

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-

lection board with number of women officers in the line of Navy that could be recommended for promotion to grade of lieutenant, captain, commander, or lieutenant commander and number of women officers of Marine Corps that could be recommended for promotion to grade of captain, colonel, lieutenant colonel, or major. See section 622 of this title.

Section 5761, act Aug. 10, 1956, ch. 1041, 70A Stat. 350, directed Secretary of Navy to furnish appropriate selection board with number of officers in any staff corps that could be recommended for promotion to grade of rear admiral. See section 622 of this title.

Section 5762, acts Aug. 10, 1956, ch. 1041, 70A Stat. 351; Aug. 21, 1957, Pub. L. 85-155, title II, §201(9), 71 Stat. 383; Nov. 8, 1967, Pub. L. 90-130, §1(19)(G), (H), 81 Stat. 378; Dec. 8, 1967, Pub. L. 90-179, §6, 81 Stat. 548, directed Secretary of Navy to furnish appropriate selection boards with number of staff corps officers that could be recommended for promotion to grades below rear admiral. See section 622 of this title.

Section 5763, acts Aug. 10, 1956, ch. 1041, 70A Stat. 352; Sept. 2, 1958, Pub. L. 85-861, §1(127), 72 Stat. 1497; Nov. 8, 1967, Pub. L. 90-130, §1(19)(I), 81 Stat. 378, directed Secretary of Navy to furnish appropriate selection boards with number of certain women officers in a staff corps of Navy that could be recommended for promotion to grade of captain, commander, or lieutenant commander. See section 622 of this title.

Section 5764, acts Aug. 10, 1956, ch. 1041, 70A Stat. 353; Nov. 8, 1967, Pub. L. 90-130, §1(19)(J), (K), 81 Stat. 378, related to establishment of promotion zones in each grade in line of Navy. See section 623 of this title.

Section 5765, acts Aug. 10, 1956, ch. 1041, 70A Stat. 354; Aug. 3, 1961, Pub. L. 87-123, §5(19), 75 Stat. 266; Nov. 8, 1967, Pub. L. 90-130, §1(19)(J), (L), 81 Stat. 378, related to establishment of promotion zones in each grade of Marine Corps. See section 623 of this title.

Section 5766, acts Aug. 10, 1956, ch. 1041, 70A Stat. 355; Nov. 8, 1967, Pub. L. 90-130, §1(19)(M), 81 Stat. 378, specified Navy staff corps officers considered to be in promotion zones for purposes of boards of selection.

Section 5767, acts Aug. 10, 1956, ch. 1041, 70A Stat. 355; Nov. 8, 1967, Pub. L. 90-130, §1(19)(N), 81 Stat. 379, related to promotion to flag or general officer grade of officers in Navy or Marine Corps qualified for specific duties. See section 619 et seq. of this title.

Section 5768, act Aug. 10, 1956, ch. 1041, 70A Stat. 356, prescribed normal terms of service for male officers in line of Navy and of Marine Corps.

Section 5769, acts Aug. 10, 1956, ch. 1041, 70A Stat. 356; Aug. 3, 1961, Pub. L. 87-123, §5(20), 75 Stat. 266; Oct. 22, 1970, Pub. L. 91-491, §1, 84 Stat. 1089, related to eligibility for promotion of male line officers in Navy and male officers in Marine Corps. See section 619 of this title.

Section 5770, act Aug. 10, 1956, ch. 1041, 70A Stat. 357, prescribed a sea or foreign service requirement for promotion of male officers on the active list in line of Navy.

Section 5771, acts Aug. 10, 1956, ch. 1041, 70A Stat. 358; Nov. 8, 1967, Pub. L. 90-130, §1(19)(O), (P), 81 Stat. 379, related to eligibility for promotion of women officers on active list in line of Navy and women officers on active list of Marine Corps. See section 619 of this title.

Section 5772, act Aug. 10, 1956, ch. 1041, 70A Stat. 358, related to eligibility of Navy staff corps officers for promotion to grade of rear admiral. See section 619 of this title.

