

Pub. L. 112-239, div. A, title V, §501(b), Jan. 2, 2013, 126 Stat. 1714.)

PRIOR PROVISIONS

A prior section 5150 was renumbered section 5021 of this title.

AMENDMENTS

2013—Subsec. (c). Pub. L. 112-239 struck out at end “For the purpose of computing the total number of flag officers in the staff corps of the Navy under section 526 of this title, an officer so appointed shall be considered an additional number in grade.”

2002—Subsec. (c). Pub. L. 107-314 substituted “for promotion to the grade of rear admiral, in the case of an officer in the Nurse Corps, or rear admiral (lower half), in the case of an officer in the Medical Service Corps” for “for promotion to the grade of rear admiral (lower half)” in first sentence.

1991—Subsec. (c). Pub. L. 102-190 substituted “section 526” for “section 544”.

1987—Subsec. (c). Pub. L. 100-26 made technical amendment to directory language of Pub. L. 99-661, §1343(a)(23). See 1986 Amendment note below.

1986—Subsec. (c). Pub. L. 99-661, as amended by Pub. L. 100-26, substituted “rear admiral (lower half)” for “commodore”.

1981—Subsec. (c). Pub. L. 97-86 substituted “commodore” for “commodore admiral”.

Pub. L. 97-22 substituted “Nurse Corps or in the Medical Service Corps (if such corps has been established under subsection (a)) for promotion to the grade of commodore admiral” for “Nurse Corps or Medical Service Corps for promotion to the grade of commodore admiral or rear admiral, as appropriate”, substituted “An officer promoted pursuant to such a selection shall be appointed by the Secretary to the position of Director of the Nurse Corps or Director of the Medical Service Corps, respectively, for a term of four years, to serve at the pleasure of the Secretary” for “An officer so selected shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years to serve in the position, respectively, of Director of the Nurse Corps or Director of the Medical Service Corps”, and inserted provision that for the purpose of computing the total number of flag officers in the staff corps of the Navy under section 5444 of this title, an officer so appointed shall be considered an additional number in grade.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-26 applicable as if included in Pub. L. 99-661 when enacted on Nov. 14, 1986, see section 12(a) of Pub. L. 100-26, set out as a note under section 776 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-86 effective Sept. 15, 1981, see section 405(f) of Pub. L. 97-86, set out as a note under section 101 of this title.

EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under this section effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment 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.

[§ 5151. Renumbered § 5022]

[§ 5152. Renumbered § 5023]

[§ 5153. Renumbered § 5024]

[§ 5154. Repealed. Pub. L. 89-718, §35(5), Nov. 2, 1966, 80 Stat. 1120]

Section, added Pub. L. 86-174, §1(2), Aug. 18, 1959, 73 Stat. 395, provided for appointment of Chief of the Bureau of Naval Weapons and detailing of Deputy Chief.

[§ 5155. Renumbered § 5150]

[CHAPTER 515—REPEALED]

[§§ 5201 to 5204. Repealed. Pub. L. 99-433, title V, § 513(a), Oct. 1, 1986, 100 Stat. 1051]

Section 5201, acts Aug. 10, 1956, ch. 1041, 70A Stat. 292; May 20, 1958, Pub. L. 85-422, §6(3), 72 Stat. 129; Aug. 6, 1958, Pub. L. 85-599, §4(c), 72 Stat. 517; Sept. 7, 1962, Pub. L. 87-651, title I, §114, 76 Stat. 513; June 5, 1967, Pub. L. 90-22, title IV, §404, 81 Stat. 53; Dec. 12, 1980, Pub. L. 96-513, title V, §503(15), 94 Stat. 2912; July 1, 1986, Pub. L. 99-348, title I, §104(c)(1), 100 Stat. 691, related to appointment, term, etc., of the Commandant of the Marine Corps. See section 5043 of this title.

