

–CITE–

10 USC CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

Subtitle C – Navy and Marine Corps

PART III – EDUCATION AND TRAINING

CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

.

–HEAD–

CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

–MISC1–

Sec.

(6901 to 6910. Repealed.)

6911. Aviation cadets: grade; procurement; transfer.

6912. Aviation cadets: benefits.

6913. Aviation cadets: appointment as reserve officers.

(6914. Repealed.)

6915. Reserve student aviation pilots; reserve aviation pilots:

appointments in commissioned grade.

AMENDMENTS

1980 – Pub. L. 96–513, title V, Sec. 503(52), Dec. 12, 1980, 94

Stat. 2915, struck out items 6909 "Direct procurement:

qualifications; retention or transfer to Reserve" and 6914

"Reserve naval aviators: appointment in Regular Navy and Regular

Marine Corps; eligibility; grade; rank".

1964 – Pub. L. 88–647, title III, Sec. 301(18), Oct. 13, 1964, 78 Stat. 1072, struck out items 6901 "Naval Reserve Officers' Training Corps: administration", 6902 "Transfer of graduates of Naval Reserve Officers' Training Corps to Regular Navy", 6903 "Officer candidate training program: administration; qualifications for enrollment", 6904 "Officer candidate training program: members enrolled from Naval Reserve Officers' Training Corps; appointment as midshipmen; pay; allowances; commissioning", 6905 "Officer candidate training program: members enrolled as naval aviation officer candidates; instruction; pay; allowances", 6906 "Officer candidate training program: naval aviation candidates; appointment as midshipmen; flight training; appointment as ensigns", 6908 "Officer candidate training program: naval aviators; retention or transfer to Reserve", 6910 "Payment of expenses".

1961 – Pub. L. 87–100, Sec. 1(2), July 21, 1961, 75 Stat. 218, struck out item 6907 "Officer candidate training program: officers other than naval aviators; retention or transfer to Reserve".

1958 – Pub. L. 85–861, Sec. 1(147)(B), Sept. 2, 1958, 72 Stat. 1513, substituted "benefits" for "pay and allowances" in item 6912.

–CITE–

10 USC Sec. 6901 to 6906 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

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–HEAD–

(Sec. 6901 to 6906. Repealed. Pub. L. 88–647, title III, Sec.

301(17), Oct. 13, 1964, 78 Stat. 1072)

–MISC1–

Section 6901, acts Aug. 10, 1956, ch. 1041, 70A Stat. 420; Sept.

2, 1958, Pub. L. 85–861, Sec. 1(146), 72 Stat. 1512, related to

administration of Naval Reserve Officers' Training Corps.

Sections 6902, 6903, act Aug. 10, 1956, ch. 1041, 70A Stat. 420,

421, related to transfer of graduates of Naval Reserve Officers'

Training Corps to Regular Navy, administration of officer candidate

training program, and to qualifications for enrollment. See

sections 2104 and 2106 of this title.

Sections 6904 to 6906, acts Aug. 10, 1956, ch. 1041, 70A Stat.

421, 422, 423; Sept. 7, 1962, Pub. L. 87–649, Sec. 14c(48)–(50), 76

Stat. 501, related to officer candidate training program and

qualifications and training of members. See chapters 102 and 103

of this title.

–CITE–

10 USC Sec. 6907 01/06/03

–EXPCITE–

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–HEAD–

(Sec. 6907. Repealed. Pub. L. 87–100, Sec. 1(1), July 21, 1961, 75 Stat. 218)

–MISC1–

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 424, related to retention or transfer to Reserve of officers other than naval aviators under officer candidate training program.

–CITE–

10 USC Sec. 6908 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

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–HEAD–

(Sec. 6908. Repealed. Pub. L. 88–647, title III, Sec. 301(17), Oct. 13, 1964, 78 Stat. 1072)

–MISC1–

Section, act Aug. 10, 1956, 1041, 70A Stat. 424, related to selection of naval aviators for retention of transfer to the Reserve.

–CITE–

10 USC Sec. 6909 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

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–HEAD–

(Sec. 6909. Repealed. Pub. L. 96–513, title III, Sec. 329, Dec. 12, 1980, 94 Stat. 2896)

–MISC1–

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 425, related to direct procurement of ensigns and second lieutenants.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L.

