

In subsection (a), the words “members of the Air Force” are substituted for the words “officers and soldiers”.

In subsection (b), the words “regiments, hospitals, and posts”, in 10:239, are omitted, since at the time of the enactment of section 1127 of the Revised Statutes, chaplains were authorized only for regiments, hospitals, and posts. The revised section preserves the broad coverage of the original statute. The words “each commanding officer shall” are substituted for the words “It shall be the duty of commanders”, in 10:239. The word “furnish” is substituted for the words “to afford”, in 10:239. The words “including necessary transportation” are substituted for the last sentence of section 12 of the Act of February 2, 1901, ch. 192, 31 Stat. 750. The words “his command” are substituted for the words “the same”, in 10:239. The words “to assist” are substituted for the words “as may aid them”, in 10:239.

§ 8548. Duties: warrant officers; limitations

Under regulations prescribed by the President, a warrant officer may be assigned to perform duties that necessarily include those normally performed by a commissioned officer.

(Aug. 10, 1956, ch. 1041, 70A Stat. 528.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8548	10:593 (1st sentence).	Aug. 21, 1941, ch. 384, § 4 (1st sentence), 55 Stat. 653.

10:593 (1st sentence, less provisos) is omitted as superseded by section 8012(e) of this title. 10:593 (last proviso) is omitted as covered by section 936(a)(4) of this title (article 136(a)(4) of the Uniform Code of Military Justice). The words “may be assigned” are substituted for the words “shall be vested with power to”.

[§ 8549. Repealed. Pub. L. 102-190, div. A, title V, § 531(a)(1), Dec. 5, 1991, 105 Stat. 1365]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 528, prohibited assignment of female members, except those designated under section 8067, to duty in aircraft engaged in combat missions.

CHAPTER 845—RANK AND COMMAND

- Sec.
- [8571. Repealed.]
- 8572. Rank: commissioned officers serving under temporary appointments.
- [8573, 8574. Repealed.]
- 8575. Rank: warrant officers.
- [8576 to 8578. Repealed.]
- 8579. Command: commissioned officers in certain designated categories.
- [8580. Repealed.]
- 8581. Command: chaplains.
- [8582. Repealed.]
- 8583. Requirement of exemplary conduct.

AMENDMENTS

1997—Pub. L. 105-85, div. A, title V, § 507(b)(2), Nov. 18, 1997, 111 Stat. 1727, added item 8583.

1980—Pub. L. 96-513, title V, § 504(15), Dec. 12, 1980, 94 Stat. 2917, struck out items 8571 “Rank: commissioned officers on active duty”, 8573 “Rank: commissioned officers in regular grades of brigadier general and major general; seniority list”, 8574 “Rank: commissioned officers in regular grades below brigadier general”, and 8582 “Command: retired officers”.

1974—Pub. L. 93-525, Dec. 18, 1974, 88 Stat. 1695, struck out item 8577 “Command: flying units”.

1968—Pub. L. 90-235, § 5(a)(5), Jan. 2, 1968, 81 Stat. 761, struck out items 8576 “Command: when different com-

mands of Air Force and Marine Corps join”, and 8578 “Command, commissioned officers of Air Force in same grade on duty at same place”.

1967—Pub. L. 90-130, § 1(30), Nov. 8, 1967, 81 Stat. 382, struck out item 8580 “Command: female members of Air Force”.

[§ 8571. Repealed. Pub. L. 96-513, title II, § 211, Dec. 12, 1980, 94 Stat. 2885]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 528; Sept. 2, 1958, Pub. L. 85-861, §§ 1(183), 33(a)(41), 72 Stat. 1533, 1566; June 30, 1960, Pub. L. 86-559, § 1(64), 74 Stat. 278, provided that commissioned officers of Air Force on active duty in same grade rank themselves according to date of rank and specified procedures for determining date of rank. See section 741 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.

§ 8572. Rank: commissioned officers serving under temporary appointments

The President may, in accordance with the needs of the Air Force, adjust dates of rank of commissioned officers of the Air Force serving in temporary grades.

(Aug. 10, 1956, ch. 1041, 70A Stat. 529.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8572	10:506d(c) (last sentence).	Aug. 7, 1947, ch. 512, § 515(c) (last sentence), 61 Stat. 907.

The word “commissioned” is inserted for clarity, since the source statute related only to commissioned officers. The words “in his discretion, from time to time” are omitted as surplusage.

[§§ 8573, 8574. Repealed. Pub. L. 96-513, title II, § 211, Dec. 12, 1980, 94 Stat. 2885]

Section 8573, act Aug. 10, 1956, ch. 1041, 70A Stat. 529, specified date of rank of an officer whose regular grade is brigadier general and date of rank of an officer whose regular grade is major general and provided that names of general officers of Regular Air Force be carried on a seniority list in order of seniority in both regular grade and date of rank. See section 741 of this title.

