

Subsec. (a)(3). Pub. L. 91-278, §2(2)(B), substituted “armed forces” for “Army, Navy, Air Force, or Marine Corps”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

##### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

#### § 2003. Aeronautical rating as pilot: qualifications

To be eligible to receive an aeronautical rating as a pilot in the Army or Air Force or be designated as a naval aviator, a member of an armed force must successfully complete an undergraduate pilot course of instruction prescribed or approved by the Secretary of his military department.

(Added Pub. L. 92-168, §4(1), Nov. 24, 1971, 85 Stat. 489.)

#### § 2004. Detail as students at law schools; commissioned officers; certain enlisted members

(a) The Secretary of each military department may, under regulations prescribed by the Secretary of Defense, detail commissioned officers and enlisted members of the armed forces as students at accredited law schools, located in the United States, for a period of training leading to the degree of juris doctor. No more than twenty-five officers and enlisted members from each military department may commence such training in any single fiscal year.

(b) To be eligible for detail under subsection (a), an officer or enlisted member must be a citizen of the United States and must—

(1) either—

(A) have served on active duty for a period of not less than two years nor more than six years and be an officer in the pay grade O-3 or below as of the time the training is to begin; or

(B) have served on active duty for a period of not less than four years nor more than eight years and be an enlisted member in the pay grade E-5, E-6, or E-7 as of the time the training is to begin;

(2) in the case of an enlisted member, meet all requirements for acceptance of a commission as a commissioned officer in the armed forces; and

(3) sign an agreement that unless sooner separated he will—

(A) complete the educational course of legal training;

(B) accept transfer or detail as a judge advocate within the department concerned when his legal training is completed; and

(C) agree to serve on active duty following completion or other termination of training for a period of two years for each year or part thereof of his legal training under subsection (a).

(c) Officers and enlisted members detailed for legal training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned, under regulations prescribed by the Secretary of Defense. Any service obligation incurred by an officer or enlisted member under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by any such officer or enlisted member under any other provision of law or agreement.

(d) Expenses incident to the detail of officers and enlisted members under this section shall be paid from any funds appropriated for the military department concerned.

(e) An officer or enlisted member who, under regulations prescribed by the Secretary of Defense, is dropped from the program of legal training authorized by subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed by regulations issued by the Secretary of Defense, except that in no case shall any such member be required to serve on active duty for any period in excess of one year for each year or part thereof he participated in the program.

(f) No agreement detailing any officer or enlisted member of the armed forces to an accredited law school may be entered into during any period that the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces.

(Added Pub. L. 93-155, title VIII, §817(a), Nov. 16, 1973, 87 Stat. 621; amended Pub. L. 101-510, div. A, title XIV, §1484(i)(3)(A), Nov. 5, 1990, 104 Stat. 1718; Pub. L. 116-92, div. A, title V, §551(a), (b)(1), Dec. 20, 2019, 133 Stat. 1385, 1386; Pub. L. 116-283, div. A, title X, §1081(a)(34), Jan. 1, 2021, 134 Stat. 3872.)

#### Editorial Notes

##### AMENDMENTS

2021—Subsecs. (d), (e). Pub. L. 116-283 substituted “enlisted” for “enlistment”.

2019—Pub. L. 116-92, §551(b)(1), substituted “Detail as students at law schools; commissioned officers; certain enlisted members” for “Detail of commissioned officers as students at law schools” in section catchline.

Subsec. (a). Pub. L. 116-92, §551(a)(1), inserted “and enlisted members” after “commissioned officers” and after “twenty-five officers” and struck out “bachelor of laws or” before “juris doctor”.

Subsec. (b). Pub. L. 116-92, §551(a)(2)(A), inserted “or enlisted member” after “officer” in introductory provisions.

Subsec. (b)(1). Pub. L. 116-92, §551(a)(2)(B), added par. (1) and struck out former par. (1) which read as follows: “have served on active duty for a period of not less than two years nor more than six years and be in the pay grade O-3 or below as of the time the training is to begin; and”.

Subsec. (b)(2), (3). Pub. L. 116-92, §551(a)(2)(C), (D), added par. (2) and redesignated former par. (2) as (3).

Subsec. (b)(3)(B). Pub. L. 116-92, §551(a)(2)(E), struck out “or law specialist” after “judge advocate”.

Subsec. (c). Pub. L. 116-92, §551(a)(3), inserted “and enlisted members” after “Officers” and, in two places, inserted “or enlisted member” after “officer”.

