

§ 6034. Repealed. Pub. L. 103-337, div. A, title XVI, § 1662(j)(8), Oct. 5, 1994, 108 Stat. 3005]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 379, authorized Secretary of Navy to prescribe regulations for Navy and Marine Corps relating to retired pay based on service in the Reserve. See section 12731 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

§ 6035. Female members: congressional review period for assignment to duty on submarines or for reconfiguration of submarines

(a) No change in the Department of the Navy policy limiting service on submarines to males, as in effect on May 10, 2000, may take effect until—

- (1) the Secretary of Defense submits to Congress written notice of the proposed change; and
(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

(b) No funds available to the Department of the Navy may be expended to reconfigure any existing submarine, or to design any new submarine, to accommodate female crew members until—

- (1) the Secretary of Defense submits to Congress written notice of the proposed reconfiguration or design; and
(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

(c) For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.

(Added Pub. L. 106-398, §1 [[div. A], title V, §573(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-136.)

§ 6036. Fatality reviews

(a) REVIEW OF FATALITIES.—The Secretary of the Navy shall conduct a multidisciplinary, impartial review (referred to as a “fatality review”) in the case of each fatality known or suspected to have resulted from domestic violence or child abuse against any of the following.

- (1) A member of the naval service on active duty.
(2) A current or former dependent of a member of the naval service on active duty.
(3) A current or former intimate partner who has a child in common or has shared a common domicile with a member of the naval service on active duty.

(b) MATTERS TO BE INCLUDED.—The report of a fatality review under subsection (a) shall, at a minimum, include the following:

- (1) An executive summary.
(2) Data setting forth victim demographics, injuries, autopsy findings, homicide or suicide methods, weapons, police information, assail-

ant demographics, and household and family information.

- (3) Legal disposition.
(4) System intervention and failures, if any, within the Department of Defense.
(5) A discussion of significant findings.
(6) Recommendations for systemic changes, if any, within the Department of the Navy and the Department of Defense.

(c) OSD GUIDANCE.—The Secretary of Defense shall prescribe guidance, which shall be uniform for the military departments, for the conduct of reviews by the Secretary under subsection (a).

(Added Pub. L. 108-136, div. A, title V, §576(b)(1), Nov. 24, 2003, 117 Stat. 1487.)

EFFECTIVE DATE

Section applicable to fatalities that occur on or after Nov. 24, 2003, see section 576(d) of Pub. L. 108-136, set out as a note under section 4061 of this title.

CHAPTER 557—RATIONS

Table with 2 columns: Sec. and Description. Rows include 6081 (Navy ration), 6082 (Rations), 6083 (Fixing cost), 6084 (Enlisted members), 6085 (Flight rations), 6086 (Subsistence in hospital messes), 6087 (Sale of meals).

AMENDMENTS

- 2006—Pub. L. 109-364, div. A, title X, §1071(a)(31), Oct. 17, 2006, 120 Stat. 2399, substituted colon for semicolon in item 6086.
1991—Pub. L. 102-25, title VII, §701(e)(7), Apr. 6, 1991, 105 Stat. 115, inserted a period after ‘6082’ in item 6082.
1990—Pub. L. 101-510, div. A, title V, §557(b), Nov. 5, 1990, 104 Stat. 1571, amended item 6082 generally, substituting ‘Rations’ for ‘Navy ration: composition’ in item 6082.

§ 6081. Navy ration: persons entitled to

- (a) Each enlisted member of the naval service is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.
(b) Each midshipman is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.
(c) The Secretary of the Navy may prescribe regulations stating the conditions under which the ration shall be allowed under subsection (b).

(Aug. 10, 1956, ch. 1041, 70A Stat. 379; Pub. L. 87-649, §5(c), Sept. 7, 1962, 76 Stat. 494; Pub. L. 105-85, div. A, title VI, §602(b)(2), Nov. 18, 1997, 111 Stat. 1772.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 6081 shows sources from 34 U.S.C. 901a and 5 U.S.C. 421g (b), and statutes from 1946 and 1956.

So much of 34 U.S.C. 901a as authorizes a commuted ration for enlisted members of the naval service under conditions and at rates prescribed by the Secretary of the Navy is superseded by §301 of the Career Compensa-

tion Act of 1949 (37 U.S.C. 251). That section established a basic allowance for subsistence for enlisted members entitled to basic pay who are not subsisting at Government expense and prescribes the conditions under which the basic allowance for subsistence shall be paid and the amount of the allowance. Pursuant to Executive Order No. 10119, March 30, 1950, 15 F.R. 1757, the Secretary of Defense is authorized to make supplemental regulations to carry out the provisions of §301. The words “or to a per diem in place of subsistence” are inserted to reflect the subsistence allowance authorized by §303(a) of the Career Compensation Act of 1949 (37 U.S.C. 253a) to members in travel status.

