

in other staff corps". Officers of the Army Nurse Corps and Women's Medical Specialist Corps are not covered by subsection (a), since their command authority is specifically stated in subsection (b).

In subsection (b), 10:166e (last 22 words of 1st sentence) is omitted as superseded by sections 3012(e) and 3065 of this title. The words "may exercise command only" are substituted for the words "shall not be entitled \* \* \* to command except". The words "by virtue of their rank" and "by competent authority" are omitted as surplusage.

## 1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3579(a) .....	10 App.:376(b).	Aug. 9, 1955, ch. 654, § 2, 69 Stat. 579.

The amendment of subsec. (b) also reflects the authority contained in section 3357 of this title to appoint males as reserve officers of the Corps concerned.

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 7229 was renumbered section 8629 of this title.

A prior section 7230, added Pub. L. 85-43, §1(1), May 31, 1957, 71 Stat. 44; amended Pub. L. 87-651, title I, §125, Sept. 7, 1962, 76 Stat. 514, related to sale of degaussing equipment, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(a)(4), Nov. 30, 1993, 107 Stat. 1707.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3579 of this title as this section.

1984—Subsec. (a). Pub. L. 98-525 substituted "subsection (b)" for "subsection (c)".

1980—Subsec. (a). Pub. L. 96-513, §212(a)(1), struck out ", other than an officer of the Army Nurse Corps or Army Medical Specialist Corps," after "officer of the Army Medical Department".

Subsecs. (b), (c). Pub. L. 96-513, §212(a)(2), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b) which provided that an officer of the Army Nurse Corps or the Army Medical Specialist Corps exercise command only within his branch, or over persons placed under his charge.

1968—Pub. L. 90-329 substituted "Army Medical Department" for "Army Medical Service" in section catchline and in subsecs. (a) and (c).

1961—Subsec. (a). Pub. L. 87-142, §1(1), substituted "Except as provided in subsection (c), a" for "A".

Subsec. (c). Pub. L. 87-142, §1(2), added subsec. (c).

1958—Subsec. (a). Pub. L. 85-861, §1(60), substituted "Army Medical Specialist Corps" for "Women's Medical Specialist Corps".

Subsec. (b). Pub. L. 85-861, §1(60), (87), substituted "Army Medical Specialist Corps" for "Women's Medical Specialist Corps" and "his" for "her own" and "her".

**Statutory Notes and Related Subsidiaries**

## 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 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.

**§ 7231. Command: chaplains**

A chaplain has rank without command.

(Aug. 10, 1956, ch. 1041, 70A Stat. 206, §3581; renumbered §7231, Pub. L. 115-232, div. A, title VIII, §808(b)(7), Aug. 13, 2018, 132 Stat. 1838.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3581 .....	10:235.	R.S. 1122.

The words "and shall be on the same footing with other officers of the Army, as to tenure of office, retirement, and pensions" are omitted as obsolete, since there is no distinction between the status of a chaplain as an officer and the status of other officers of the Army.

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 7231 was renumbered section 8631 of this title.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3581 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## 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.

**§ 7233. Requirement of exemplary conduct**

All commanding officers and others in authority in the Army are required—

(1) to show in themselves a good example of virtue, honor, patriotism, and subordination;

(2) to be vigilant in inspecting the conduct of all persons who are placed under their command;

(3) to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; and

(4) to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

(Added Pub. L. 105-85, div. A, title V, §507(a)(1), Nov. 18, 1997, 111 Stat. 1726, §3583; renumbered §7233, Pub. L. 115-232, div. A, title VIII, §808(b)(7), Aug. 13, 2018, 132 Stat. 1838.)

**Editorial Notes**

## PRIOR PROVISIONS

Prior sections 7233 to 7235 were renumbered sections 8633 to 8635 of this title, respectively.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3583 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## 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 729—MISCELLANEOUS PROHIBITIONS AND PENALTIES**

Sec. 7239. Enlisted members: officers not to use as servants.

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 349 of this title as this chapter and item 3639 as 7239.

2008—Pub. L. 110-181, div. A, title V, §590(b)(2)(A), Jan. 28, 2008, 122 Stat. 138, struck out item 3634 “Army band: may not be paid for performance outside Army post”.