Subsec. (d). Pub. L. 116-92, § 551(a)(4), inserted “and enlistment members” after “officers”.

Subsec. (e). Pub. L. 116-92, § 551(a)(5), inserted “or enlistment member” after “officer”.

Subsec. (f). Pub. L. 116-92, § 551(a)(6), inserted “or enlisted member” after “officer”.

1990—Pub. L. 101-510 struck out “of the military departments” after “officers” in section catchline.

#### Statutory Notes and Related Subsidiaries

##### SELECTION OF OFFICERS IN MISSING STATUS FOR LEGAL TRAINING ON A NONCOMPETITIVE BASIS; EXEMPTION FROM NUMERICAL LIMITATIONS

Pub. L. 94-106, title VIII, § 821, Oct. 7, 1975, 89 Stat. 545, provided that: “Notwithstanding any provision of section 2004 of title 10 United States Code, an officer in any pay grade who was in a missing status (as defined in section 551(2) of title 37, United States Code) after August 4, 1964, and before May 8, 1975, may be selected for detail for legal training under that section 2004 on other than a competitive basis and, if selected for that training, is not counted in computing, for the purpose of subsection (a) of that section 2004, the number of officers who may commence that training in any single fiscal year. For the purposes of determining eligibility under that section 2004, the period of time during which an officer was in that missing status may be disregarded in computing the period he has served on active duty.”

#### § 2004a. Detail of commissioned officers as students at medical schools

(a) **DETAIL AUTHORIZED.**—The Secretary of each military department may detail commissioned officers of the armed forces as students at accredited medical schools or schools of osteopathy located in the United States for a period of training leading to the degree of doctor of medicine. No more than 25 officers from each military department may commence such training in any single fiscal year.

(b) **ELIGIBILITY FOR DETAIL.**—To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—

(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade O-3 or below as of the time the training is to begin; and

(2) sign an agreement that unless sooner separated the officer will—

(A) complete the educational course of medical training;

(B) accept transfer or detail as a medical officer within the military department concerned when the officer’s training is completed; and

(C) agree to serve, following completion of the officer’s training, on active duty (or on active duty and in the Selected Reserve) for a period as specified pursuant to subsection (c).

(c) **SERVICE OBLIGATION.**—An agreement under subsection (b) shall provide that the officer shall serve on active duty for two years for each year or part thereof of the officer’s medical training under subsection (a), except that the agreement may authorize the officer to serve a portion of the officer’s service obligation on active duty and to complete the service obligation that remains upon separation from active duty in the Selected Reserve, in which case the officer shall serve three years in the Selected Reserve for

each year or part thereof of the officer’s medical training under subsection (a) for any service obligation that was not completed before separation from active duty.

(d) **SELECTION OF OFFICERS FOR DETAIL.**—Officers detailed for medical training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned.

(e) **APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE.**—(1) A commissioned officer detailed as a student at a medical school under subsection (a) shall be appointed as a regular officer in the grade of second lieutenant or ensign and shall serve on active duty in that grade with full pay and allowances of that grade.

(2) If an officer detailed to be a medical student has prior active service in a pay grade and with years of service credited for pay that would entitle the officer, if the officer remained in the former grade, to a rate of basic pay in excess of the rate of basic pay for regular officers in the grade of second lieutenant or ensign, the officer shall be paid basic pay based on the former grade and years of service credited for pay. The amount of such basic pay for the officer shall be increased on January 1 of each year by the percentage by which basic pay is increased on average on that date for that year, and the officer shall continue to receive basic pay based on the former grade and years of service until the date, whether occurring before or after graduation, on which the basic pay for the officer in the officer’s actual grade and years of service credited for pay exceeds the amount of basic pay to which the officer is entitled based on the officer’s former grade and years of service.

(f) **RELATION OF SERVICE OBLIGATIONS TO OTHER SERVICE OBLIGATIONS.**—Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by the officer under any other provision of law or agreement.

(g) **EXPENSES.**—Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.

(h) **FAILURE TO COMPLETE PROGRAM.**—(1) An officer who is dropped from a program of medical training to which detailed under subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate military capacity in accordance with the active duty obligation imposed on the officer under regulations issued by the Secretary of Defense for purposes of this section.

(2) In no case shall an officer be required to serve on active duty under paragraph (1) for any period in excess of one year for each year or part thereof the officer participated in the program.

(i) **LIMITATION ON DETAILS.**—No agreement detailing an officer of the armed forces to an accredited medical school or school of osteopathy may be entered into during any period in which the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces.