

representative”, “temporarily”, and “in attendance at such academy under an appointment from such former district” are omitted as surplusage. The words “the district in which his domicile so falls” are substituted for the words “of the latter district”. The words “to include him” are substituted for 10:1091-1 (18 words before proviso). The words “but the number as so increased” are substituted for 10:1091-1 (1st 13 words of proviso). The words “if he fails to become a cadet” are inserted for clarity.

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 9447 was renumbered section 9497 of this title.

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 9347 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.

#### § 9448. Cadets: service obligation

(a) Each cadet shall sign an agreement with respect to the cadet’s length of service in the armed forces. The agreement shall provide that the cadet agrees to the following:

(1) That the cadet will complete the course of instruction at the Academy.

(2) That upon graduation from the Academy the cadet—

(A) will accept an appointment, if tendered, as a commissioned officer of the Regular Air Force or the Space Force; and

(B) will serve on active duty for at least five years immediately after such appointment.

(3) That if an appointment described in paragraph (2) is not tendered or if the cadet is permitted to resign as a regular officer, or to terminate the officer’s order to sustained duty in the Space Force before completion of the commissioned service obligation of the cadet, the cadet—

(A) will accept an appointment as a commissioned officer as a Reserve in the Air Force for service in the Air Force Reserve or will accept further assignment in a space force active status; and

(B) will remain in that reserve component, or the Space Force, until completion of the commissioned service obligation of the cadet.

(4) That if an appointment described in paragraph (2) or (3) is tendered and the cadet participates in a program under section 2121 of this title, the cadet will fulfill any unserved obligation incurred under this section on active duty, regardless of the type of appointment held, upon completion of, and in addition to, any service obligation incurred under section 2123 of this title for participation in such program.

(5) That the cadet may not obtain employment as a professional athlete until two years after the cadet graduates from the Academy.

(b)(1) Subject to paragraph (4), the Secretary of the Air Force may transfer to the Air Force Reserve, and may order to active duty for such period of time as the Secretary prescribes (but not to exceed four years), a cadet who breaches an agreement under subsection (a). The period of time for which a cadet is ordered to active duty under this paragraph may be determined without regard to section 651(a) of this title.

(2) A cadet who is transferred to the Air Force Reserve under paragraph (1) shall be transferred in an appropriate enlisted grade or rating, as determined by the Secretary.

(3) For the purposes of paragraph (1), a cadet shall be considered to have breached an agreement under subsection (a) if the cadet is separated from the Academy under circumstances which the Secretary determines constitute a breach by the cadet of the cadet’s agreement to complete the course of instruction at the Academy and accept an appointment as a commissioned officer upon graduation from the Academy.

(4) Each academic year, the Secretary of the Air Force may transfer not more than three cadets, who obtain employment in violation of paragraph (5) of subsection (a), to the Selected Reserve of the Air Force. Each cadet so transferred shall—

(A) serve as a commissioned officer—

(i) in an appropriate grade or rating, determined by the Secretary of the Air Force; and

(ii) for a period, determined by the Secretary of the Air Force, not longer than 10 years; and

(B) while so serving, participate in efforts to recruit and retain members of the armed forces.

(c) The Secretary of the Air Force shall prescribe regulations to carry out this section. Those regulations shall include—

(1) standards for determining what constitutes, for the purpose of subsection (b), a breach of an agreement under subsection (a);

(2) that a cadet who obtains employment as a professional athlete—

(A) in violation of paragraph (5) of subsection (a) has breached an agreement under such subsection unless such cadet receives a transfer under paragraph (4) of subsection (b); and

(B) at least two years after the cadet graduates from the Academy has not breached an agreement under subsection (a);

(3) procedures for determining whether such a breach has occurred; and

(4) standards for determining the period of time for which a person may be ordered to serve on active duty under subsection(b).

(d) In this section, the term “commissioned service obligation”, with respect to a cadet, means the period beginning on the date of the cadet’s appointment as a commissioned officer and ending on the sixth anniversary of such appointment or, at the discretion of the Secretary of Defense, any later date up to the eighth anniversary of such appointment.

(e)(1) This section does not apply to a cadet who is not a citizen or national of the United States.

(2) In the case of a cadet who is a minor and who has parents or a guardian, the cadet may sign the agreement required by subsection (a) only with the consent of a parent or guardian.

