

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, but the authority to prescribe regulations under the amendment by Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 8412. Aviation cadets: benefits

Except as provided in section 402(a) and (b) of title 37, aviation cadets or their beneficiaries are entitled to the same allowances, pensions, gratuities, and other benefits as are provided for enlisted members in pay grade E-4. While on active duty, an aviation cadet is entitled to uniforms, clothing, and equipment at the expense of the United States.

(Aug. 10, 1956, ch. 1041, 70A Stat. 426, §6912; Pub. L. 85-861, §1(147)(A), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 87-649, §6(f)(6), Sept. 7, 1962, 76 Stat. 494; renumbered §8412, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES
1956 ACT

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Rows for 6912(a), (b) and 6912(c).

In subsection (b) the words "and at the same rates" are omitted as covered by the words "on the same basis".

In subsection (c) the words "enlisted members in pay grade E-4" are substituted for "enlisted men of the fourth pay grade" to conform to the terminology of the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.). The words "by law or regulation" are omitted as surplusage. The words "and the premiums on their life insurance" are omitted as impliedly repealed by §10 of the Insurance Act of 1951, 65 Stat. 37, which provided that such premium payments shall not be made by the Government.

1958 ACT

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row for 6912.

Section 6912 is amended by eliminating subsections (a) (less clause (4)) and (b) and by substituting a reference to section 301 of the Career Compensation Act of 1949 for the reference to subsection (a) in former subsection (c). The substance of former subsections (a) (less clause (4)) and (b) is covered by the Career Compensation Act, as amended by the Act of March 31, 1955 (69 Stat. 19) and section 10 of this Act.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6912 of this title as this section.

1962—Pub. L. 87-649 substituted "section 402(a) and (b) of title 37" for "section 251(a) of title 37".

1958—Pub. L. 85-861 substituted "benefits" for "pay and allowances" in section catchline, and struck out provisions which prescribed the rate of pay of cadets, which authorized them to receive the same allowances for subsistence as prescribed for officers, which related to the furnishing of quarters, medical care and hospitalization, and which authorized transportation and expenses while traveling under orders.

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 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

§ 8413. Aviation cadets: appointment as reserve officers

(a) An aviation cadet who fulfills the requirements of section 2003 of this title may be appointed an ensign in the Navy Reserve or a second lieutenant in the Marine Corps Reserve and designated a naval aviator.

(b) Aviation cadets who complete their training at approximately the same time are considered for all purposes to have begun their commissioned service on the same date, and the decision of the Secretary of the Navy in this regard is conclusive.

(Aug. 10, 1956, ch. 1041, 70A Stat. 427, §6913; Pub. L. 96-513, title V, §513(20), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 109-163, div. A, title V, §515(b)(1)(O), Jan. 6, 2006, 119 Stat. 3233; renumbered §8413, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Rows for 6913(a) and 6913(b).

In subsection (a) the proviso is omitted as unnecessary. Section 1 of the Act of April 28, 1950, ch. 120, 64 Stat. 90, terminated service credit for lump-sum payments granted under §12 of the Act of August 4, 1942, ch. 547, 56 Stat. 738, and thereby removed the only consequences of the proviso. The words "section 6023(b) of this title" are substituted for the words "law for designation or appointment as naval aviators" to provide specific reference to those requirements. The words "and designated a naval aviator" are added for clarity and to authorize specifically the designation, which is implied in 34 U.S.C. 850f.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6913 of this title as this section.

2006—Subsec. (a). Pub. L. 109-163 substituted "Navy Reserve" for "Naval Reserve".

1980—Subsec. (a). Pub. L. 96-513 substituted "section 2003" for "section 6023(b)".

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 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 8415. Reserve student aviation pilots; reserve aviation pilots: appointments in commissioned grade

(a) Under such regulations as the Secretary of the Navy prescribes, enlisted members of the Navy Reserve and the Marine Corps Reserve may be designated as student aviation pilots.

(b) A member who is not a qualified civilian aviator may not be designated as a student aviation pilot unless he agrees in writing, with the consent of his parent or guardian if he is a minor, to serve on active duty for a period of two years after successfully completing flight training, unless sooner released. Such a student aviation pilot may be released from active duty or discharged at any time by any administrative authority prescribed by the Secretary.

(c) If he is a qualified civilian aviator, a student aviation pilot may be given a brief refresher course in flight training.

(d) While he is in flight training, a student aviation pilot shall have uniforms and equipment issued to him at Government expense.