Section 8574, acts Aug. 10, 1956, ch. 1041, 70A Stat. 530; Sept. 2, 1958, Pub. L. 85-861, §§ 1(184), 33(a)(24), 72 Stat. 1533, 1565, provided for determination of rank of commissioned officers of same grade in Regular Air Force who are on same promotion list, rank of commissioned officers of same grade in Regular Air Force who are not on same promotion list or not on a promotion list, and rank among graduates of each class at United States Military, Naval, or Air Force Academies who, upon graduation, are appointed to Regular Air Force. See section 741 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.

§ 8575. Rank: warrant officers

Warrant officers rank next below second lieutenants and rank among themselves within each warrant officer grade under regulations to be prescribed by the Secretary of the Air Force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 530.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8575	10:593 (less 1st sentence).	Aug. 21, 1941, ch. 384, § 4 (less 1st sentence), 55 Stat. 653; May 29, 1954, ch. 249, § 19(e), 68 Stat. 167.

10:593 (2d sentence) is omitted as executed. The words “within each warrant officer grade” are inserted for clarity, since section 745 of this title covers rank between warrant officers in different warrant officer grades. The words “they shall take precedence” are omitted as surplusage.

[§ 8576. Repealed. Pub. L. 90-235, § 5(a)(2), Jan. 2, 1968, 81 Stat. 761]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for command when different commands of Air Force and Marine Corps joined or served together. See section 747 of this title.

[§ 8577. Repealed. Pub. L. 93-525, Dec. 18, 1974, 88 Stat. 1695]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for the command of flying units by commissioned officers of Air Force who had received aeronautical ratings as pilots of service types of aircraft.

[§ 8578. Repealed. Pub. L. 90-235, § 5(a)(2), Jan. 2, 1968, 81 Stat. 761]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 530, provided for command when two or more commissioned officers of Air Force in same grade were on duty at same place. See section 749 of this title.

§ 8579. Command: commissioned officers in certain designated categories

An officer designated as a medical, dental, veterinary, medical service, or biomedical sciences officer or as a nurse is not entitled to exercise command because of rank, except within the categories prescribed in subsection (a), (b), (c), (d), (e), (f), or (i) of section 8067 of this title, or over persons placed under his charge.

(Aug. 10, 1956, ch. 1041, 70A Stat. 531; Pub. L. 85-861, § 1(156), (185), Sept. 2, 1958, 72 Stat. 1513, 1533; Pub. L. 96-513, title II, § 212(b), Dec. 12, 1980, 94 Stat. 2885.)

HISTORICAL AND REVISION NOTES

1956 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8579(a)	10:82.	R.S. 1169.
8579(b)	10:166e (less 1st sentence).	Apr. 16, 1947, ch. 38, § 106 (less 1st sentence), 61 Stat. 44.

In subsection (a), the words “Except as provided in section 94 of this title”, not contained in section 1169 of the Revised Statutes, but contained in the United States Code, are omitted as surplusage, since 10:94 deals exclusively with assignments. The words “except within the categories prescribed in section 8067(a)-(d) of this title” are substituted for the words “in the line or in other staff corps”. Air Force nurses and women medical specialists are not covered by subsection (a), since their command authority is specifically stated in subsection (b).

In subsection (b), the words “may exercise command only” are substituted for the words “shall not be entitled * * * to command except”. The words “by virtue of

their rank” and “by competent authority” are omitted as surplusage. 10:166(e) (last 22 words of last sentence) is omitted as superseded by section 8012(e) of this title.

1958 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8579(b)	10 App.:166b-3.	Aug. 9, 1955, ch. 654, § 1, 69 Stat. 579.

This amendment reflects the authority contained in section 8067(e) and (f) of this title to appoint male reserve officers with a view to designation as Air Force nurses or medical specialists.

AMENDMENTS

1980—Pub. L. 96-513 substituted provision prohibiting an officer designated as a medical, dental, veterinary, medical service, or biomedical sciences officer or as a nurse from exercising command because of rank, except within the categories prescribed in section 8067(a) to (f) or (i) of this title, or over persons placed under his charge for provision prohibiting an officer designated as a medical, dental, veterinary, or medical service officer from exercising command because of rank, except within categories prescribed in section 8067(a) to (d) of this title, and authorizing an Air Force nurse or medical specialist to exercise command only within his category, or over persons placed under his charge.

1958—Subsec. (b). Pub. L. 85-861 struck out “woman” before “medical specialist”, and substituted “his” for “her” in two places.

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.

[§ 8580. Repealed. Pub. L. 90-130, § 1(30), Nov. 8, 1967, 81 Stat. 382]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 531, provided that Secretary of Air Force should prescribe military authority that female members of Air Force, except those designated under section 8067 of this title to perform professional functions, might exercise.

§ 8581. Command: chaplains

An officer designated as a chaplain has rank without command.

(Aug. 10, 1956, ch. 1041, 70A Stat. 531.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8581	10:235.	R.S. 1122.

The words “and shall be on the same footing with other officers of the Army, as to tenure of office, retirement, and pensions” are omitted as obsolete, since there is no distinction between the status of a chaplain as an officer and the status of other officers of the Air Force.

[§ 8582. Repealed. Pub. L. 96-513, title II, § 211, Dec. 12, 1980, 94 Stat. 2885]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 531, provided that a retired officer has no right to command except when on active duty. See section 750 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.