(f) A cadet or former cadet who does not fulfill each term of the agreement as specified under subsection (a), or an alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

(Aug. 10, 1956, ch. 1041, 70A Stat. 565, §9348; Pub. L. 88-276, §5(a), Mar. 3, 1964, 78 Stat. 153; Pub. L. 88-647, title III, §301(25), Oct. 13, 1964, 78 Stat. 1073; Pub. L. 98-525, title V, §§541(c), 542(d), Oct. 19, 1984, 98 Stat. 2529; Pub. L. 99-145, title V, §512(c), Nov. 8, 1985, 99 Stat. 625; Pub. L. 101-189, div. A, title V, §511(d), title XVI, §1622(e)(5), Nov. 29, 1989, 103 Stat. 1439, 1605; Pub. L. 104-106, div. A, title V, §531(c), Feb. 10, 1996, 110 Stat. 314; Pub. L. 109-163, div. A, title VI, §687(c)(11), Jan. 6, 2006, 119 Stat. 3335; Pub. L. 111-84, div. A, title X, §1073(a)(29), Oct. 28, 2009, 123 Stat. 2474; Pub. L. 111-383, div. A, title V, §554(c), Jan. 7, 2011, 124 Stat. 4221; Pub. L. 115-91, div. A, title V, §543(c), title VI, §618(a)(1)(M), Dec. 12, 2017, 131 Stat. 1396, 1426; renumbered §9448, Pub. L. 115-232, div. A, title VIII, §806(a)(3), Aug. 13, 2018, 132 Stat. 1832; Pub. L. 116-92, div. A, title V, §554(c), Dec. 20, 2019, 133 Stat. 1388; Pub. L. 116-283, div. A, title IX, §923(d)(11), Jan. 1, 2021, 134 Stat. 3815; Pub. L. 117-263, div. A, title V, §553(c), Dec. 23, 2022, 136 Stat. 2593; Pub. L. 118-31, div. A, title XVII, §1721(c)(3), Dec. 22, 2023, 137 Stat. 666; Pub. L. 118-159, div. A, title V, §557(c), Dec. 23, 2024, 138 Stat. 1897.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9348 .....	10:1092c.	June 30, 1950, ch. 421, §3, 64 Stat. 304.

The word “agreement” is substituted for the word “articles”. The words “Hereafter”, “appointed to the United States Military Academy”, “engage”, and 10:1092c (1st 25 words of clause (2) are omitted as surplusage. The word “separated” is substituted for the words “discharged by competent authority”. The words “if he is permitted to resign” are substituted for the words “in the event of the acceptance of his resignation”, since a resignation is effective only when accepted. The first 32 words of clause (3) are substituted for 10:1092c (last 29 words of clause (3)). The last sentence is substituted for the words “with the consent of his parents or guardian if he be a minor, and if any he have”.

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 9448 was renumbered section 9498 of this title.

##### AMENDMENTS

2024—Pub. L. 118-159, §557(c)(1), substituted “service obligation” for “agreement to serve as officer” in section catchline.

Subsec. (b)(1). Pub. L. 118-159, §557(c)(2)(A), substituted “Subject to paragraph (4), the Secretary of the Air Force” for “The Secretary of the Air Force”.

Subsec. (b)(4). Pub. L. 118-159, §557(c)(2)(B), added par. (4) and struck out former par. (4) which read as follows: “A cadet who violates paragraph (5) of subsection (a) is not eligible for the alternative obligation under paragraph (1).”

Subsec. (c)(2)(A). Pub. L. 118-159, §557(c)(3), inserted “unless such cadet receives a transfer under paragraph (4) of subsection (b)” after “under such subsection”.

Subsec. (f). Pub. L. 118-159, §557(c)(4), substituted “an alternative obligation” for “the alternative obligation”.

2023—Subsec. (a)(2)(A). Pub. L. 118-31, §1721(c)(3)(A), struck out “Regular” before “Space Force”.

Subsec. (a)(3). Pub. L. 118-31, §1721(c)(3)(B)(i), inserted “, or to terminate the officer’s order to sustained duty in the Space Force” after “resign as a regular officer” in introductory provisions.

Subsec. (a)(3)(A). Pub. L. 118-31, §1721(c)(3)(B)(ii), substituted “or will accept further assignment in a space force active status” for “or as a Reserve in the Space Force for service in the Space Force Reserve”.

