

DEPARTMENT OF DEFENSE REORGANIZATION
ORDER

Eff. May 1, 1966, 31 F.R. 7188

REORGANIZATION OF THE DEPARTMENT OF THE NAVY

By virtue of the authority vested in me by section 125 of title 10 of the United States Code, and as Secretary of Defense, it is hereby ordered as follows:

SECTION 1. *Abolition of Office of Naval Material and Transfer of Functions.*—The Office of Naval Material and the offices of Chief of Naval Material and Vice Chief of Naval Material named in sections 5111 and 5112, title 10, United States Code, are hereby abolished and their functions, including those functions described in sections 5111 and 5082(a)(2), title 10, United States Code, are transferred to the Secretary of the Navy.

SEC. 2. *Abolition of Certain Bureaus and Transfer of Functions.*—The following bureaus, named in chapter 513 of title 10, United States Code, and the offices of the chiefs, deputy chiefs, and other officials of such bureaus are hereby abolished and all their functions are transferred to the Secretary of the Navy:

- (a) Bureau of Naval Weapons;
- (b) Bureau of Ships;
- (c) Bureau of Supplies and Accounts; and
- (d) Bureau of Yards and Docks.

SEC. 3. *Performance of Transferred Functions.*—Subject to the provisions of sections 5012 and 5013, title 10, United States Code, the Secretary of the Navy may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer, or by any office, agency, or employee, of the Department of the Navy of any function transferred to the Secretary by the provisions of this order, or assigning any such function to any other officer, or to any office, agency, or employee, of the Department of the Navy.

SEC. 4. *Transitional Provisions.*—In order to assist in the orderly transfer of functions and to promote continuity of operations, the Secretary of the Navy may, if he considers it necessary, delay beyond the effective date of this order the abolition of any office or the transfer of any function.

SEC. 5. *Effective Date.*—The provisions of this order shall take effect on the date determined under section 125, title 10, United States Code, or the first day of May 1966, whichever is later.

ROBERT S. MCNAMARA.

**CHAPTER 513—BUREAUS; OFFICE OF THE
JUDGE ADVOCATE GENERAL**

Sec.	
5131.	Bureaus: names; location.
5132.	Bureaus: distribution of business; orders; records; expenses.
5133.	Bureau Chiefs: rank; pay and allowances; retirement.
[5134.	Repealed.]
5135.	Bureau Chiefs: succession to duties.
[5136.	Repealed.]
5137.	Bureau of Medicine and Surgery: Chief; Deputy Chief.
5138.	Bureau of Medicine and Surgery: Dental Corps; Chief; functions.
5139.	Appointment of chiropractors in the Medical Service Corps.
[5140.	Repealed.]
5141.	Bureau of Naval Personnel: Chief of Naval Personnel; Deputy Chief of Naval Personnel.
5142.	Chaplain Corps and Chief of Chaplains.
5142a.	Deputy Chief of Chaplains.
5143.	Office of Navy Reserve: appointment of Chief.
5144.	Office of Marine Forces Reserve: appointment of Commander.
[5145 to 5147.	Repealed.]
5148.	Judge Advocate General's Corps: Office of the Judge Advocate General; Judge Advocate General; appointment, term, emoluments, duties.

Sec.	
5149.	Office of the Judge Advocate General: Deputy Judge Advocate General; Assistant Judge Advocates General.
5150.	Staff Corps of the Navy.
[5151 to 5153.	Renumbered.]
[5154.	Repealed.]
[5155.	Renumbered.]

AMENDMENTS

2006—Pub. L. 109-364, div. A, title V, §593(d)(2), Oct. 17, 2006, 120 Stat. 2235, substituted "Corps" for "Division" in item 5138.

Pub. L. 109-163, div. A, title V, §515(b)(4)(A), Jan. 6, 2006, 119 Stat. 3235, substituted "Navy" for "Naval" in item 5143.

1996—Pub. L. 104-201, div. A, title XII, §1212(b)(2), (c)(2), Sept. 23, 1996, 110 Stat. 2692, 2693, added items 5143 and 5144.

1994—Pub. L. 103-337, div. A, title V, §504(b)(5), Oct. 5, 1994, 108 Stat. 2751, struck out "and Judge Advocate General" after "Chiefs" in item 5133.

1992—Pub. L. 102-484, div. A, title V, §505(b)(2), Oct. 23, 1992, 106 Stat. 2404, added item 5139.

1986—Pub. L. 99-433, title V, §514(a)(1), (3), Oct. 1, 1986, 100 Stat. 1054, struck out "OFFICE OF NAVAL RESEARCH" after "GENERAL" in chapter heading, struck out items 5150 "Office of Naval Research: Chief, appointment, term, emoluments; Assistant Chief; succession to duties", 5151 "Office of Naval Research: duties", 5152 "Office of Naval Research: appropriations; time limit", and 5153 "Naval Research Advisory Committee", and redesignated item 5155 as item 5150.

1980—Pub. L. 96-513, title V, §§503(8), 513(6), Dec. 12, 1980, 94 Stat. 2911, 2931, struck out items 5134 "Deputy Bureau Chiefs: pay", 5139 "Bureau of Medicine and Surgery: Medical Service Corps, Chief", 5140 "Bureau of Medicine and Surgery: Nurse Corps, Director", and 5143 "Bureau of Naval Personnel: Assistant Chief of Women", and added item 5155.

Pub. L. 96-343, §11(b), Sept. 8, 1980, 94 Stat. 1130, substituted "Chaplain Corps and" for "Bureau of Naval Personnel:" in item 5142 and added item 5142a.

