

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
711	10:506b(c) (less last 12 words).	Aug. 7, 1947, ch. 512, § 504(c) (less last 12 words), 61 Stat 886.

The words “Within the limitations as to numbers in grade prescribed in this Act”, so far as they relate to the Army and the Air Force, are omitted as executed by the declaration of the national emergency on December 16, 1950, in accordance with an opinion of the Judge Advocate General of the Army (JAGA 1951/6180, 17 Oct. 1951). So far as they relate to the Navy and the Marine Corps they are omitted as surplusage. The words “may appoint” are inserted to make it explicit that the revised section prescribes the appointment as well as the rank and pay that go with it. The word “grade” is substituted for the word “rank”. The words “Navy or Marine Corps” are substituted for the words “Navy, including the Marine Corps”. The words “Army, * * * Air Force” are substituted for the words “Army less the Air Corps * * * Air Corps”. The words “pay and allowances of a vice admiral or lieutenant general” are omitted as surplusage, since this is implicit upon appointment to the grade. The words “and Naval” are omitted to conform to the name “Military Staff Committee” established by Article 47 of the United Nations Charter.

§ 711a. American National Red Cross: detail of commissioned officers

Commissioned officers of the Army, Navy, and Air Force may be detailed for duty with the American National Red Cross, by the Secretary of the military department concerned, as follows:

(1) for duty with the Service to the Armed Forces Division—

(A) one or more officers of the Army Medical Department;

(B) one or more officers of the Medical Department of the Navy; and

(C) one or more officers selected from among medical officers, dental officers, veterinary officers, medical service officers, nurses, and medical specialists of the Air Force; and

(2) to be in charge of the first-aid department—

(A) an officer of the Medical Corps of the Army;

(B) an officer of the Medical Corps of the Navy; or

(C) a medical officer of the Air Force.

(Added Pub. L. 90-235, § 4(a)(1)(A), Jan. 2, 1968, 81 Stat. 759; amended Pub. L. 90-329, June 4, 1968, 82 Stat. 170; Pub. L. 96-513, title V, § 511(21), Dec. 12, 1980, 94 Stat. 2921.)

AMENDMENTS

1980—Pub. L. 96-513 struck out “(a)” before “Commissioned”.

1968—Subsec. (a)(1)(A). Pub. L. 90-329 substituted “Army Medical Department” for “Army Medical Service”.

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.

§ 712. Foreign governments: detail to assist

(a) Upon the application of the country concerned, the President, whenever he considers it

in the public interest, may detail members of the Army, Navy, Air Force, and Marine Corps to assist in military matters—

(1) any republic in North America, Central America, or South America;

(2) the Republic of Cuba, Haiti, or Santo Domingo; and

(3) during a war or a declared national emergency, any other country that he considers it advisable to assist in the interest of national defense.

(b) Subject to the prior approval of the Secretary of the military department concerned, a member detailed under this section may accept any office from the country to which he is detailed. He is entitled to credit for all service while so detailed, as if serving with the armed forces of the United States. Arrangements may be made by the President, with countries to which such members are detailed to perform functions under this section, for reimbursement to the United States or other sharing of the cost of performing such functions.

(Aug. 10, 1956, ch. 1041, 70A Stat. 32; Pub. L. 85-477, ch. V, § 502(k), June 30, 1958, 72 Stat. 275.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
712(a)	10:540 (less provisos). 34:441a (less provisos).	May 19, 1926, ch. 334, 44 Stat. 565; May 14, 1935, ch. 109, 49 Stat. 218;
712(b)	10:540 (provisos). 34:441a (provisos).	Oct. 1, 1942, ch. 571, 56 Stat. 763.

In subsection (a), the words “and the Commonwealth of the Philippine Islands”, in the Act of May 19, 1926, ch. 334, added by the Act of May 14, 1935, ch. 109, 49 Stat. 218, are not contained in 10:540 or 34:441a. They are also omitted from the revised section, since Proclamation No. 2695, effective July 4, 1946, 60 Stat. 1352 (48 U.S.C. 1240 (note)), proclaimed the independence of the Philippine Islands. Similar provisions relating to the Philippines are now contained in section 5 of the Act of June 26, 1946, ch. 500, 60 Stat. 315. The word “members” is substituted for the words “officers and enlisted men”, in 10:540 and 34:441a.

In subsection (b), the words “entitled to credit for all service” are substituted for the words “and shall be allowed the same credit for longevity, retirement, and for all other purposes”, in 10:540 and 34:441a.