Subsec. (a)(3)(B). Pub. L. 118-31, §1721(c)(3)(B)(iii), inserted “, or the Space Force,” after “that reserve component”.

2022—Subsec. (a)(5). Pub. L. 117-263, §553(c)(1), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “That the cadet—

“(A) will not seek release from the cadet’s commissioned service obligation or seek or accept approval for off-duty employment while completing the cadet’s commissioned service obligation to obtain employment as a professional athlete following graduation until the cadet completes a period of at least two consecutive years of commissioned service; and

“(B) understands that the appointment alternative described in paragraph (2) will not be used to allow the cadet to obtain such employment until at least the end of that two-year period.”

Subsec. (b)(4). Pub. L. 117-263, §553(c)(2), added par. (4).

Subsec. (c)(2) to (4). Pub. L. 117-263, §553(c)(3), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

Subsec. (d). Pub. L. 117-263, §553(c)(4), substituted “with respect to a cadet” for “with respect to an officer who is a graduate of the Academy” and “cadet’s” for “officer’s”.

Subsec. (f). Pub. L. 117-263, §553(c)(5), substituted “each term” for “the terms”.

2021—Subsec. (a)(2)(A). Pub. L. 116-283, §923(d)(11)(A), inserted “or the Regular Space Force” after “Regular Air Force”.

Subsec. (a)(3)(A). Pub. L. 116-283, §923(d)(11)(B), inserted “or as a Reserve in the Space Force for service in the Space Force Reserve” after “Air Force Reserve”.

2019—Subsec. (a)(5)(A). Pub. L. 116-92 inserted “or seek or accept approval for off-duty employment while completing the cadet’s commissioned service obligation” before “to obtain employment”.

2018—Pub. L. 115-232 renumbered section 9348 of this title as this section.

2017—Subsec. (a)(5). Pub. L. 115-91, §543(c), added par. (5).

Subsec. (f). Pub. L. 115-91, §618(a)(1)(M), inserted “or 373” before “of title 37”.

2011—Subsec. (a)(4). Pub. L. 111-383 added par. (4).

2009—Subsec. (f). Pub. L. 111-84 substituted “subsection (a)” for “section (a)”.

2006—Subsec. (f). Pub. L. 109-163 added subsec. (f).

1996—Subsec. (a)(2)(B). Pub. L. 104-106 substituted “five years” for “six years”.

1989—Subsec. (a)(2)(B). Pub. L. 101-189, §511(d), substituted “six years” for “five years”.

Subsec. (d). Pub. L. 101-189, §1622(e)(5), inserted “the term” after “In this section,”.

1985—Pub. L. 99-145 amended section generally. Prior to amendment, section read as follows:

“(a) Each cadet who is a citizen or national of the United States shall sign an agreement that he will—

“(1) unless sooner separated from the Academy, complete the course of instruction at the Academy;

“(2) accept an appointment and, unless sooner separated from the service, serve as a commissioned officer of the Regular Air Force for at least the five years immediately after graduation; and

“(3) accept an appointment as a commissioned officer as a Reserve for service in the Air Force Reserve and, unless sooner separated from the service, remain therein until at least the sixth anniversary and, at the direction of the Secretary of Defense, up to the eighth anniversary of his graduation, if an appointment in the Regular Air Force is not tendered to him, or if he is permitted to resign as a commissioned officer of that component before that anniversary. If the cadet is a minor and has parents or a guardian, he may sign the agreement only with the consent of the parents or guardian.

“(b) A cadet who does not fulfill his agreement under subsection (a) may be transferred by the Secretary of the Air Force to the Air Force Reserve in an appropriate enlisted grade and, notwithstanding section 651 of this title, may be ordered to active duty to serve in that grade for such period of time as the Secretary prescribes but not for more than four years.”

1984—Subsec. (a). Pub. L. 98-525, §541(c), struck out “, unless sooner separated,” in introductory text before “he will”; inserted in cl. (1) “unless sooner separated from the Academy,”; and inserted “, unless sooner separated from the service,” in cls. (2) and (3).

Subsec. (a)(3). Pub. L. 98-525, §542(d), substituted “at least the sixth anniversary and, at the direction of the Secretary of Defense, up to the eighth anniversary” for “the sixth anniversary”.

1964—Pub. L. 88-647 designated existing provisions as subsec. (a) and added subsec. (b).

