

1982—Subsec. (a). Pub. L. 97-295 struck out the comma after “policies”.

1980—Pub. L. 96-215 inserted “and to and from National Oceanic and Atmospheric Administration” in section catchline, divided existing unlettered provisions into subsecs. (a) and (b)(1), inserted references to National Oceanic and Atmospheric Administration and to Secretary of Commerce in subsec. (a) as so redesignated, and added subsec. (b)(2).

1970—Pub. L. 91-392 substituted “armed forces” for “Army, Navy, Air Force, and Marine Corps” in section catchline and “his armed force”, “another armed force”, “An officer transferred under this section may not be assigned”, and “before his transfer” for “the Army, Navy, Air Force, or Marine Corps”, “any other of those armed forces”, “No officer transferred pursuant to this authority shall be assigned”, and “prior to such transfer” in text, respectively, and authorized interservice transfers of officers of the Coast Guard.

#### 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.

#### DELEGATION OF FUNCTIONS

Functions of President under subsec. (a) of this section delegated to Secretary of Commerce by section 1(m) of Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, as amended, set out as a note under section 301 of Title 3, The President.

### § 717. Members of the armed forces: participation in international sports

(a) The Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may permit members of the armed forces under his jurisdiction to train for, attend, and participate in any of the following sports competitions:

(1) The Pan-American Games and the Olympic Games, and qualifying events and preparatory competition for those games.

(2) The Paralympic Games, if eligible to participate in those games, and qualifying events and preparatory competition for those games.

(3) Any other international competition in amateur sports, if the Secretary of State determines that the interests of the United States will be served by participation in that competition, and qualifying events and preparatory competition for that competition.

(b) Subject to subsections (c) and (d), the Secretary of Defense or the Secretary of Homeland Security, as the case may be, may spend such funds, and acquire and use such supplies, as he determines to be necessary to provide for—

(1) the training of members of the armed forces for the competitions covered by subsection (a);

(2) their attendance at and participation in those competitions; and

(3) the training of animals of the armed forces for, and their attendance at and participation in, those competitions.

(c)(1) Not more than \$3,000,000, to be apportioned among the military departments as the Secretary of Defense prescribes, may be spent during each successive four-year period beginning on October 1, 1980, for the participation of members of the Army, Navy, Air Force, and Ma-

rine Corps in the competitions covered by subsection (a).

(2) Not more than \$100,000 may be spent during each successive four-year period beginning on October 1, 1980, for the participation of members of the Coast Guard in the competitions covered by subsection (a).

(d) Appropriations available to the Department of Defense or to the Department of Homeland Security, as the case may be, may be used to carry out this section.

(Added Pub. L. 85-861, §1(17), Sept. 2, 1958, 72 Stat. 1442, §716; renumbered §717, Pub. L. 87-651, title I, §103(a), Sept. 7, 1962, 76 Stat. 508; amended Pub. L. 89-348, §1(12), Nov. 8, 1965, 79 Stat. 1311; Pub. L. 89-718, §7, Nov. 2, 1966, 80 Stat. 1117; Pub. L. 96-513, title V, §511(22), Dec. 12, 1980, 94 Stat. 2921; Pub. L. 98-525, title XV, §1534, Oct. 19, 1984, 98 Stat. 2632; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 109-163, div. A, title V, §561, Jan. 6, 2006, 119 Stat. 3266.)

#### HISTORICAL AND REVISION NOTES 1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
716 [now 717].	22:1981. 22:1982. 22:1983.	Mar. 14, 1955, ch. 11 (less last 2 pars.), 69 Stat. 11.

In subsection (a), the first 27 words are substituted for section 1 of the source statute. The reference to the Second Pan-American Games, the Seventh Olympic Winter Games, and the Games of the XVI Olympiad are omitted as covered by clause (1) of the revised subsection. The words “subject to the limitation contained in subsection (b) herein” are omitted as covered by revised subsection (b). The words “any other” are substituted for the words “other \* \* \* not specified in (1) above”.

In subsection (b), the word “entry” is substituted for the word “commitment” for clarity. The words “or the Secretary of the Treasury, as the case may be” are inserted since, under subsection (a), the Secretary of the Treasury has the prescribed authority with respect to members of the Coast Guard when it is not operating as a service in the Navy.

In subsection (c), the words “materiel, and equipment” are omitted as covered by the word “supplies” as defined in section 101(26) of this title.

#### 1962 ACT

This section corrects a duplication in numbering occasioned by the addition of a duplicate section 716 by Pub. L. 85-861. (The first section 716 was added by Pub. L. 85-599.)

#### AMENDMENTS

2006—Subsec. (a). Pub. L. 109-163 substituted “participate in any of the following sports competitions:

“(1) The Pan-American Games and the Olympic Games, and qualifying events and preparatory competition for those games.

“(2) The Paralympic Games, if eligible to participate in those games, and qualifying events and preparatory competition for those games.

“(3) Any other”  
for “participate in—

“(1) Pan-American Games and Olympic Games and qualifying events and preparatory competition for those games; and

“(2) any other”.

2002—Subsecs. (a), (b), (d). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1984—Subsec. (a)(1). Pub. L. 98-525, §1534(1), included qualifying events and preparatory competition.

Subsec. (a)(2). Pub. L. 98-525, §1534(2), included qualifying events and preparatory competition.

Subsec. (b). Pub. L. 98-525, §1534(3), struck out reference to subsec. (e).