Section 5773, acts Aug. 10, 1956, ch. 1041, 70A Stat. 359; Aug. 21, 1957, Pub. L. 85-155, title II, §201(10), 71 Stat. 383; Sept. 30, 1966, Pub. L. 89-609, §1(11), 80 Stat. 853; Nov. 8, 1967, Pub. L. 90-130, §1(19)(Q)-(S), 81 Stat. 379, related to eligibility of Navy staff corps officers for promotion to grades below rear admiral. See section 619 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.

[§ 5774. Repealed. Pub. L. 90-130, §1(19)(T), Nov. 8, 1967, 81 Stat. 379]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 359, made women officers on active list of Navy in staff corps, appointed under section 5590 of this title, who were recommended for promotion to a grade above lieutenant (junior grade) in approved report of a selection board convened under chapter 543 of this title eligible for promotion when line officer who was to be her running mate in higher grade became eligible for promotion to that grade.

[§ 5775. Repealed. Pub. L. 87-649, §14c(293), Sept. 7, 1962, 76 Stat. 501]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 359; Aug. 21, 1957, Pub. L. 85-155, title II, §201(11), 71 Stat. 383; Aug. 3, 1961, Pub. L. 87-123, §5(21), 75 Stat. 266, related to date of entitlement to pay and allowances of grade to which an officer is promoted. See section 904 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

[§§ 5776 to 5793. Repealed. Pub. L. 96-513, title III, §333, Dec. 12, 1980, 94 Stat. 2897]

Section 5776, acts Aug. 10, 1956, ch. 1041, 70A Stat. 361; Aug. 21, 1957, Pub. L. 85-155, title II, §201(12), 71 Stat. 383; Aug. 3, 1961, Pub. L. 87-123, §5(22), 75 Stat. 266; Sept. 30, 1966, Pub. L. 89-609, §1(12), 80 Stat. 853; Nov. 8, 1967, Pub. L. 90-130, §1(19)(U)-(W), 81 Stat. 379, related to failure of selection. See section 627 of this title.

Section 5777, act Aug. 10, 1956, ch. 1041, 70A Stat. 361, related to removal of an officer's name from a promotion list. See section 629 of this title.

Section 5778, acts Aug. 10, 1956, ch. 1041, 70A Stat. 362; Nov. 8, 1967, Pub. L. 90-130, §1(19)(X), 81 Stat. 379, related to temporary and permanent natures of appointments under certain of the provisions of former sections 5751 to 5777 of this title.

Section 5779, act Aug. 10, 1956, ch. 1041, 70A Stat. 362, authorized President to terminate temporary promotions at any time.

Section 5780, act Aug. 10, 1956, ch. 1041, 70A Stat. 362, related to permanent promotions of male line officers in Regular Navy and male officers in Regular Marine Corps. See section 619 et seq. of this title.

Section 5781, act Aug. 10, 1956, ch. 1041, 70A Stat. 363, related to permanent promotions of Regular Navy staff corps officers to grade of rear admiral. See section 619 et seq. of this title.

Section 5782, acts Aug. 10, 1956, ch. 1041, 70A Stat. 363; Aug. 21, 1957, Pub. L. 85-155, title II, §201(13), 71 Stat. 383; Sept. 30, 1966, Pub. L. 89-609, §1(13), 80 Stat. 853; Nov. 8, 1967, Pub. L. 90-130, §1(19)(Y), 81 Stat. 379, related to permanent promotions of Regular Navy staff corps officers to grades below rear admiral. See section 619 et seq. of this title.

Section 5783, act Aug. 10, 1956, ch. 1041, 70A Stat. 364, related to permanent promotions of Naval Reserve and Marine Corps Reserve officers. See section 619 et seq. of this title.

Section 5784, act Aug. 10, 1956, ch. 1041, 70A Stat. 365, related to temporary promotions of ensigns in Navy to grade of lieutenant (junior grade) and second lieutenants in Marine Corps to grade of first lieutenant. See section 603 of this title.

Section 5785, acts Aug. 10, 1956, ch. 1041, 70A Stat. 365; Sept. 2, 1958, Pub. L. 85-861, §33(a)(29), 72 Stat. 1566; Apr. 21, 1976, Pub. L. 94-273, §2(3), 90 Stat. 375, authorized President to suspend any of the provisions of former sections 5751 to 5784 of this title relating to officers in Navy or Marine Corps except women officers appointed under former section 5590 of this title. See section 123(a), (b) of this title.