

## HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
	34 U.S.C. 43h(a) (1st 21 words of 2d proviso).	Apr. 16, 1947, ch. 38, § 208(a) (1st 25 words of 2d proviso), 61 Stat. 50.

In subsection (a) the words “active duty” before the words “enlisted personnel” are omitted as surplusage since there is no authority to hospitalize an enlisted member in a naval hospital under conditions where he would not be entitled to a hospital ration. The words “active and inactive” before the words “retired enlisted personnel” are omitted as surplusage. The word “members” is substituted for the word “personnel” for uniformity. The words “the Fleet Marine Corps Reserve” are inserted for clarity since the term “Fleet Reserve” in the source statute is used in a generic sense and includes members of the Fleet Marine Corps Reserve.

In subsection (b) the words “that nothing contained in this section shall deprive such nurses of allowances for subsistence now or after August 2, 1946, provided by law” are omitted as surplusage. Section 301 of the Career Compensation Act of 1949 (37 U.S.C. 251) authorizes a basic allowance for subsistence for all officers entitled to basic pay.

## AMENDMENTS

2018—Pub. L. 115–232 renumbered section 6086 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.

## § 8247. Sale of meals by general messes

Under such regulations as the Secretary of the Navy prescribes, meals may be sold by general messes afloat and ashore.

(Aug. 10, 1956, ch. 1041, 70A Stat. 381, § 6087; renumbered § 8247, Pub. L. 115–232, div. A, title VIII, § 807(b)(8), Aug. 13, 2018, 132 Stat. 1835.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6087 .....	34 U.S.C. 915b(c).	Aug. 2, 1946, ch. 756, § 16(c), 60 Stat. 855.

## PRIOR PROVISIONS

Prior sections 8251 and 8252 were renumbered sections 9131 and 9132 of this title.

Another 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

2018—Pub. L. 115–232 renumbered section 6087 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 829—MISCELLANEOUS PROHIBITIONS AND PENALTIES

Sec.

8253. Loans: Supply Corps officers.

Sec.

## 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 559 of this title as this chapter and item 6113 as 8253.

1980—Pub. L. 96–513, title V, § 513(12), Dec. 12, 1980, 94 Stat. 2932, struck out item 6111 “Pay: withheld during absence due to use of drugs or alcohol”.

1968—Pub. L. 90–235, § 6(a)(4), (9), Jan. 2, 1968, 81 Stat. 762, struck out item 6114 “Civilian employment: enlisted members”, and item 6116 “Service credit: officers; service as midshipman or cadet not counted”.

1967—Pub. L. 90–83, § 3(5), Sept. 11, 1967, 81 Stat. 220, struck out item 6112 “Pay: officers; withheld while employed by certain contractors”.

1958—Pub. L. 85–861, § 1(136), Sept. 2, 1958, 72 Stat. 1507, struck out item 6115 “Drill pay; uniform gratuity: time limit for filing claim”.

## § 8253. Loans: Supply Corps officers

Except as otherwise provided by law, an officer in the Supply Corps on active duty may not advance or lend any sum of money, public or private, or any article or commodity and may not extend credit to any officer of the naval service on active duty.

(Aug. 10, 1956, ch. 1041, 70A Stat. 381, § 6113; renumbered § 8253, Pub. L. 115–232, div. A, title VIII, § 807(b)(9), Aug. 13, 2018, 132 Stat. 1835.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6113 .....	34 U.S.C. 67.	R.S. 1389.

The words “paymaster, passed assistant paymaster, or assistant paymaster” are omitted because those titles no longer exist, and the words “officer in the Supply Corps” are substituted therefor.

The words “except as otherwise provided by law” are added because the Act of Oct. 5, 1949, ch. 600 (34 U.S.C. 875a), authorizes advances of pay to personnel upon permanent changes of station or where such personnel are on distant duty stations where disbursements of pay and allowances cannot be regularly made, and § 303(a) of the Career Compensation Act of 1949 (37 U.S.C. 253) authorizes advance payments of travel and transportation allowances. The words “on active duty” are supplied since the section has application to officers accountable for public funds or property. Officers not on active duty are not accountable officers.

## PRIOR PROVISIONS

A prior section 8253, 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, prior to repeal by Pub. L. 109–163, div. A, title V, § 542(b)(1), Jan. 6, 2006, 119 Stat. 3253.

Prior sections 8254 to 8256 were repealed by 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.

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.
8262.	Higher retired grade and pay for members who serve satisfactorily under temporary appointments.
8263.	Emergency shore duty: advance of funds.
8264.	Shore patrol duty: payment of expenses.
8265.	Mileage books: commutation tickets.
8266.	Uniforms, accouterments, and equipment: sale at cost.
8267.	Uniform: sale to former members of the naval service.
8270.	Pension to persons serving ten years.
8271.	Settlement of accounts: remission or cancellation of indebtedness of members.

#### 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.