96–513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

–CITE–

10 USC Sec. 6910 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

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–HEAD–

(Sec. 6910. Repealed. Pub. L. 88–647, title III, Sec. 301(17), Oct. 13, 1964, 78 Stat. 1072)

–MISC1–

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 426, authorized payment of expenses of officer procurement program.

–CITE–

~~–EXPCITE–~~

TITLE 10 – ARMED FORCES

Subtitle C – Navy and Marine Corps

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CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

~~–HEAD–~~

Sec. 6911. Aviation cadets: grade; procurement; transfer

~~–STATUTE–~~

(a) The grade of aviation cadet is a special enlisted grade in the naval service. Under such regulations as the Secretary of the Navy prescribes, citizens in civil life may be enlisted as, and enlisted members of the naval service with their consent may be designated as, aviation cadets.

(b) Except in time of war or emergency declared by Congress, 20 percent of the aviation cadets procured in each fiscal year shall be procured from qualified enlisted members of the Regular Navy and the Regular Marine Corps.

(c) No person may be enlisted or designated as an aviation cadet unless –

(1) he agrees in writing that, upon his successful completion of the course of training as an aviation cadet, he will accept a commission as an ensign in the Naval Reserve or a second lieutenant in the Marine Corps Reserve, and will serve on active duty as such for at least three years, unless sooner released; and

(2) if under 21 years of age, he has the consent of his parent or guardian to his agreement.

(d) Under such regulations as the Secretary prescribes, an aviation cadet may be transferred to another enlisted grade or rating in the naval service, released from active duty, or discharged.

–SOURCE–

(Aug. 10, 1956, ch. 1041, 70A Stat. 426; Pub. L. 85–578, July 31, 1958, 72 Stat. 456; Pub. L. 96–513, title III, Sec. 373(f), Dec. 12, 1980, 94 Stat. 2903.)

–MISC1–

Historical and Revision Notes

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

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6911(a), (c), (d) 34 U.S.C. 850a, Aug. 4, 1942, ch. 850b. 547, Sec. 2, 3, 56 Stat. 737.

6911(b) 34 U.S.C. 735b. June 13, 1949, ch. 199, Sec. 3, 63 Stat. 175.

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In subsection (a) the words "in civil life" are added to indicate that regular enlisted members, to be eligible, must be discharged as is required by subsection (b).

In subsection (b) the words before the first proviso are omitted as executed. The words "after June 13, 1949" in the first proviso, relating to a declaration of emergency by Congress, are omitted as executed. The emergencies existing on June 13, 1949, have expired, as indicated in the Act of July 3, 1952, ch. 570, 66 Stat. 333. The word "Regular" is inserted before "Navy" and "Marine Corps" to preserve the meaning of this provision which distinguishes members of the reserve components from members of the Navy and the Marine Corps. The words "who are discharged for the purpose of enlisting as aviation cadets" are added. Since discharge from a regular component must precede enlistment in a reserve component, the designation language of 34 U.S.C. 735b, although appropriate to the Air Force counterpart to which it also applies, is inappropriate to this section.

Subsection (c) is written as a condition precedent to enlistment or transfer, and not as a requirement, to conform with interpretation of the provision.

#### AMENDMENTS

1980 – Subsec. (a). Pub. L. 96–513 struck out "male" before "citizens" and "enlisted".

1958 – Subsec. (a). Pub. L. 85–578 substituted "naval service" for "Naval Reserve and the Marine Corps Reserve", made changes in phraseology including the substitution of "designated" for "transferred", and specified consent as requisite for designation as aviation cadet.

Subsec. (b). Pub. L. 85–578 struck out "at least" before "20

percent" and "who, with their consent, are discharged for the purpose of enlisting as aviation cadets" after "Regular Marine Corps".

Subsec. (c). Pub. L. 85-578 designated existing provisions as cls. (1) and (2), made phraseological changes including the substitution of "designated" for "transferred", and prescribed consent for one under 21 years of age instead of one described as minor and active duty service with commissioned status for minimum three year period instead of maximum four year period and unspecified grade.

Subsec. (d). Pub. L. 85-578 substituted "naval service" for "Naval Reserve or the Marine Corps Reserve" and struck out "as appropriate" after such term.

