

272. Composition of Coast Artillery Corps.—The Coast Artillery Corps shall consist of one Chief of Coast Artillery with the rank of major general, eight hundred and forty officers in grades from colonel to second lieutenant, inclusive, the warrant officers of the Army Mine Planter Service as authorized by law, and thirteen thousand three hundred and ninety-three enlisted men, organized into such Coast Artillery units as the President may direct. (June 4, 1920, c. 227, subchapter I, § 20, 41 Stat. 770; June 30, 1922, c. 253, 42 Stat. 723.)

273. Detail of warrant officers or enlisted men to office of Chief of Coast Artillery.—Not to exceed eight warrant officers or enlisted men of the Coast Artillery Corps may be detailed upon duties of a technical or military nature in the office of the Chief of Coast Artillery. (Mar. 3, 1921, c. 121, § 1, 41 Stat. 1279.)

274. Army Mine Planter Service established; composition of mine planter crews.—There shall be in the Coast Artillery Corps of the Regular Army a service to be known as the Army Mine Planter Service, which shall consist, for each mine planter in the service of the United States, of one master, one first mate, one second mate, one chief engineer, and one assistant engineer, who shall be warrant officers appointed by and holding their offices at the discretion of the Secretary of War, and two others, four firemen, four deck hands, one cook, one steward, and one assistant steward, who shall be appointed from enlisted men of the Coast Artillery Corps under such regulations as the Secretary of War may prescribe. (July 9, 1918, c. 143, subchapter IX, 40 Stat. 881.)

275. Number of warrant officers in Army Mine Planter Service.—The number of warrant officers in the Army Mine Planter Service shall not exceed forty. (June 30, 1922, c. 253, Title I, 42 Stat. 723.)

Chapter 17.—INFANTRY.

Sec.

281. Composition of Infantry.

282. Negro regiments

283. Porto Rico regiment made part of Regular Army.

Section 281. Composition of Infantry.—The Infantry shall consist of one Chief of Infantry with the rank of major general; two thousand nine hundred and forty officers in grades from colonel to second lieutenant, inclusive, and forty-nine thousand one hundred and seven enlisted men, organized into such Infantry units as the President may direct. All tank units shall form a part of the Infantry. (June 4, 1920, c. 227, subchapter I, § 17, 41 Stat. 769; June 30, 1922, c. 253, 42 Stat. 723.)

282. Negro regiments.—The enlisted men of two regiments of Infantry shall be colored men. (R. S. § 1108.)

283. Porto Rico regiment made part of Regular Army.—The Porto Rico Regiment of Infantry and the officers and enlisted men of such regiment shall become a part of the Infantry branch of the Army. (June 4, 1920, c. 227, subchapter I, § 21, 41 Stat. 770.)

Chapter 18.—AIR SERVICE.

Sec.

291. Establishment and composition of Air Service.

292. Number of officers detailed to duty involving flying

293. Educational qualifications for Air Service.

294. Command of flying units.

295. Aerial operations controlled by Army Air Service.

296. Aviation schools; instruction for aviation students.

297. Aviation students enlisted or appointed as flying cadets; number.

298. Detail of officers for instruction in aeronautic engineering.

299. Commissioning flying cadets on completing course; discharge before completing course.

300. Additional pay for flying duty.

301. Additional pay for military aviators and junior military aviators.

302. Officers entitled to additional pay for aviation duty.

303. Base pay of flying cadets.

304. Allowances of flying cadets.

305. Mileage of officers travelling on aviation duty.

Sec.

306. Per diem allowance for additional expenses of fliers making aerial surveys of rivers, harbors, etc.

307. Bond for indemnity against injuries caused by exhibition flights.

308. Compensation for death by aviation accident.

309. Employment of draftsmen and engineers in Air Service.

CROSS REFERENCES

Airplanes; contracts for production and purchase; see Title 50, War. Aviation fields; see section 1311 of this title.

Expenses of air travel by officers and contract surgeons without troops; see section 750 of this title.

Section 291. Establishment and composition of Air Service.—There is created an Air Service. The Air Service shall consist of one Chief of the Air Service with the rank of major general, one assistant with the rank of brigadier general, one thousand and sixty officers in grades from colonel to second lieutenant, inclusive, and six thousand two hundred and fifty enlisted men, including not to exceed five hundred flying cadets, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe: *Provided*, That not to exceed 10 per centum of the officers in each grade below that of brigadier general who fail to qualify as aircraft pilots or as observers within one year after the date of detail or assignment shall be permitted to remain detailed or assigned to the Air Service. (June 4, 1920, c. 227, subchapter I, § 13, 41 Stat. 768; June 30, 1922, c. 253, 42 Stat. 724.)