Subsec. (a)(2). Pub. L. 88-276 substituted “five” for “three”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2022 AMENDMENT**

Amendment by Pub. L. 117-263 only applicable to cadets or midshipmen who first enroll in the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on or after June 1, 2021, see section 553(d) of Pub. L. 117-263, as added by section 202(a) of Pub. L. 117-328, set out as a note under section 7448 of this title.

**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 2017 AMENDMENT**

Revised cadet and midshipman service agreements under this section and sections 7448 and 8459 of this title applicable to cadets and midshipmen who are attending the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on Dec. 12, 2017, and to persons who begin attendance at such military service academies on or after that date, see section 543(d) of Pub. L. 115-91, set out as a note under section 7448 of this title.

**EFFECTIVE DATE OF 1996 AMENDMENT**

Amendment by Pub. L. 104-106 applicable to persons first admitted to United States Military Academy, United States Naval Academy, and United States Air Force Academy after Dec. 31, 1991, see section 531(e) of Pub. L. 104-106, set out as a note under section 7448 of this title.

**EFFECTIVE DATE OF 1989 AMENDMENT**

Amendment by section 511(d) of Pub. L. 101-189 applicable to persons who are first admitted to one of the military service academies after Dec. 31, 1991, see section 511(e) of Pub. L. 101-189, as amended, set out as a note under section 2114 of this title.

**EFFECTIVE DATE OF 1985 AMENDMENT**

Amendment by Pub. L. 99-145 (other than with respect to the authority of the Secretary of the Air Force

to prescribe regulations) effective on the date on which regulations prescribed by the Secretary take effect and applicable to agreements entered into under this section on or after the effective date of such regulations and also with respect to each such agreement that was entered into before the effective date of such regulations by an individual who is a cadet on such date, see section 512(e) of Pub. L. 99-145, set out as a note under section 7448 of this title.

**EFFECTIVE DATE OF 1984 AMENDMENT**

Amendment by section 541(c) of Pub. L. 98-525 applicable with respect to agreements entered into under this section before, on, or after Oct. 19, 1984, see section 541(d) of Pub. L. 98-525, set out as a note under section 7448 of this title.

**EFFECTIVE DATE OF 1964 AMENDMENT; OBLIGATED PERIOD OF SERVICE**

For effective date of amendment by Pub. L. 88-276, see section 5(c) of Pub. L. 88-276, set out as a note under section 7448 of this title.

**REGULATIONS IMPLEMENTING 1985 AMENDMENT**

Secretary of the Air Force to prescribe regulations required by subsec. (c) of this section as added by Pub. L. 99-145 not later than the end of the 90-day period beginning on Nov. 8, 1985, see section 512(d) of Pub. L. 99-145, set out as a note under section 7448 of this title.

**SAVINGS PROVISION**

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

**DEPARTMENT OF DEFENSE POLICY ON SERVICE ACADEMY AND ROTC GRADUATES SEEKING TO PARTICIPATE IN PROFESSIONAL SPORTS BEFORE COMPLETION OF THEIR ACTIVE-DUTY SERVICE OBLIGATIONS**

Secretary of Defense to prescribe, not later than July 1, 2007, Department of Defense policy on whether to authorize service academy and ROTC graduates to participate in professional sports before the completion of their obligations for service on active duty, see section 533 of Pub. L. 109-364, set out as a note under section 7448 of this title.

**§ 9449. Cadets: organization; service; instruction**

(a) A cadet shall perform duties at such places and of such type as the President may direct.

(b) The course of instruction at the Academy is four years.

(c) The Secretary of the Air Force shall so arrange the course of studies at the Academy that cadets are not required to pursue their studies on Sunday.

(Aug. 10, 1956, ch. 1041, 70A Stat. 566, §9349; renumbered §9449, Pub. L. 115-232, div. A, title VIII, §806(a)(3), Aug. 13, 2018, 132 Stat. 1832; amended Pub. L. 116-283, div. A, title IX, §923(d)(12), Jan. 1, 2021, 134 Stat. 3815.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
9349(a) .....	10:1102.	R.S. 1322.
9349(b) .....	10:1043.	R.S. 1323.
9349(c) .....	10:1044.	Mar. 30, 1920, ch. 112 (1st par., less provisos, under “Miscellaneous”), 41 Stat. 548.
9349(d) .....	10:1105.	R.S. 1324.

In subsection (a), the word “commissioned” is inserted for clarity. 10:1105 (2d sentence) is omitted as obsolete.