#### 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.

~~—SECRET—~~

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 37 section 301a.

~~—CITE—~~

10 USC Sec. 6912 01/06/03

~~—EXPCITE—~~

#### TITLE 10 – ARMED FORCES

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PART III – EDUCATION AND TRAINING

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–HEAD–

Sec. 6912. Aviation cadets: benefits

–STATUTE–

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.

–SOURCE–

(Aug. 10, 1956, ch. 1041, 70A Stat. 426; Pub. L. 85–861, Sec. 1(147)(A), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 87–649, Sec. 6(f)(6), Sept. 7, 1962, 76 Stat. 494.)

–MISC1–

Historical and Revision Notes

1956 Act

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

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6912(a), (b) 34 U.S.C. 850c. Aug. 4, 1942, ch. 547, Sec. 4, 56 Stat. 737; Oct. 12, 1949, ch. 681, Sec.

527, 63 Stat. 837;

May 19, 1952, ch.

310, Sec. 1(e) (as

applicable to Sec.

527), 66 Stat. 80.

6912(c) 34 U.S.C. 850e. Aug. 4, 1942, ch.

547, Sec. 6, 56

Stat. 738.

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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 Sec. 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

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

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6912 (No source). (No source).

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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

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 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.

–CITE–

10 USC Sec. 6913 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

Subtitle C – Navy and Marine Corps

PART III – EDUCATION AND TRAINING

CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

–HEAD–

Sec. 6913. Aviation cadets: appointment as reserve officers

–STATUTE–

(a) An aviation cadet who fulfills the requirements of section 2003 of this title may be appointed an ensign in the Naval 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.

–SOURCE–

(Aug. 10, 1956, ch. 1041, 70A Stat. 427; Pub. L. 96–513, title V, Sec. 513(20), Dec. 12, 1980, 94 Stat. 2932.)

–MISC1–

Historical and Revision Notes

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

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6913(a) 34 U.S.C. 850f. Aug. 4, 1942, ch. 547, Sec. 7, 56 Stat. 738.

6913(b) 34 U.S.C. 850g. Aug. 4, 1942, ch.

547, Sec. 8, 56

Stat. 738.

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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 Sec. 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

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

#### 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.

–CITE–

10 USC Sec. 6914 01/06/03

–EXPCITE–

#### TITLE 10 – ARMED FORCES

Subtitle C – Navy and Marine Corps

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CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

–HEAD–

(Sec. 6914. Repealed. Pub. L. 96–513, title III, Sec. 374, Dec. 12, 1980, 94 Stat. 2904)

–MISC1–

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 427, authorized President to appoint Naval Reserve aviators to Regular Navy and Regular Marine Corps.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96–513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

–CITE–

10 USC Sec. 6915 01/06/03

–EXPCITE–

TITLE 10 – ARMED FORCES

Subtitle C – Navy and Marine Corps

PART III – EDUCATION AND TRAINING

CHAPTER 601 – OFFICER PROCUREMENT PROGRAMS

–HEAD–

Sec. 6915. Reserve student aviation pilots; reserve aviation pilots: appointments in commissioned grade

–STATUTE–

(a) Under such regulations as the Secretary of the Navy prescribes, enlisted members of the Naval 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 Naval 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 Naval 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 Naval Reserve or the Marine Corps

Reserve may, if qualified under regulations prescribed by the Secretary, be appointed an ensign in the Naval Reserve or a second lieutenant in the Marine Corps Reserve, as appropriate.

–SOURCE–

(Aug. 10, 1956, ch. 1041, 70A Stat. 427; Pub. L. 87–649, Sec. 14c(51), Sept. 7, 1962, 76 Stat. 501; Pub. L. 96–513, title V, Sec. 513(21), Dec. 12, 1980, 94 Stat. 2932.)

–MISC1–

Historical and Revision Notes

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

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6915 34 U.S.C. 841a–841e. Nov. 5, 1941, ch. 468, Sec. 1–5, 55 Stat. 759.

34 U.S.C. 841h. Nov. 5, 1941, ch. 468, Sec. 8; added Aug. 4, 1942, ch. 547, Sec. 15(h), 56 Stat. 740.

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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

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 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.

–CITE–