292. Number of officers detailed to duty involving flying.—Exclusive of the Army Air Service, the number of officers detailed to duty involving flying shall not at any one time exceed one-half of 1 per centum of the total authorized commissioned strength of the Army. (June 10, 1922, c. 212, § 20, 42 Stat. 632.)

293. Educational qualifications for Air Service.—No person otherwise qualified for service as a flying cadet, pilot, or other officer in the aviation service, shall be barred from such service by reason of not being equipped with a college education. (July 9, 1918, c. 143, 40 Stat. 819.)

294. Command of flying units.—Flying units shall in all cases be commanded by flying officers. (June 4, 1920, c. 227, subchapter I, § 13, 41 Stat. 768.)

295. Aerial operations controlled by Army Air Service.—The Army Air Service shall control all aerial operations from land bases for construction and experimentation and for the training of personnel. (June 5, 1920, c. 210, 41 Stat. 951.)

296. Aviation schools; instruction for aviation students.—The Secretary of War is authorized and directed to establish and maintain at one or more established flying schools courses of instruction for aviation students. (July 11, 1919, c. 8, 41 Stat. 109.)

297. Aviation students enlisted or appointed as flying cadets; number.—Aviation students shall be enlisted in or appointed to the grade of flying cadet, Air Service, which grade is hereby established: *Provided*, That the total number of flying cadets shall not at any time exceed one thousand three hundred, of whom five hundred may be enlisted. (July 11, 1919, c. 8, 41 Stat. 109; June 30, 1922, c. 253, Title I, 42 Stat. 721.)

298. Detail of officers for instruction in aeronautic engineering.—The Secretary of War is authorized to detail such officers of the Army as he may select, not exceeding twenty-five at any one time, to attend and pursue courses of aeronautic engineering or associate study at such schools, colleges, and universities as he may select, and to pay tuition for the officers so detailed and to provide them with necessary text-books and technical supplies from any moneys available for the Air Service of the Army not otherwise specifically appropriated. (May 10, 1920, c. 175, §§ 1, 2, 41 Stat. 594.)

299. Commissioning flying cadets on completing course; discharge before completing course.—Upon completion of a course prescribed for flying cadets, each flying cadet, if he so desire,

may be discharged and commissioned as a second lieutenant in the Officers' Reserve Corps: *Provided*, That the Secretary of War is authorized to discharge at any time any flying cadet whose discharge shall have been recommended by a board of not less than three officers. (July 11, 1919, c. 8, 41 Stat. 109.)

300. Additional pay for flying duty.—Officers and enlisted men of the Army shall receive an increase of 50 per centum of their pay while on duty requiring them to participate regularly and frequently in aerial flights; and no person shall receive additional pay for aviation duty except as prescribed in this section, and except flying cadets as prescribed in section 303 of this title. (June 4, 1920, c. 227, subchapter I, § 13, 41 Stat. 768.)

301. Additional pay for military aviators and junior military aviators.—In lieu of the 50 per centum increase of pay provided for in section 300 of this title any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, was conferred for having specially distinguished himself in time of war in active operations against the enemy, shall, while, on duty which requires him to participate regularly and frequently in aerial flights, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and in addition an increase of 50 per centum of the pay of his grade and length of service under his commission in case of a junior military aviator, and 75 per centum of the pay of his grade and length of service under his commission in case of a military aviator. (June 4, 1920, c. 227, subchapter I, § 51, 41 Stat. 785.)

302. Officers entitled to additional pay for aviation duty.—The authorization for increase of flying pay contained in section 300 of this title, shall be construed to include any officer of any branch of the service who may be ordered by proper authority to perform duty requiring him to participate regularly and frequently in aerial flights. (June 30, 1922, c. 253, Title I, 42 Stat. 724.)

303. Base pay of flying cadets.—The base pay of a flying cadet shall be \$75 per month, including extra pay for flying risk as provided by law. (July 11, 1919, c. 8, 41 Stat. 109.)

304. Allowances of flying cadets.—The ration allowance of a flying cadet shall not exceed \$1 per day, and his other allowances shall be those of a private, first class, Air Service. (July 11, 1919, c. 8, 41 Stat. 109.)

