

HISTORICAL AND REVISION NOTES  
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3579(a) .....	10:82.	R.S. 1169.
3579(b) .....	10:166e (less 1st sentence).	Apr. 16, 1947, ch. 38, §106 (less 1st sentence), 61 Stat. 44.

In subsection (a), the word “commissioned” is inserted for clarity. The words “Except as provided in section 94 of this title”, not contained in section 1169 of the Revised Statutes, but contained in 10:94, are omitted as surplusage, since 10:94 deals exclusively with assignments. The words “except within the Army Medical Service” are substituted for the words “in the line or in other staff corps”. Officers of the Army Nurse Corps and Women’s Medical Specialist Corps are not covered by subsection (a), since their command authority is specifically stated in subsection (b).

In subsection (b), 10:166e (last 22 words of 1st sentence) is omitted as superseded by sections 3012(e) and 3065 of this title. The words “may exercise command only” are substituted for the words “shall not be entitled \* \* \* to command except”. The words “by virtue of their rank” and “by competent authority” are omitted as surplusage.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3579(a) .....	10 App.:376(b).	Aug. 9, 1955, ch. 654, §2, 69 Stat. 579.

The amendment of subsec. (b) also reflects the authority contained in section 3357 of this title to appoint males as reserve officers of the Corps concerned.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-525 substituted “subsection (b)” for “subsection (c)”.

1980—Subsec. (a). Pub. L. 96-513, §212(a)(1), struck out “, other than an officer of the Army Nurse Corps or Army Medical Specialist Corps,” after “officer of the Army Medical Department”.

Subsecs. (b), (c). Pub. L. 96-513, §212(a)(2), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b) which provided that an officer of the Army Nurse Corps or the Army Medical Specialist Corps exercise command only within his branch, or over persons placed under his charge.

1968—Pub. L. 90-329 substituted “Army Medical Department” for “Army Medical Service” in section catchline and in subsecs. (a) and (c).

1961—Subsec. (a). Pub. L. 87-142, §1(1), substituted “Except as provided in subsection (c), a” for “A”.

Subsec. (c). Pub. L. 87-142, §1(2), added subsec. (c).

1958—Subsec. (a). Pub. L. 85-861, §1(60), substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps”.

Subsec. (b). Pub. L. 85-861, §1(60), (87), substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” and “his” for “her own” and “her”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, but the authority to prescribe regulations under the amendment by Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

**[§ 3580. Repealed. Pub. L. 95-485, title VIII, § 820(f), Oct. 20, 1978, 92 Stat. 1627]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 206, provided that the Secretary of the Army prescribe the military authority that commissioned officers of the Women’s Army Corps may exercise.

**§ 3581. Command: chaplains**

A chaplain has rank without command.

(Aug. 10, 1956, ch. 1041, 70A Stat. 206.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3581 .....	10:235.	R.S. 1122.

The words “and shall be on the same footing with other officers of the Army, as to tenure of office, retirement, and pensions” are omitted as obsolete, since there is no distinction between the status of a chaplain as an officer and the status of other officers of the Army.

**[§ 3582. Repealed. Pub. L. 96-513, title II, § 211, Dec. 12, 1980, 94 Stat. 2885]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 206, provided that a retired officer has no right to command except when on active duty. See section 750 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.

**§ 3583. Requirement of exemplary conduct**

All commanding officers and others in authority in the Army are required—

(1) to show in themselves a good example of virtue, honor, patriotism, and subordination;

(2) to be vigilant in inspecting the conduct of all persons who are placed under their command;

(3) to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; and

(4) to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

(Added Pub. L. 105-85, div. A, title V, §507(a)(1), Nov. 18, 1997, 111 Stat. 1726.)

**[CHAPTER 347—REPEALED]**

**[§§ 3611, 3612. Repealed. Pub. L. 90-235, § 8(2), Jan. 2, 1968, 81 Stat. 764]**

Section 3611, act Aug. 10, 1956, ch. 1041, 70A Stat. 206, provided that President could prescribe the uniform of the Army.

Section 3612, act Aug. 10, 1956, ch. 1041, 70A Stat. 206, provided for disposition of uniforms of enlisted members of Army who were discharged and for disposition of uniforms of and issuance of civilian clothing to enlisted members of Army who were discharged otherwise than honorably.

**CHAPTER 349—MISCELLANEOUS PROHIBITIONS AND PENALTIES**

Sec.

[3631 to 3638. Repealed.]

3639. Enlisted members: officers not to use as servants.

AMENDMENTS

2008—Pub. L. 110-181, div. A, title V, §590(b)(2)(A), Jan. 28, 2008, 122 Stat. 138, struck out item 3634 “Army

band: may not be paid for performance outside Army post”.

1980—Pub. L. 96-513, title V, §512(6), Dec. 12, 1980, 94 Stat. 2929, struck out item 3632 “Members of Army: forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs”, item 3633 “Commissioned officers: forfeiture of pay when dropped from rolls”, and item 3636 “Enlisted members: pay and allowances not to accrue during suspended sentence of dishonorable discharge”.