Section 5202, acts Aug. 10, 1956, ch. 1041, 70A Stat. 292; Aug. 6, 1958, Pub. L. 85-599, §6(c), 72 Stat. 519; Sept. 7, 1962, Pub. L. 87-649, §14c(24), 76 Stat. 501; May 2, 1969, Pub. L. 91-11, 83 Stat. 8; Mar. 4, 1976, Pub. L. 94-225, §1, 90 Stat. 202; Dec. 12, 1980, Pub. L. 96-513, title V, §503(15), 513(7)(B), 94 Stat. 2912, 2931, related to detail and duties of the Assistant Commandant of the Marine Corps. See section 5044 of this title.

Section 5203, act Aug. 10, 1956, ch. 1041, 70A Stat. 292, related to detail of the Director of Personnel of the Marine Corps.

Section 5204, acts Aug. 10, 1956, ch. 1041, 70A Stat. 292; Aug. 3, 1961, Pub. L. 87-123, §5(2), 75 Stat. 264, related to detail of the Quartermaster General of the Marine Corps.

[§ 5205. Repealed. Pub. L. 87-123, §5(3), Aug. 3, 1961, 75 Stat. 264]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 293, related to retirement of heads of Marine Corps staff departments, their retired grade and pay.

[§ 5206. Repealed. Pub. L. 96-513, title III, § 344(b), Dec. 12, 1980, 94 Stat. 2901]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 293; Sept. 7, 1962, Pub. L. 87-649, §6(c)(4), 76 Stat. 494; Nov. 8, 1967, Pub. L. 90-130, §1(15), 81 Stat. 376, established in Office of Commandant of Marine Corps the position of Director of Women Marines.

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.

[CHAPTER 516—REPEALED]

[§§ 5221, 5222. Repealed. Pub. L. 95-82, title VI, § 611(a), Aug. 1, 1977, 91 Stat. 378]

Section 5221, added Pub. L. 90-110, title X, §1001(1), Oct. 21, 1967, 81 Stat. 310, provided for inclusion of naval districts within organization of Department of the Navy.

Section 5222, added Pub. L. 90-110, title X, §1001(1), Oct. 21, 1967, 81 Stat. 310, provided for detailing of officers of the Navy not below the grade of rear admiral as commandants of each of naval districts.

[CHAPTER 517—REPEALED]

[[§§ 5231 to 5234. Repealed. Pub. L. 96-513, title III, § 331, Dec. 12, 1980, 94 Stat. 2896]

Section 5231, acts Aug. 10, 1956, ch. 1041, 70A Stat. 294; July 30, 1977, Pub. L. 95-79, title VIII, §811(b)(1), (2), 91 Stat. 336; Oct. 20, 1978, Pub. L. 95-485, title VIII, §818(a), 92 Stat. 1626, related to designation by President of officers on active list of Navy above the grade of captain and, in time of war or national emergency, above the grade of commander for fleet commands and other high positions. See section 601 of this title.

Section 5232, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; July 30, 1977, Pub. L. 95-79, title VIII, §811(b)(3), (4), 91 Stat. 336; Oct. 20, 1978, Pub. L. 95-485, title VIII, §818(b), 92 Stat. 1626, related to designation by President of officers on active list of Marine Corps above the grade of colonel and, in time of war or national emergency, above the grade of lieutenant colonel for appropriate higher commands or performance of duty of great importance and responsibility. See section 601 of this title.

Section 5233, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; May 20, 1958, Pub. L. 85-422, §6(4), 72 Stat. 129; related to retirement of an officer serving or having served in a grade to which appointed under former sections 5231 or 5232 of this title. See section 601 of this title.

Section 5234, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; Apr. 21, 1976, Pub. L. 94-273, §2(3), 90 Stat. 375, authorized President during time of war or national emergency to suspend any provision of former sections 5231 or 5232 of this title relating to distribution in grade.

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.

[CHAPTER 519—REPEALED]

[[§§ 5251, 5252. Repealed. Pub. L. 103-337, div. A, title XVI, § 1661(a)(3)(A), Oct. 5, 1994, 108 Stat. 2980]

Section 5251, act Aug. 10, 1956, ch. 1041, 70A Stat. 295, related to administration of Naval Reserve by Chief of Naval Operations and Naval Reserve Policy Board. See sections 10108 and 10303 of this title.

Section 5252, act Aug. 10, 1956, ch. 1041, 70A Stat. 296, related to administration of Marine Corps Reserve by Commandant of Marine Corps and Marine Corps Reserve Policy Board. See sections 10109 and 10304 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.