(e) Under regulations prescribed by the Secretary, a student aviation pilot of the Navy Reserve or the Marine Corps Reserve may be designated an aviation pilot upon successfully completing flight training.

(f) In time of peace, an aviation pilot who is obligated under subsection (b) to serve on active duty for a period of two years may serve, with his consent, for an additional period of not more than two years.

(g) An aviation pilot of the Navy Reserve or the Marine Corps Reserve may be released from active duty or discharged at any time by any administrative authority prescribed by the Secretary.

(h) An aviation pilot of the Navy Reserve or the Marine Corps Reserve may, if qualified under regulations prescribed by the Secretary, be appointed an ensign in the Navy Reserve or a second lieutenant in the Marine Corps Reserve, as appropriate.

(Aug. 10, 1956, ch. 1041, 70A Stat. 427, § 6915; Pub. L. 87-649, § 14c(51), Sept. 7, 1962, 76 Stat. 501; Pub. L. 96-513, title V, § 513(21), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 109-163, div. A, title V, § 515(b)(1)(P), Jan. 6, 2006, 119 Stat. 3233; renumbered § 8415, Pub. L. 115-232, div. A, title VIII, § 807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6915	34 U.S.C. 841a-841e. 34 U.S.C. 841h.	Nov. 5, 1941, ch. 468, §§ 1-5, 55 Stat. 759. Nov. 5, 1941, ch. 468, § 8; added Aug. 4, 1942, ch. 547, § 15(h), 56 Stat. 740.

In subsection (a) the authority to designate student aviation pilots is expressly set forth.

The portion of 34 U.S.C. 841h that provides that student aviation pilots who are qualified civilian aviators shall be given a brief refresher course in flight training is contained in subsection (c). The remainder of 34 U.S.C. 841h, which provides that such pilots shall not be considered as having been designated pursuant to 34 U.S.C. 841a-841h, is reflected in subsection (b) by making that subsection applicable only to student aviation pilots who are not qualified civilian aviators. No other consequences attach to designation as student aviation

pilots under the particular provisions. In subsection (b) the word "continuous" is omitted as covered by the word "period", and the subsection is written as a condition precedent to designation, because it is so interpreted.

In subsection (c) the words "enlisted in or transferred to pilot ratings" are omitted as surplusage.

Subsection (e) states expressly the authority to designate aviation pilots, which is implied in 34 U.S.C. 841a, 841b, and 841d.

In subsection (f) the words "pay grade E-5" are substituted for the words "third grade" in 34 U.S.C. 841b to conform to the terminology of the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.).

In subsection (h) the words "of the Naval Reserve or the Marine Corps Reserve" are substituted for the words "designated as such in accordance with sections 841a and 841b of this title" for uniformity.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6915 of this title as this section.

2006—Subsecs. (a), (e), (g), (h). Pub. L. 109-163 substituted "Navy Reserve" for "Naval Reserve" wherever appearing.

1980—Subsecs. (f) to (i). Pub. L. 96-513 redesignated subsecs. (g), (h), and (i) as (f), (g), and (h), respectively.

1962—Subsec. (f). Pub. L. 87-649 repealed subsec. (f) which provided that while on active duty, an aviation pilot of the Naval Reserve or the Marine Corps Reserve is entitled to the pay of an enlisted member in pay grade E-5 or that of his grade, whichever is greater. See section 201 of Title 37, Pay and Allowances of the Uniformed Services.

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 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

CHAPTER 852—TRAINING GENERALLY

- Sec. 8431. Recruit basic training: separate housing for male and female recruits.
- 8432. Recruit basic training: privacy.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(3), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 602 of this title as this chapter and items 6931 and 6932 as 8431 and 8432, respectively.

1998—Pub. L. 105-261, div. A, title V, § 522(b)(2), Oct. 17, 1998, 112 Stat. 2013, added item 6932.

PROHIBITION ON GENDER-SEGREGATED TRAINING AT MARINE CORPS RECRUIT DEPOTS

Pub. L. 116-92, div. A, title V, § 565, Dec. 20, 2019, 133 Stat. 1395, provided that:

“(a) PARRIS ISLAND.—
“(1) PROHIBITION.—Subject to paragraph (2), training at the Marine Corps Recruit Depot, Parris Island, South Carolina, may not be segregated based on gender.

“(2) DEADLINE.—The Commandant of the Marine Corps shall carry out this subsection not later than