

active service as an officer in the Air Force, in the Space 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; amended Pub. L. 116-283, div. A, title IX, §923(c)(10), Jan. 1, 2021, 134 Stat. 3811.)

#### 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

2021—Pub. L. 116-283 inserted “or the Regular Space Force” after “Regular Air Force” and “in the Space Force,” after “in the Air Force.”

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 or the Space 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; Pub. L. 116-283, div. A, title IX, §923(c)(11), Jan. 1, 2021, 134 Stat. 3811.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8723 .....	10:455e. 32:164d.	July 15, 1939, ch. 282; restated 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