In subsection (a) reference to the Coast and Geodetic Survey is omitted since there are no enlisted personnel in that service, and reference to the Coast Guard is omitted as covered by 14 U.S.C. 478.

In subsections (a) and (b) the words “or furlough therefrom” are omitted as surplusage, and the words “for each day” are inserted to make clear the fact that a ration is a daily allowance of food and that, in subsection (b), the commuted ration is credited on a daily basis. The words “and cadets” are omitted as there are no cadets in the Navy or Marine Corps entitled to a Navy ration. Aviation cadets are entitled to the basic allowance for subsistence prescribed for officers (34 U.S.C. 850c).

In subsection (c) the words “prescribed by law” and “in accordance with law” are omitted as surplusage.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105–85 substituted “Each enlisted member” for “Except when entitled to a basic allowance for subsistence or to a per diem in place of subsistence, each enlisted member”.

1962—Subsec. (b). Pub. L. 87–649 struck out provisions which permitted payment of the commuted value of the ration in money. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

Subsec. (c). Pub. L. 87–649 struck out provisions which permitted the Secretary to prescribe regulations for the allowance of the commuted value of the ration. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–85 effective Jan. 1, 1998, see section 602(g) of Pub. L. 105–85, set out as a note under section 402 of Title 37, Pay and Allowances of the Uniformed Services.

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.

§ 6082. Rations

(a) The President may prescribe the components and quantities of the Navy ration. The President may direct the issuance of equivalent articles in place of the prescribed components of the ration if the President determines that economy and the health and comfort of the members of the naval service require such action.

(b) An enlisted member of the naval service on active duty is entitled to one ration daily. If an emergency ration is issued, it is in addition to the regular ration.

(c) Fresh or preserved fruits, milk, butter, and eggs necessary for the proper diet of the sick and injured in hospitals shall be provided under regulations prescribed by the Secretary of the Navy.

(d) The Secretary of the Navy may increase the quantity of daily rations for members of the

naval service on a vessel or at a station that has an authorized complement of less than 150 members if the President determines that the vessel or station is operating under conditions that warrant an increase in rations.

(Aug. 10, 1956, ch. 1041, 70A Stat. 379; Pub. L. 101–510, div. A, title V, §557(a), Nov. 5, 1990, 104 Stat. 1570.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 6082(a) | 34 U.S.C. 902a. | Mar. 2, 1933, ch. 184, §1 (2d sentence), 47 Stat. 1423; Feb. 21, 1942, ch. 106, 56 Stat. 97. |
| 6082(b) | 34 U.S.C. 902b. | Mar. 2, 1933, ch. 184, §2, 47 Stat. 1423. |
| 6082(c) | 34 U.S.C. 902c. | Mar. 2, 1933, ch. 184, §3, 47 Stat. 1423. |

In subsection (a) the words “issued to each person entitled thereto” are omitted as surplusage. In clause (2) the words “or fresh” and in clause (6) the words “together with” are omitted as surplusage.

AMENDMENTS

1990—Pub. L. 101–510 substituted “Rations” for “Navy ration: composition” in section catchline and amended text generally, substituting subsecs. (a) to (d) for former subsecs. (a) to (c) which specified the contents and quantities of the Navy ration in detail, authorized issuance of articles in addition to the authorized quantities, and provided for increases in the daily allowance of provisions on certain vessels or at certain stations.

DELEGATION OF AUTHORITY

Authority of President under subsecs. (a) and (d) of this section to prescribe uniform military ration applicable to Navy delegated to Secretary of Defense by section 3(a) of Ex. Ord. No. 12781, Nov. 20, 1991, 56 F.R. 59203, set out as a note under section 301 of Title 3, The President.

§ 6083. Fixing cost on certain vessels and stations

If the Secretary of the Navy considers that it is undesirable to administer the mess on any ship or at any station under the quantity allowance prescribed in section 6082 of this title, he may fix the cost of each ration for that mess.

(Aug. 10, 1956, ch. 1041, 70A Stat. 380.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 6083 | 34 U.S.C. 902d. | Mar. 2, 1933, ch. 184, §4, 47 Stat. 1423; Aug. 3, 1951, ch. 287, 65 Stat. 151. |

The words “the cost of each ration for that mess” are substituted for the words “the monetary limit of the cost of ration aboard such ships and at such stations” to make it clear that the figure fixed by the Secretary of the Navy under this section is the amount the mess may spend per day for food for each man subsisting at the mess.

§ 6084. Enlisted members assigned to mess: basic allowance for subsistence paid to mess

Under such regulations as the Secretary of the Navy prescribes, the basic allowance for subsistence of enlisted members of the naval service assigned to duty with and subsisting in an officers’ or other mess, afloat or ashore, may be paid to the mess to which they are assigned.