PART II—PERSONNEL

Chap.		Sec.
[531.]	Repealed.]	
533.	Distribution in Grade	5441
535.	Grade and Rank of Officers	5501
537.	Enlistments	5531
539.	Original Appointments	5571
[541.]	Repealed.]	
[543.]	Repealed.]	
544.	Temporary Appointments	5721
[545.]	Repealed.]	
[547.]	Repealed.]	
[549.]	Repealed.]	
551.	Officers in Command	5941
553.	Special Assignments and Details	5981
555.	Administration	6011
557.	Rations	6081
559.	Miscellaneous Prohibitions and Penalties	6111

Chap.		Sec.
561.	Miscellaneous Rights and Benefits	6141
563.	Hospitalization and Medical Care	6201
565.	Bands	6221
567.	Decorations and Awards	6241
569.	Discharge of Enlisted Members	6291
571.	Voluntary Retirement	6321
573.	Involuntary Retirement, Separation, and Furlough	6371
575.	Recall to Active Duty	6481
577.	Death Benefits; Care of the Dead	6521

AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, §1673(a)(3), Oct. 5, 1994, 108 Stat. 3015, struck out items for chapters 531 “Strength of Naval Reserve and Marine Corps Reserve”, 541 “Running Mates for Reserve Officers”, and 549 “Reserve Promotions”.

1980—Pub. L. 96-513, title V, §503(16), Dec. 12, 1980, 94 Stat. 2912, inserted “of Naval Reserve and Marine Corps Reserve” after “Strength” in item for chapter 531, inserted “for Reserve Officers” after “Running Mates” in item for chapter 541, struck out item for chapter 543 “Selection Boards”, added item for chapter 544, and struck out items for chapter 545 “Promotions” and for chapter 547 “Examinations for Promotion”.

1958—Pub. L. 85-861, §1(134), Sept. 2, 1958, 72 Stat. 1507, added item for chapter 549.

SUSPENSION OF CERTAIN SECTIONS OF TITLE 10 AND AMENDMENTS TO OFFICER PERSONNEL ACT OF 1947

Act Aug. 10, 1956, ch. 1041, §48, 70A Stat. 639, as amended by Pub. L. 109-163, div. A, title V, §515(h), Jan. 6, 2006, 119 Stat. 3237, provided that:

“SEC. 48. (a) Except as they may apply to women officers of the Regular Navy or the Regular Marine Corps appointed under section 5590 of title 10, United States Code, enacted by section 1 of this Act, the following sections of title 10 cease to operate whenever the number of male officers serving on active duty in the grade of ensign or above in the line of the Navy does not exceed the number of male officers holding permanent appointments in the grade of ensign or above on the active list in the line of the Regular Navy: Sections 5505, 5508, 5596, 5651-5663, 5701-5703, 5705-5711, 5751, 5753-5759, 5761, 5762, 5764-5770, 5785, 5786, 5791, 6371-6384, 6386, 6407.

“(b) For the purposes of subsection (a), the following officers may not be considered officers serving on active duty:

- “(1) Retired officers.
- “(2) Officers of the Navy Reserve assigned to active duty for training.
- “(3) Officers of the Navy Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, or drilling the Navy Reserve or the Marine Corps Reserve.
- “(4) Officers of the Navy Reserve ordered to temporary active duty for the purpose of prosecuting special work.

“(c) Title IV of the Officer Personnel Act of 1947 (61 Stat. 869), as amended, is amended by adding the following new section at the end thereof:

“[SEC. 437. Repealed. Pub. L. 104-106, div. A, title XV, §1505(a), Feb. 10, 1996, 110 Stat. 514.]”

[CHAPTER 531—REPEALED]

[[§§ 5401 to 5409. Repealed. Pub. L. 96-513, title III, § 311(a), Dec. 12, 1980, 94 Stat. 2889]

Section 5401, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of Regular Navy in enlisted members. See section 521 et seq. of this title.

Section 5402, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of Regular Marine Corps. See section 521 et seq. of this title.

Section 5403, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of active list of the Navy in line officers. See section 521 et seq. of this title.