1968—Pub. L. 90-235, §§6(a)(8), 7(b)(2), Jan. 2, 1968, 81 Stat. 762, 763, struck out item 3631 “Dealing in quartermaster supplies prohibited”, item 3635 “Enlisted members: restriction on civilian employment”, and item 3637 “Enlisted members: forfeiture of right to pension by deserters”.

1958—Pub. L. 85-861, §1(88), Sept. 2, 1958, 72 Stat. 1482, struck out item 3638.

**[§ 3631. Repealed. Pub. L. 90-235, § 7(b)(1), Jan. 2, 1968, 81 Stat. 763]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 207, prohibited officers of the Quartermaster Corps of the Army and officers performing duties of officers of that branch from dealing in quartermaster supplies.

**[§§ 3632, 3633. Repealed. Pub. L. 87-649, § 14c(6), (7), Sept. 7, 1962, 76 Stat. 501]**

Sections, act Aug. 10, 1956, ch. 1041, 70A Stat. 207, provided for forfeiture of pay during absence from duty due to disease from intemperate use of alcohol or drugs, and for forfeiture when dropped from rolls, and are now covered by sections 802 and 803 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 an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

**[§ 3634. Repealed. Pub. L. 110-181, div. A, title V, § 590(b)(1), Jan. 28, 2008, 122 Stat. 138]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 207; Pub. L. 101-510, div. A, title III, §327(a), Nov. 5, 1990, 104 Stat. 1531, generally prohibited Army band from being paid for performance outside Army post. See section 974 of this title.

**[§ 3635. Repealed. Pub. L. 90-235, § 6(a)(7), Jan. 2, 1968, 81 Stat. 762]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 207, set forth restrictions on civilian employment for enlisted members of Army on active duty.

**[§ 3636. Repealed. Pub. L. 87-649, § 14c(8), Sept. 7, 1962, 76 Stat. 501]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 208, provided that pay and allowances do not accrue to an enlisted member of Army who is in confinement under sentence of dishonorable discharge, while execution of sentence to discharge is suspended. See section 858b of this title.

EFFECTIVE DATE OF REPEAL

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

**[§ 3637. Repealed. Pub. L. 90-235, § 7(b)(1), Jan. 2, 1968, 81 Stat. 763]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 208, provided that an enlisted member of the Army who deserted forfeited all right to a pension.

**[§ 3638. Repealed. Pub. L. 85-861, § 36B(8), Sept. 2, 1958, 72 Stat. 1570]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 208, required enlisted members to make up time lost. See section 972(a) of this title.

**§ 3639. Enlisted members: officers not to use as servants**

No officer of the Army may use an enlisted member of the Army as a servant.

(Aug. 10, 1956, ch. 1041, 70A Stat. 208.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3639 .....	10:608.	R.S. 1232.

The words “in any case whatever” are omitted as surplusage.

**[CHAPTER 351—REPEALED]**

**[§§ 3661 to 3663. Repealed. Pub. L. 90-377, § 6(1), July 5, 1968, 82 Stat. 288]**

Section 3661, act Aug. 10, 1956, ch. 1041, 70A Stat. 208, provided for organization and administration of United States Disciplinary Barracks.

Section 3662, act Aug. 10, 1956, ch. 1041, 70A Stat. 209, provided for military training, organization, and equipping of prisoners who have been sent to United States Disciplinary Barracks.

Section 3663, act Aug. 10, 1956, ch. 1041, 70A Stat. 209, authorized Secretary of the Army to parole or remit sentence and restore to duty offenders who are confined in United States Disciplinary Barracks.

**CHAPTER 353—MISCELLANEOUS RIGHTS AND BENEFITS**

Sec.

3681. Presentation of United States flag upon retirement.

[3682, 3683. Repealed.]

3684. Service credit: regular enlisted members; service as an officer to be counted as enlisted service.

[3685 to 3690. Repealed.]

3691. Flying officer rating: qualifications.

[3692, 3693. Repealed.]

AMENDMENTS

1998—Pub. L. 105-261, div. A, title VI, §644(a)(2), Oct. 17, 1998, 112 Stat. 2048, added item 3681.

1994—Pub. L. 103-337, div. A, title XVI, §1672(b)(6), Oct. 5, 1994, 108 Stat. 3015, struck out item 3686 “Members of Army National Guard of United States: credit for service as members of Army National Guard”.

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(i), Nov. 14, 1986, 100 Stat. 3877, struck out item 3687 “Compensation: members of Army other than of Regular Army; when same as that provided for members of Regular Army”.

1985—Pub. L. 99-145, title XIII, §1301(b)(1)(B), Nov. 8, 1985, 99 Stat. 735, struck out item 3683 “Service credit: certain service as a nurse, woman medical specialist, or civilian employee of Army Medical Department to be counted”.

1980—Pub. L. 96-513, title V, §512(7), Dec. 12, 1980, 94 Stat. 2929, struck out item 3689 “Assignments and allotments of pay”.

1971—Pub. L. 92-168, §1(2), Nov. 24, 1971, 85 Stat. 489, struck out item 3692 “Pilot rating in time of peace: qualifications”.

1968—Pub. L. 90-235, §§6(a)(3), 7(a)(4), (b)(3), Jan. 2, 1968, 81 Stat. 762, 763, struck out item 3682 “Service