305. Mileage of officers traveling on aviation duty.—Mileage to officers of the Army traveling on duty in connection with aviation shall be paid from the appropriation for the work in connection with which the travel is performed. (July 9, 1918, c. 143, 40 Stat. 849.)

306. Per diem allowance for additional expenses of fliers making aerial surveys of rivers, harbors, etc.—To cover actual additional expenses to which fliers are subjected when making aerial surveys, hereafter a per diem of \$7 in lieu of other travel allowances shall be paid to officers, warrant officers, and enlisted men of the Army, for the actual time consumed while traveling by air, under competent orders, in connection with aerial surveys of rivers and harbors, or other governmental projects, and a per diem of \$6 for the actual time consumed in making such aerial surveys, to be paid from appropriations available for the particular improvement or project for which the survey is being made: *Provided*, That not more than one of the per diem allowances authorized in this section shall be paid for any one day. (Mar. 3, 1925, c. 407, § 5, 43 Stat. 1190.)

307. Bond for indemnity against injuries caused by exhibition flights.—None of the funds appropriated for the Air Service shall be used for the purpose of giving exhibition flights to the public other than those under the control and direction of the War Department and if such flights are given by Army per-

sonnel upon other than Government fields, a bond of indemnity, in such sum as the Secretary of War may require for damages to person or property, shall be furnished the Government by the parties desiring the exhibition. (Mar. 2, 1923, c. 178, Title I, 42 Stat. 1398; June 7, 1924, c. 201, Title I, 43 Stat. 492; Feb. 12, 1925, c. 225, Title I, 43 Stat. 908.)

308. Compensation for death by aviation accident.—There shall be paid to the widow of any officer or enlisted man who shall die as the result of an aviation accident, not the result of his own misconduct, or to any other person designated by him in writing, an amount equal to one year's pay at the rate to which such officer or enlisted man was entitled at the time of the accident resulting in his death, but any payment made in accordance with the terms of this section on account of the death of any officer or enlisted man shall be in lieu of and a bar to any payment under section 903 of this title. (July 18, 1914, c. 186, § 3, 38 Stat. 515.)

309. Employment of draftsmen and engineers in Air Service.—The services of aeronautical engineers, skilled draftsmen, and such technical and other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Air Service to carry into effect the various appropriations for aeronautical purposes, to be paid from such appropriations: *Provided*, That the Secretary of War shall each year in the Budget report to Congress the number of persons so employed, their duties, and the amount paid to each. (Feb. 12, 1925, c. 225, 43 Stat. 908.)

Chapter 19.—PHILIPPINE SCOUTS.

Sec.

321. Organization.

322. Eligibility as officers of militia.

323. Appointment of officers.

324. Officers commissioned prior to July 1, 1920, and not recommissioned in Regular Army continued in service.

325. Computation of period of service of officers.

326. Promotions; classification and elimination of officers.

327. Retired pay of officers.

328. Attendance on course of preparatory instruction pursuant to detail under section 886 or 1180 as active duty.

329. Ratification of administrative action as to pay of retired officers on duty mentioned in next preceding section.

330. Duty mentioned in section 328 performed prior to March 3, 1925.

331. Detail of retired officers to educational institutions.

332. Promotion on retired list.

333. Number of enlisted men.

334. Pay and allowances of enlisted men.

335. Philippine Scouts cooperating with Philippine Constabulary.

Section 321. Organization.—The President is authorized to form the Philippine Scouts into such branches and tactical units as he may deem expedient, within the limit of strength prescribed by law, organized similarly to those of the Regular Army, the officers to be detailed from those authorized in section 482 of this title. (June 4, 1920, c. 227, subchapter I, § 22, 41 Stat. 770.)

322. Eligibility as officers of militia.—Officers of the Philippine Scouts shall be eligible to appointment as officers in the militia or other locally created armed forces in the Philippine Islands which may be drafted into the service of the United States; and any such officer of the Philippine Scouts so appointed as an officer in said drafted forces shall not thereby vacate his commission in the Philippine Scouts, and in case his commission in said Philippine Scouts shall terminate while holding a commission in said drafted forces as aforesaid, he shall thereupon be eligible to reappointment as an officer of said Philippine Scouts notwithstanding his retention of a commission in said drafted forces. (Mar. 30, 1918, c. 30, § 1, 40 Stat. 500.)

323. Appointment of officers.—After July 1, 1920, no appointments as officers of Philippine Scouts shall be made except of citizens of the Philippine Islands, who may be appointed in the