AMENDMENTS

1958—Subsec. (b). Pub. L. 85-477 struck out provisions which authorized members of the armed forces to accept compensation or emoluments from countries to which they are detailed, and inserted provisions permitting arrangements for reimbursement or other sharing of cost.

EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-477, ch. V, § 502(k), June 30, 1958, 72 Stat. 275, provided that the amendment made by that section is effective nine months after June 30, 1958.

§ 713. State Department: assignment or detail as couriers and building inspectors

(a) Upon the request of the Secretary of State, the Secretary of a military department may assign or detail members of the armed forces under his jurisdiction for duty—

(1) as inspectors of buildings owned or occupied abroad by the United States;

(2) as inspectors or supervisors of buildings under construction or repair abroad by or for the United States; and

(3) as couriers of the Department of State.

(b) The Secretary concerned may assign or detail a member for duty under subsection (a) with or without reimbursement from the Department of State. However, a member so assigned or detailed may be paid the traveling expenses authorized for officers of the Foreign Service of the United States. These expenses shall be paid from appropriations of the Department of State. (Aug. 10, 1956, ch. 1041, 70A Stat. 33.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
713(a)	22:956 (words before semicolon of 1st sentence).	Aug. 13, 1946, ch. 957, § 561, 60 Stat. 1011.
713(b)	22:956 (less words before semicolon of 1st sentence).	

In subsection (a), the words “members of the armed forces under his jurisdiction” are substituted for the words “military and naval personnel serving under their supervision”.

In subsection (b), the words “The Secretary concerned may” are substituted for the words “in the discretion of the head of the department concerned”.

[§ 714. Repealed. Pub. L. 108-136, div. A, title V, § 503(a), Nov. 24, 2003, 117 Stat. 1456]

Section, added Pub. L. 105-85, div. A, title V, § 597(a), Nov. 18, 1997, 111 Stat. 1766, related to required grade of officer selected for assignment to position of defense attaché to United States embassy in France.

PRIOR PROVISIONS

A prior section 714, act Aug. 10, 1956, ch. 1041, 70A Stat. 33, related to reports to Congress on length of tours of duty outside the United States by members of the Army and Air Force, prior to repeal by Pub. L. 86-533, § 1(5)(A), June 29, 1960, 74 Stat. 246.

[§ 715. Repealed. Pub. L. 103-337, div. A, title XVI, § 1662(g)(2), Oct. 5, 1994, 108 Stat. 2996]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 33, related to detail of members of regular and reserve components to assist those components. See section 12501 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.

§ 716. Commissioned officers: transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service

(a) Notwithstanding any other provision of law, the President, within authorized strengths and with the consent of the officer involved, may transfer any commissioned officer of a uniformed service from his uniformed service to, and appoint him in, another uniformed service. The Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of Health and Human Services shall jointly establish, by regulations approved by the President, policies and procedures for such transfers and appointments.

(b) An officer transferred under this section may not be assigned precedence or relative rank higher than that which he held on the day before the transfer.

(Added Pub. L. 85-599, § 11(2), Aug. 6, 1958, 72 Stat. 521; amended Pub. L. 91-392, § 1, Sept. 1, 1970, 84 Stat. 834; Pub. L. 96-215, § 2(a), Mar. 25, 1980, 94 Stat. 123; Pub. L. 97-295, § 1(10), Oct. 12, 1982, 96 Stat. 1289; Pub. L. 98-94, title X, § 1007(a)(1), Sept. 24, 1983, 97 Stat. 661; Pub. L. 99-348, title III, § 304(a)(1), July 1, 1986, 100 Stat. 703; Pub. L. 107-296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

CODIFICATION

Another section 716 was renumbered section 717 of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1986—Subsec. (c). Pub. L. 99-348 struck out subsec. (c) which defined “uniformed service” for purposes of this section. See section 101(43) of this title.

1983—Pub. L. 98-94 amended section generally, substituting “transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service” for “transfers between armed forces and to and from National Oceanic and Atmospheric Administration” in section catchline and adding subsec. (c). Prior to amendment subsecs. (a) and (b) read as follows:

“(a) Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from his armed force or from the National Oceanic and Atmospheric Administration to, and appoint him in, another armed force or the National Oceanic and Atmospheric Administration. The Secretary of Defense, the Secretary of the department in which the Coast Guard is operating, and the Secretary of Commerce shall jointly establish, by regulations approved by the President, policies and procedures for such transfers and appointments.

“(b) An officer transferred under this section—
 “(1) may not be assigned precedence or relative rank higher than that which he held on the day before his transfer; and
 “(2) shall be credited for retirement and pay purposes with the same years of service with which he has been credited on the day before his transfer.”

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.