

1983—Subsec. (f). Pub. L. 98-94 substituted “September 30, 1984” for “September 30, 1983”.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-106, div. A, title V, § 508(e), Feb. 10, 1996, 110 Stat. 297, provided that: “Subsection (f) of section 5721 of title 10, United States Code, as added by subsection (b)(2), shall take effect at the end of the 30-day period beginning on the date of the enactment of this Act [Feb. 10, 1996] and shall apply to any appointment under that section after the end of such period.”

#### EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-160, div. A, title V, § 508(b), Nov. 30, 1993, 107 Stat. 1647, provided that: “The amendment made by subsection (a) [amending this section] shall take effect as of September 30, 1993.”

#### EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-484, div. A, title V, § 507, Oct. 23, 1992, 106 Stat. 2405, provided that the amendment made by that section is effective Sept. 29, 1992.

#### EFFECTIVE DATE

Section effective Sept. 15, 1981, but the authority to prescribe regulations under 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.

#### SAVINGS PROVISION

Pub. L. 101-189, div. A, title V, § 512(b), Nov. 29, 1989, 103 Stat. 1439, provided that:

“(1) The Secretary of the Navy shall provide, in the case of an officer appointed to the grade of lieutenant commander on or after the date of the enactment of this Act [Nov. 29, 1989] under an appointment described in paragraph (2), that the date of rank of such officer under that appointment shall be the date of rank that would have applied to the appointment had the authority referred to in that paragraph not lapsed.

“(2) An appointment referred to in paragraph (1) is an appointment under 5721 of title 10, United States Code, that (as determined by the Secretary of the Navy) would have been made during the period beginning on October 1, 1989, and ending on the date of the enactment of this Act had the authority to make appointments under that section not lapsed during such period.”

Similar provisions were contained in the following prior authorization act:

Pub. L. 100-180, div. A, title V, § 501(b), Dec. 4, 1987, 101 Stat. 1085.

#### DELEGATION OF FUNCTIONS

Functions of President under subsec. (c) to make certain temporary appointments to grade of lieutenant commander delegated to Secretary of Defense to perform, without approval, ratification, or other action by President, and with authority for Secretary to redelegate, see Ex. Ord. No. 12396, §§ 1(d), 3, Dec. 9, 1982, 47 F.R. 55897, 55898, set out as a note under section 301 of Title 3, The President.

#### TRANSITION PROVISIONS UNDER DEFENSE OFFICER PERSONNEL MANAGEMENT ACT

For provision that any officer who on September 15, 1981 holds a temporary appointment in the grade of lieutenant commander under former section 5787d of this title, shall on and after that date be considered to be serving in such grade as if the appointment had been made under this section, see section 617 of Pub. L. 96-513, set out as a note under section 611 of this title.

#### [CHAPTER 545—REPEALED]

**[§§ 5751 to 5758. Repealed. Pub. L. 96-513, title III, § 333, Dec. 12, 1980, 94 Stat. 2897]**

Section 5751, acts Aug. 10, 1956, ch. 1041, 70A Stat. 346; Aug. 3, 1961, Pub. L. 87-123, § 5(16), 75 Stat. 266, related

to eligibility for consideration by a selection board for promotion of male officers in line of Navy and male officers in Marine Corps. See section 619 of this title.

Section 5752, acts Aug. 10, 1956, ch. 1041, 70A Stat. 347; Sept. 2, 1958, Pub. L. 85-861, § 1(126), 72 Stat. 1497; Nov. 8, 1967, Pub. L. 90-130, § 1(19)(A)-(C), 81 Stat. 378, related to eligibility for consideration by a selection board for promotion of women officers in line of Navy and women officers in Marine Corps. See section 619 of this title.

Section 5753, acts Aug. 10, 1956, ch. 1041, 70A Stat. 347; Aug. 21, 1957, Pub. L. 85-155, title II, § 201(8), 71 Stat. 382; Nov. 7, 1967, Pub. L. 90-130, § 1(19)(D), 81 Stat. 378; Dec. 8, 1967, Pub. L. 90-179, § 12, 81 Stat. 549, related to eligibility of Navy staff corps officers for consideration for promotion by a selection board. See section 619 of this title.

Section 5754, act Aug. 10, 1956, ch. 1041, 70A Stat. 348, prescribed general conditions for eligibility for consideration by a selection board for promotion. See section 619 of this title.

Section 5755, act Aug. 10, 1956, ch. 1041, 70A Stat. 348, related to communications between a selection board and an officer eligible for consideration for promotion by such board. See section 614 of this title.

Section 5756, act Aug. 10, 1956, ch. 1041, 70A Stat. 348, directed Secretary of Navy to furnish appropriate selection board with number of male officers in line of Navy or of Marine Corps that could be recommended for promotion to next highest grade and prescribed a formula for arriving at such number. See section 622 of this title.

Section 5757, act Aug. 10, 1956, ch. 1041, 70A Stat. 348, directed Secretary of Navy to furnish appropriate selection board with number of male officers in line of Navy or of Marine Corps designated for limited duty that could be recommended for promotion to next highest grade and prescribed a formula for arriving at such number. See section 622 of this title.

Section 5758, act Aug. 10, 1956, ch. 1041, 70A Stat. 349, directed Secretary of Navy to furnish appropriate selection board with numbers of officers designated for engineering, aeronautical engineering, and special duty that could be recommended for promotion to grade of rear admiral and numbers of male officers designated for such duty that could be recommended for promotion to a grade below rear admiral and prescribed formulas for arriving at such numbers. See section 622 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.

#### SELECTION BOARDS CONVENED BETWEEN JULY 10, 1981, AND SEPTEMBER 15, 1981; SERVICE IN GRADE REQUIREMENTS; REGULATIONS

Pub. L. 97-22, § 9, July 10, 1981, 95 Stat. 136, provided that for selection boards convened on or after July 10, 1981, and before Sept. 15, 1981, service in grade requirements shall be established under regulations prescribed by Secretary of the Navy for eligibility for consideration for promotion of female officers in the line of the Navy to grade of lieutenant commander and female officers in the Marine Corps to grade of major.

**[§ 5759. Repealed. Pub. L. 87-123, § 5(17), Aug. 3, 1961, 75 Stat. 266]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 349, required Secretary to furnish selection boards with number of Marine Corps officers designated for supply duty that could be recommended for promotion.

**[§§ 5760 to 5773. Repealed. Pub. L. 96-513, title III, § 333, Dec. 12, 1980, 94 Stat. 2897]**

Section 5760, acts Aug. 10, 1956, ch. 1041, 70A Stat. 350; Nov. 8, 1967, Pub. L. 90-130, § 1(19)(E), (F), 81 Stat. 378, directed Secretary of Navy to furnish appropriate se-