Subsec. (c). Pub. L. 98-525, §1534(4), (6), designated existing provisions as par. (1), substituted “\$3,000,000” for “\$800,000” and “October 1, 1980” for “March 14, 1955”, redesignated subsec. (d) as par. (2), and substituted “October 1, 1980” for “March 14, 1955”.

Subsecs. (d), (e). Pub. L. 98-525, §1534(7), redesignated subsec. (e) as (d). Former subsec. (d) redesignated par. (2) of subsec. (c).

1980—Subsec. (a). Pub. L. 96-513, §511(22)(A), substituted “Transportation” for “the Treasury”.

Subsec. (b). Pub. L. 96-513, §511(22), redesignated subsec. (c) as (b) and substituted reference to subsec. (c) for reference to subsec. (f), and “Transportation” for “the Treasury”.

Subsecs. (c), (d). Pub. L. 96-513, §511(22)(C), redesignated subsecs. (d) and (e) as (c) and (d), respectively. Former subsec. (c) redesignated (b).

Subsecs. (e), (f). Pub. L. 96-513, §511(22) (A), (C), redesignated subsec. (f) as (e) and substituted “Transportation” for “the Treasury”. Former subsection (e) redesignated (d).

1966—Subsec. (b). Pub. L. 89-718 repealed subsec. (b) which required the Secretary of Defense or the Secretary of the Treasury to report to the Committees on Armed Services of the Senate and House of Representatives the details of the proposed participation by members of the Armed Forces under his jurisdiction in international amateur sports competition. See also Pub. L. 89-348, §1(12), Nov. 8, 1965, 79 Stat. 1311, which earlier repealed the reporting requirement of subsec. (b).

1965—Subsec. (b). Pub. L. 89-348 repealed provision of subsec. (b) which required the Secretary of Defense or the Secretary of the Treasury, as the case may be, to report to the Committees on the Armed Services of the Senate and House of Representatives the details of the proposed participation by members of the Armed Forces under his jurisdiction in international amateur sports competition.

#### 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. 96-513 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.

### **[§ 718. Repealed. Pub. L. 99-433, title I, § 110(a)(1), Oct. 1, 1986, 100 Stat. 1001]**

Section, added Pub. L. 87-651, title II, §205(a), Sept. 7, 1962, 76 Stat. 519, provided that officers of the armed forces could be detailed for duty as assistants or personal aides to the Secretary of Defense.

### **§ 719. Department of Commerce: assignment or detail of members of the armed forces to National Oceanic and Atmospheric Administration**

Upon the request of the Secretary of Commerce, the Secretary of a military department may assign or detail members of the armed forces under his jurisdiction for duty in the National Oceanic and Atmospheric Administration, Department of Commerce, with reimbursement from the Department of Commerce. Notwithstanding any other provision of law, a member so assigned or detailed may exercise the functions, and assume the title, of any position in

that Administration without affecting his status as a member of an armed force, but he is not entitled to the compensation fixed for that position.

(Added Pub. L. 89-683, §1(1), Oct. 15, 1966, 80 Stat. 960; amended Pub. L. 96-513, title I, §511(23)(A), (B), Dec. 12, 1980, 94 Stat. 2921.)

#### AMENDMENTS

1980—Pub. L. 96-513 substituted “of members of the armed forces to National Oceanic and Atmospheric” for “to Environmental Science Services” in section catchline, and substituted “National Oceanic and Atmospheric” for “Environmental Science Services” in text.

#### 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.

### **§ 720. Chief of Staff to President: appointment**

The President, by and with the advice and consent of the Senate, may appoint a general officer of the Army, Air Force, or Marine Corps or a flag officer of the Navy as the Chief of Staff to the President and may designate such position as a position of importance and responsibility under section 601 of this title.

(Added Pub. L. 96-513, title V, §501(9)(A), Dec. 12, 1980, 94 Stat. 2907.)

#### EFFECTIVE DATE

Section effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

#### TRANSITION PROVISIONS UNDER DEFENSE OFFICER PERSONNEL MANAGEMENT ACT

For provisions to prevent extinction or premature termination of rights, duties, penalties, or proceedings that existed or were begun prior to the effective date of Pub. L. 96-513 and otherwise to allow for an orderly transition to the system of officer personnel management put in place under Pub. L. 96-513, see section 601 et seq. of Pub. L. 96-513, set out as a note under section 611 of this title.

### **[§ 721. Repealed. Pub. L. 111-84, div. A, title V, § 502(i)(1), Oct. 28, 2009, 123 Stat. 2276]**

Section, added Pub. L. 105-85, div. A, title V, §501(a), Nov. 18, 1997, 111 Stat. 1723; amended Pub. L. 107-314, div. A, title X, §1041(a)(4), Dec. 2, 2002, 116 Stat. 2645, related to limitation on appointments, assignments, details, and duties outside a general or flag officer’s own service.

### **§ 722. Attending Physician to the Congress: grade**

A general officer serving as Attending Physician to the Congress, while so serving, holds the grade of major general. A flag officer serving as Attending Physician to the Congress, while so serving, holds the grade of rear admiral.

(Added Pub. L. 109-364, div. A, title V, §507(a)(1)(A), Oct. 17, 2006, 120 Stat. 2180.)

## CHAPTER 43—RANK AND COMMAND

Sec.

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|------|---|
| 741. | Rank: commissioned officers of the armed forces.  |
| 742. | Rank: warrant officers.   |
| 743. | Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air Force; Commandant of the Marine Corps. |