1980—Pub. L. 96-513, title V, §512(6), Dec. 12, 1980, 94 Stat. 2929, struck out item 3632 “Members of Army: forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs”, item 3633 “Commissioned officers: forfeiture of pay when dropped from rolls”, and item 3636 “Enlisted members: pay and allowances not to accrue during suspended sentence of dishonorable discharge”.

1968—Pub. L. 90-235, §§6(a)(8), 7(b)(2), Jan. 2, 1968, 81 Stat. 762, 763, struck out item 3631 “Dealing in quartermaster supplies prohibited”, item 3635 “Enlisted members: restriction on civilian employment”, and item 3637 “Enlisted members: forfeiture of right to pension by deserters”.

1958—Pub. L. 85-861, §1(88), Sept. 2, 1958, 72 Stat. 1482, struck out item 3638.

**§ 7239. Enlisted members: officers not to use as servants**

No officer of the Army may use an enlisted member of the Army as a servant.

(Aug. 10, 1956, ch. 1041, 70A Stat. 208, §3639; renumbered §7239, Pub. L. 115-232, div. A, title VIII, §808(b)(8), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3639 .....	10:608.	R.S. 1232.

The words “in any case whatever” are omitted as surplusage.

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3639 of this title as this section.

**Statutory Notes and Related Subsidiaries**

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 733—MISCELLANEOUS RIGHTS AND BENEFITS**

Sec. 7251. Presentation of United States flag upon retirement.

7252. Service credit: regular enlisted members; service as an officer to be counted as enlisted service.

Sec. 7253. Flying officer rating: qualifications.

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 353 of this title as this chapter and items 3681, 3684, and 3691 as 7251, 7252, and 7253, respectively.

1998—Pub. L. 105-261, div. A, title VI, §644(a)(2), Oct. 17, 1998, 112 Stat. 2048, added item 3681.

1994—Pub. L. 103-337, div. A, title XVI, §1672(b)(6), Oct. 5, 1994, 108 Stat. 3015, struck out item 3686 “Members of Army National Guard of United States: credit for service as members of Army National Guard”.

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(i), Nov. 14, 1986, 100 Stat. 3877, struck out item 3687 “Compensation: members of Army other than of Regular Army; when same as that provided for members of Regular Army”.

1985—Pub. L. 99-145, title XIII, §1301(b)(1)(B), Nov. 8, 1985, 99 Stat. 735, struck out item 3683 “Service credit: certain service as a nurse, woman medical specialist, or civilian employee of Army Medical Department to be counted”.

1980—Pub. L. 96-513, title V, §512(7), Dec. 12, 1980, 94 Stat. 2929, struck out item 3689 “Assignments and allotments of pay”.

1971—Pub. L. 92-168, §1(2), Nov. 24, 1971, 85 Stat. 489, struck out item 3692 “Pilot rating in time of peace: qualifications”.

1968—Pub. L. 90-235, §§6(a)(3), 7(a)(4), (b)(3), Jan. 2, 1968, 81 Stat. 762, 763, struck out item 3682 “Service credit: officers; service as cadet not counted”, item 3685 “Regular Army; Army Reserve: female members; definition of ‘dependents’”, item 3690 “Exemption from arrest for debt: enlisted members”, and item 3693 “Replacement of certificate of discharge”.

1958—Pub. L. 85-861, §1(91), Sept. 2, 1958, 72 Stat. 1482, struck out items 3681 “Army Register: regular officers; service to be listed” and 3688 “Death Gratuity”.

**Statutory Notes and Related Subsidiaries**

ESTABLISHMENT OF BREASTFEEDING POLICY FOR THE DEPARTMENT OF THE ARMY

Pub. L. 114-92, div. A, title V, §527, Nov. 25, 2015, 129 Stat. 813, provided that: “The Secretary of the Army shall develop a comprehensive policy regarding breastfeeding by female members of the Army who are breastfeeding. At a minimum, the policy shall address the following:

“(1) The provision of a designated room or area that will provide the member with adequate privacy and cleanliness and that includes an electrical outlet to facilitate the use of a breast pump. Restrooms should not be considered an appropriate location.

“(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.”

**§ 7251. Presentation of United States flag upon retirement**

(a) PRESENTATION OF FLAG.—Upon the release of a member of the Army from active duty for retirement, the Secretary of the Army 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.