

1980—Subsec. (a). Pub. L. 96-513 substituted provisions authorizing the Secretary of the Navy to make temporary appointments in warrant officer grades and of certain officers designated for limited duty for provisions authorizing such appointments only when the number of male officers serving on active duty in the grade of ensign and above in the line of the Navy exceeded the number of male officers on the active list in the line of the Navy.

Subsec. (b). Pub. L. 96-513 redesignated subsec. (f) as (b) and struck out former subsec. (b) which described persons eligible for temporary appointments in the Regular Navy, except in the Nurse Corps, in grades not above lieutenant and in the Regular Marine Corps in grades not above captain.

Subsec. (c). Pub. L. 96-513 redesignated subsec. (g) as (c), struck out provision restricting temporary appointments to male members of the naval service, and struck out former subsec. (c) which described persons eligible for temporary appointments in the Naval Reserve, except in the Nurse Corps, in grades not above lieutenant and in the Marine Corps Reserve in grades not above captain.

Subsec. (d). Pub. L. 96-513 substituted provisions authorizing the Secretary of the Navy to temporarily appoint officers designated for limited duty under subsec. (a)(2) in a higher grade not above commander in the Regular Navy or lieutenant colonel in the Regular Marine Corps for provisions authorizing the Secretary to make temporary appointments in warrant officer grades.

Subsec. (e). Pub. L. 96-513 redesignated subsec. (h) as (e), substituted “Secretary of the Navy” for “President”, and struck out former subsec. (e) which provided that the number of persons appointed in the Regular Navy under this section in grades above chief warrant officer, W-4, could not exceed the difference between the actual number of officers on the active list of the Navy in the line or in the staff corps concerned and the authorized number of such officers.

Subsecs. (f) to (h). Pub. L. 96-513 redesignated subsecs. (f), (g), and (h) as (b), (c), and (e), respectively.

#### EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-190 effective Feb. 1, 1992, see section 1132 of Pub. L. 102-190, set out as a note under section 521 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.

#### DELEGATION OF FUNCTIONS

For delegation to Secretary of Defense of authority vested in President by section 3c(g) of former Title 34, see Ex. Ord. No. 10621, July 1, 1955, 20 F.R. 4759, set out as a note under section 301 of Title 3, The President.

#### 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.

### [§§ 5597 to 5599. Repealed. Pub. L. 96-513, title III, § 327, Dec. 12, 1980, 94 Stat. 2894]

Section 5597, acts Aug. 10, 1956, ch. 1041, 70A Stat. 330; Sept. 7, 1962, Pub. L. 87-649, §§ 5(a), 14c(28), 76 Stat. 493, 501; Sept. 28, 1971, Pub. L. 92-129, title VI, § 603(a), 85 Stat. 362, authorized temporary appointments in Navy

and Marine Corps in times of war or national emergency. See section 603 of this title.

Section 5598, act Aug. 10, 1956, ch. 1041, 70A Stat. 331, authorized temporary appointments in Naval Reserve and Marine Corps Reserve in times of war or national emergency. See section 603 of this title.

Section 5599, act Aug. 10, 1956, ch. 1041, 70A Stat. 331, provided that the President alone could make appointments for temporary service in Medical Corps in grade of lieutenant (junior grade). See section 603 of this title.

#### 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.

### [§ 5600. Repealed. Pub. L. 104-106, div. A, title XV, § 1501(c)(26), Feb. 10, 1996, 110 Stat. 499]

Section, added Pub. L. 85-861, § 1(121)(A), Sept. 2, 1958, 72 Stat. 1494; amended Pub. L. 86-559, § 1(41), June 30, 1960, 74 Stat. 273; Pub. L. 90-179, § 5(4), Dec. 8, 1967, 81 Stat. 548; Pub. L. 96-513, title III, § 328, Dec. 12, 1980, 94 Stat. 2895; Pub. L. 97-22, § 6(c), July 10, 1981, 95 Stat. 130; Pub. L. 98-94, title X, § 1007(c)(4), Sept. 24, 1983, 97 Stat. 662; Pub. L. 100-180, div. A, title VII, § 714(c), Dec. 4, 1987, 101 Stat. 1113; Pub. L. 102-190, div. A, title XI, § 1131(8)(A), Dec. 5, 1991, 105 Stat. 1506; Pub. L. 103-160, div. A, title V, § 509(c), Nov. 30, 1993, 107 Stat. 1648, related to service credit upon original appointment as commissioned officer in Naval Reserve or Marine Corps Reserve. See section 12207 of this title.

#### EFFECTIVE DATE OF REPEAL

Section 1501(c)(26) of Pub. L. 104-106 provided that the repeal made by that section is effective on the effective date specified in section 1691(b)(1) of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

### [§ 5601. Repealed. Pub. L. 89-609, § 1(10), Sept. 30, 1966, 80 Stat. 853]

Section, added Pub. L. 85-861, § 1(121)(A), Sept. 2, 1958, 72 Stat. 1495, authorized appointment of men in the Naval Reserve in the Nurse Corps.

#### [CHAPTER 541—REPEALED]

### [§§ 5651 to 5664. Repealed. Pub. L. 96-513, title III, § 332, Dec. 12, 1980, 94 Stat. 2897]

Section 5651, act Aug. 10, 1956, ch. 1041, 70A Stat. 332, related to eligibility of officers to be running mates.

Section 5652, acts Aug. 10, 1956, ch. 1041, 70A Stat. 332; Sept. 2, 1958, Pub. L. 85-861, § 1(122), 72 Stat. 1495, related, except as provided in sections 5652a, 5652b, 5652c, 5653, and 5654 of this title, to assignment of running mates from among eligible line officers to staff corps officers serving in grade of lieutenant (junior grade) on active list of Navy.

Section 5652a, added Pub. L. 85-861, § 1(123)(A), Sept. 2, 1958, 72 Stat. 1495, and amended Pub. L. 90-179, § 12, Dec. 8, 1967, 81 Stat. 549, related to assignment of running mates to officers appointed to active list of Navy in grade of lieutenant (junior grade) in Medical Corps, Judge Advocate General's Corps, or Dental Corps.

Section 5652b, added Pub. L. 85-861, § 1(123)(A), Sept. 2, 1958, 72 Stat. 1495, and amended Pub. L. 88-647, title III, § 301(14)(B), Oct. 13, 1964, 78 Stat. 1072, related to assignment of running mates to certain officers originally appointed as ensigns to active list of Navy and serving as staff corps officers at time of promotion to grade of lieutenant (junior grade).

Section 5652c, added Pub. L. 85-861, § 1(123)(A), Sept. 2, 1958, 72 Stat. 1496, related to assignment of running mates to officers appointed to active list of Navy in a staff corps under section 5573a of this title.

Section 5653, acts Aug. 10, 1956, ch. 1041, 70A Stat. 333; Sept. 2, 1958, Pub. L. 85-861, § 1(124), 72 Stat. 1496, related