

§ 9251. Presentation of United States flag upon retirement

(a) PRESENTATION OF FLAG.—Upon the release of a member of the Air Force from active duty for retirement, the Secretary of the Air Force 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(c)(1), Oct. 17, 1998, 112 Stat. 2049, § 8681; amended Pub. L. 106–65, div. A, title VI, § 652(e), Oct. 5, 1999, 113 Stat. 666; renumbered § 9251, Pub. L. 115–232, div. A, title VIII, § 806(b)(9), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 8681 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 6141 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 8261 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.

§ 9252. Service credit: regular enlisted members; service as an officer to be counted as enlisted service

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

(Aug. 10, 1956, ch. 1041, 70A Stat. 535, § 8684; renumbered § 9252, Pub. L. 115–232, div. A, title VIII, § 806(b)(9), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8684	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 8684 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.

§ 9253. Flying officer rating: qualifications

Only officers of the Air Force 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.

(Aug. 10, 1956, ch. 1041, 70A Stat. 538, § 8691; renumbered § 9253, Pub. L. 115–232, div. A, title VIII, § 806(b)(9), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8691	10:291c. 10:291c-1. 10:291e.	June 3, 1916, ch. 134, § 13a (8th, 9th, and 11th provisos); added July 2, 1926, ch. 721, § 2 (4th sentence, less 2d proviso), 44 Stat. 781; June 16, 1936, ch. 587, § 3, 49 Stat. 1524; Oct. 4, 1940, ch. 742 (last proviso), 54 Stat. 963. June 24, 1948, ch. 632 (2d proviso under “Finance Department”), 62 Stat. 650.

10:291c (proviso) and the words “after June 30, 1948”, in 10:291c-1, are omitted as executed. The definition of the term “flying officer”, in 10:291c, originally was a definition of the term “flying officer in time of peace” as provided by section 2 of the Act of July 2, 1926, ch. 721, 44 Stat. 781. Section 1 of the Act of October 4, 1940, ch. 742, 54 Stat. 963, eliminated the words “in time of peace”. As a consequence of that amendment, 10:291e (1st 26 words) is omitted as surplusage. Clause (2) is substituted for 10:291c-1 (less last 10 words). The words “commissioned officers or warrant”, in 10:291c-1, are omitted as surplusage. In clause (4), the last 19 words are substituted for the words “any other”.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 8691 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 935—HOSPITALIZATION

Sec. 9263. When Secretary may require.

PRIOR PROVISIONS

A prior chapter 935, consisting of sections 9561 to 9565, related to issue of serviceable material to Armed Forces, prior to renumbering as chapter 965 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(A), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 855 of this title as this chapter and item 8723 as 9263.

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(v), Nov. 14, 1986, 100 Stat. 3877, struck out item 8721 “Members of Air Force, other than of Regular Air Force” and item 8722 “Members of C.A.T.C.; members of Air Force not covered by section 8721 of this title”.

1958—Pub. L. 85-861, §1(190)(D), Sept. 2, 1958, 72 Stat. 1534, struck out reference to members of the A.F.R.O.T.C. in item 8722.

§ 9263. When Secretary may require

The Secretary of the Air Force may order the hospitalization, medical and surgical treatment, and domiciliary care for as long as necessary, of any member of the Air Force on active duty, and may incur obligations with respect thereto, whether or not the member incurred an injury, illness, or disease in line of duty, except in the case of a member treated in a private hospital, or by a civilian physician, while on leave of absence for more than 24 hours.

(Aug. 10, 1956, ch. 1041, 70A Stat. 539, §8723; Pub. L. 99-661, div. A, title VI, §604(f)(1)(D), Nov. 14, 1986, 100 Stat. 3878; Pub. L. 100-26, §7(j)(11), Apr. 21, 1987, 101 Stat. 283; renumbered §9263, Pub. L. 115-232, div. A, title VIII, §806(b)(10), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8723	10:455e. 32:164d.	July 15, 1939, ch. 282; re-stated Oct. 14, 1940, ch. 875, §5, 54 Stat. 1137.

