approves, be restored on the retired list to his former warrant officer or enlisted grade, as the case may be. A member who is restored to his former grade under this subsection is thereafter considered for all purposes as a warrant officer, W-1, or an enlisted member, as the case may be.

(e) Retired pay computed under subsection (b) or (c), if not a multiple of \$1, shall be rounded to the next lower multiple of \$1.

(Aug. 10, 1956, ch. 1041, 70A Stat. 385, §6151; Pub. L. 85-422, §11(a)(6)(A), May 20, 1958, 72 Stat. 131; Pub. L. 85-861, §1(138), (139)(A), Sept. 2, 1958, 72 Stat. 1507, 1508; Pub. L. 88-132, §5(h)(4), Oct. 2, 1963, 77 Stat. 214; Pub. L. 96-342, title VIII, §813(d)(13), Sept. 8, 1980, 94 Stat. 1108; Pub. L. 96-513, title V, §§503(45), 513(17), Dec. 12, 1980, 94 Stat. 2914, 2932; Pub. L. 98-94, title IX, §§922(a)(9), 923(c)(1), Sept. 24, 1983, 97 Stat. 641, 643; Pub. L. 99-348, title II, §203(c), July 1, 1986, 100 Stat. 696; Pub. L. 104-201, div. A, title V, §521(d), Sept. 23, 1996, 110 Stat. 2517; renumbered §8262, Pub. L. 115-232, div. A, title VIII, §807(b)(10), Aug. 13, 2018, 132 Stat. 183.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6151	34 U.S.C. 350i(b)(2), (e).	July 24, 1941, ch. 320, §10(b)(2), (e), 55 Stat. 605; Feb. 21, 1946, ch. 34, §8(a), 60 Stat. 28.
	34 U.S.C. 410c(a), (b), (c).	Feb. 21, 1946, ch. 34, §7(a) (less 1st proviso), (b), (c), 60 Stat. 27; Aug. 7, 1947, ch. 512, §432(a), 61 Stat. 881.
	34 U.S.C. 43g(c).	Apr. 16, 1947, ch. 38, §207(d), 61 Stat. 49; redesignated (c), Aug. 7, 1947, ch. 512, §434(d), 61 Stat. 882; May 16, 1950, ch. 186, §3(h), 64 Stat. 162.
	34 U.S.C. 43g(f), (g).	Apr. 16, 1947, ch. 38, §207(g), (h), 61 Stat. 47; redesignated (f), (g), Aug. 7, 1947, ch. 512, §434(d), 61 Stat. 882.
	34 U.S.C. 410r(a), (g), (h).	June 12, 1948, ch. 449, §207(a), (g), (h), 62 Stat. 366.
	34 U.S.C. 625h(a).	June 12, 1948, ch. 449, §213(a), 62 Stat. 369.
	34 U.S.C. 993c.	June 19, 1948, ch. 540, §3, 62 Stat. 505.

Subsections (b) and (c) are worded to conform to the terminology of the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.). The second and third provisos in 34 U.S.C. 410c(a), relating to the computation of retired pay for officers whose pay on the active list was not based on years of service, are omitted as obsolete, since under the Career Compensation Act of 1949, the active-duty pay of all officers is based on years of service.

In subsection (d) the words “A retired member who is advanced * * * from the grade of warrant officer, W-1, or from an enlisted grade” are substituted for the words “Enlisted men and warrant officers * * * advanced” and the words “as a warrant officer, W-1, or an enlisted member” are substituted for the words “to be enlisted or warrant officer personnel” because the Warrant Officer Act of 1954 established the grade of warrant officer, W-1, in lieu of the old warrant officer (as distinguished from commissioned warrant officer) grades. The words “rank or” are omitted as unnecessary. The words “within three months of the date of the approval of this Act” and “whichever is the later” are omitted as executed.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6151(a)	34 App.:350i(b)(2).	May 31, 1956, ch. 348, §3, 70 Stat. 222.

Reference to the provisions of law under which temporary appointments in officer grades were made is