

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 Marine 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. 741. Rank: commissioned officers of the armed forces.

Sec. 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.
744. Physician to White House: assignment; grade.
[745. Repealed.]
747. Command: when different commands of Army, Navy, Air Force, Marine Corps, and Coast Guard join.
749. Command: commissioned officers in same grade or corresponding grades on duty at same place.
750. Command: retired officers.

AMENDMENTS

1991—Pub. L. 102-190, div. A, title XI, §1114(c), Dec. 5, 1991, 105 Stat. 1502, added item 742 and struck out item 745 “Warrant officers: rank”.

1987—Pub. L. 100-180, div. A, title XIII, §1314(b)(5)(B), Dec. 4, 1987, 101 Stat. 1175, inserted “; Commandant of the Marine Corps” after “Air Force” in item 743.

1980—Pub. L. 96-513, title V, §501(10)(A), Dec. 12, 1980, 94 Stat. 2908, as amended Pub. L. 97-22, §10(a)(1), July 10, 1981, 95 Stat. 136, substituted “armed forces” for “Army, Navy, Air Force, and Marine Corps” in item 741.

Pub. L. 96-513, title V, §501(10)(B), Dec. 12, 1980, 94 Stat. 2908, added item 750.

1968—Pub. L. 90-235, §5(a)(1)(B), Jan. 2, 1968, 81 Stat. 761, added items 747 and 749.

1958—Pub. L. 85-861, §1(19), Sept. 2, 1958, 72 Stat. 1442, struck out item 742 “Rank: officers of regular and reserve components”.

§ 741. Rank: commissioned officers of the armed forces

(a) Among the grades listed below, the grades of general and admiral are equivalent and are senior to other grades and the grades of second lieutenant and ensign are equivalent and are junior to other grades. Intermediate grades rank in the order listed as follows:

Table with 2 columns: Army, Air Force, and Marine Corps; Navy and Coast Guard. Rows list ranks from General to Second lieutenant with their equivalent ranks in the other branch.

(b) Rank among officers of the same grade or of equivalent grades is determined by comparing dates of rank. An officer whose date of rank is earlier than the date of rank of another officer of the same or equivalent grade is senior to that officer.

(c) Rank among officers of the Army, Navy, Air Force, and Marine Corps of the same grade or of equivalent grades who have the same date of rank is determined by regulations prescribed by the Secretary of Defense which shall apply uniformly among the Army, Navy, Air Force, and Marine Corps.

(d)(1) The date of rank of an officer of the Army, Navy, Air Force, or Marine Corps who holds a grade as the result of an original appointment shall be determined by the Secretary of the military department concerned at the time of such appointment. The date of rank of