The words “under such regulations as he may prescribe”, in 10:455e and 32:164d, are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The references to 10:455a-455d and 32:164a-164c, and the words “nor any other law of the United States shall be construed as limiting the power and authority”, are omitted, since the revised section makes explicit the authority of the Secretary to require the prescribed hospitalization and care. The words “or in training, under the provisions of sections 62—” are omitted as covered by the words “active duty”. The words “so long as any or all are necessary” and “in the active military service” are omitted as surplusage. With the exception of 32:62 (4th proviso of last sentence), the references to 32:62-65, 144-146, 183, and 186, in 10:455e and 32:164d, do not refer to members of the Air National Guard of the United States and are therefore omitted from the revised section. 10:455e (1st proviso) and 32:164d (1st proviso) are omitted, since they apply only to the National Guard and are covered by section 320 of title 32.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8723 of this title as this section.

1987—Pub. L. 100-26 struck out comma after “dis-ease”.

1986—Pub. L. 99-661 substituted “incurred an injury, illness, or disease” for “was injured, or contracted a disease”.

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 OF 1986 AMENDMENT

Amendment by Pub. L. 99-661 applicable with respect to persons who, after Nov. 14, 1986, incur or aggravate an injury, illness, or disease or die, see section 604(g) of Pub. L. 99-661, set out as a note under section 1074a of this title.

CHAPTER 937—DECORATIONS AND AWARDS

Sec. 9271.	Medal of honor: award.
9272.	Air Force cross: award.
9273.	Distinguished-service medal: award.
9274.	Medal of honor; Air Force cross; distinguished-service medal: limitations on award.
9275.	Medal of honor; Air Force cross; distinguished-service medal: delegation of power to award.
9276.	Silver star: award.
9277.	Medal of honor; Air Force cross; distinguished-service cross; distinguished-service medal; silver star: replacement.
9278.	Medal of honor; Air Force cross; distinguished-service cross; distinguished-service medal; silver star: availability of appropriations.
9279.	Distinguished flying cross: award; limitations.
9280.	Airman’s Medal: award; limitations.
9281.	Service medals: issue; replacement; availability of appropriations.
9282.	Medals: posthumous award and presentation.
9284.	Medal of honor: duplicate medal.
9285.	Medal of honor: presentation of Medal of Honor Flag.
9286.	Korea Defense Service Medal.

PRIOR PROVISIONS

A prior chapter 937, consisting of sections 9591 to 9594, related to utilities and services, prior to renumbering as chapter 967 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(A), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 857 of this title as this chapter and items 8741 to 8756 as 9271 to 9286, respectively.

2004—Pub. L. 108-375, div. A, title X, §1084(d)(33), Oct. 28, 2004, 118 Stat. 2063, renumbered item 8755 “Korea Defense Service Medal” as 8756.

2002—Pub. L. 107-314, div. A, title V, §543(d)(2), Dec. 2, 2002, 116 Stat. 2550, added item 8755 “Korea Defense Service Medal”.

Pub. L. 107-248, title VIII, §8143(c)(3)(B), Oct. 23, 2002, 116 Stat. 1571, added item 8755 “Medal of honor: presentation of Medal of Honor Flag”.

2001—Pub. L. 107-107, div. A, title V, §553(c)(1)(B), Dec. 28, 2001, 115 Stat. 1116, added item 8754.

1960—Pub. L. 86-593, §1(7), July 6, 1960, 74 Stat. 332, substituted “Air Force cross” for “distinguished-service cross” in items 8742, 8744, and 8745, inserted “Air Force cross;” in items 8747 and 8748, and substituted “Airman’s Medal” for “Soldier’s Medal” in item 8750.

EXTENSION OF TIME FOR AWARD OF DECORATION

For extension of time for award of decorations, or devices in lieu of decorations, for acts or services performed in direct support of military operations in Southeast Asia between July 1, 1958, and Mar. 28, 1973, see Pub. L. 93-469, Oct. 24, 1974, 88 Stat. 1422, set out as a note preceding section 7271 of this title.

For extension of time for award of decoration, or device in lieu of decoration, for an act or service performed while on active duty in military or naval forces, or while serving with such forces, between June 27, 1950, and July 27, 1953, see act Aug. 2, 1956, ch. 877, 70 Stat. 933, set out as a note preceding section 7271 of this title.

MERITORIOUS SERVICE MEDAL

Establishment of, see Ex. Ord. No. 11448, set out as a note preceding section 1121 of this title.