1967—Pub. L. 90-179, §2(3), Dec. 8, 1967, 81 Stat. 547, inserted reference to Judge Advocate General's Corps in item 5148 and inserted reference to Deputy Judge Advocate General and substituted "Advocates General" for "Advocate General; succession to duties" after "Assistant Judge" in item 5149.

1966—Pub. L. 89-718, §§35(2), (5), 36, Nov. 2, 1966, 80 Stat. 1120, inserted "and Judge Advocate General" after "Bureau Chiefs" in item 5133, struck out items 5145, 5146, 5147, and 5154 which related to Bureau of Ships and the Chief, Deputy Chief, and Division Heads thereof, Bureau of Supplies and Accounts and the Chief and Deputy Chief thereof, Bureau of Yards and Docks and the Chief and Deputy Chief thereof, and Bureau of Naval Weapons and the Chief and Deputy Chief thereof, respectively, and struck out "pay," in item 5149.

1959—Pub. L. 86-174, §§1(3), 2(4), Aug. 18, 1959, 73 Stat. 395, 396, added item 5154 and eliminated items 5136 and 5144.

§ 5131. Bureaus: names; location

There are in the executive part of the Department of the Navy the following bureaus:

- (1) Bureau of Medicine and Surgery.
- (2) Bureau of Naval Personnel.

(Aug. 10, 1956, ch. 1041, 70A Stat. 285; Pub. L. 86-174, §§1(1), 2(1), Aug. 18, 1959, 73 Stat. 395; Pub. L. 89-718, §35(1), Nov. 2, 1966, 80 Stat. 1120.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5131	5 U.S.C. 429 (less applicability to distribution of business among bureaus).	R.S. 419 (less applicability to distribution of business among bureaus); July 19, 1892, ch. 206, 27 Stat. 243 (6th par.); June 30, 1914, ch. 130, 38 Stat. 408 (4th par.); July 12, 1921, ch. 44, § 8 (1st 17 words of 1st par.), 42 Stat. 140; June 20, 1940, ch. 400, § 1(a), (b), 54 Stat. 492; May 13, 1942, ch. 303, § 1, 56 Stat. 276.

The bureaus are listed alphabetically for convenience. This listing has no effect on the precedence of the bureaus.

AMENDMENTS

1966—Pub. L. 89-718 struck out cls. (3) to (6) which related to the Bureau of Naval Weapons, the Bureau of Ships, the Bureau of Supplies and Accounts, and the Bureau of Yards and Docks, respectively.

1959—Pub. L. 86-174 inserted reference to Bureau of Naval Weapons and struck out reference to Bureau of Aeronautics and Bureau of Ordnance.

EFFECTIVE DATE OF 1959 AMENDMENT

Pub. L. 86-174, § 2, Aug. 18, 1959, 73 Stat. 395, provided that the amendment of this section and section 5133 of this title and the repeal of sections 5136 and 5144 of this title shall be effective on July 1, 1960, or on any earlier date on which the Secretary of the Navy makes a formal finding that all the functions of the Bureau of Aeronautics and the Bureau of Ordnance have been transferred to the Bureau of Naval Weapons or elsewhere.

BUREAU OF NAVAL WEAPONS; TRANSFER OF FUNDS

Pub. L. 86-174, § 3, Aug. 18, 1959, 73 Stat. 396, provided that: "The unexpended balances of appropriations and funds available for use in connection with the exercise of any function transferred to the Bureau of Naval Weapons shall be transferred in the manner provided by section 407 of the National Security Act of 1947, as amended (5 U.S.C. 172f) [10 U.S.C. 126], for use in connection with the transferred functions."

§ 5132. Bureaus: distribution of business; orders; records; expenses

(a) Except as otherwise provided by law, the business of the executive part of the Department of the Navy shall be distributed among the bureaus as the Secretary of the Navy considers expedient and proper.

(b) Each bureau shall perform its duties under the authority of the Secretary, and its orders are considered as coming from the Secretary.

(c) Under the Secretary, each bureau has custody and charge of its records and accounts.

(d) Each bureau shall furnish to the Secretary estimates for its specific, general, and contingent expenses.

(Aug. 10, 1956, ch. 1041, 70A Stat. 285.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5132(a)	5 U.S.C. 429 (as applicable to distribution of business among bureaus). 5 U.S.C. 455 (1st 23 words).	R.S. 419 (as applicable to distribution of business among bureaus). July 12, 1921, ch. 44, § 8 (1st par., 1st 37 words), 42 Stat. 140.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
5132(b)	5 U.S.C. 430 (last 39 words). 5 U.S.C. 430b. 5 U.S.C. 455 (less 1st 23 words).	R.S. 420 (last 39 words). June 20, 1940, ch. 400, § 1(b) (2d sentence), 54 Stat. 493. July 12, 1921, ch. 44, § 8 (1st par., less 1st 37 words), 42 Stat. 140.
5132(c)	5 U.S.C. 430 (less last 39 words).	R.S. 420 (less last 39 words).
5132(d)	5 U.S.C. 431.	R.S. 430.

In subsection (a) the phrase "Except as otherwise provided by law" is added to preserve provisions directing that the Chief of Naval Operations and other statutory offices and boards share in the business of the executive part of the Department of the Navy. The words "The Bureau of Aeronautics shall be charged with matters pertaining to naval aeronautics" in 5 U.S.C. 455 are omitted as implied in the name of the bureau and covered by the authority granted to the Secretary to distribute the business of the Department.

In subsection (b) the words "and shall have full force and effect as such" are omitted as surplusage.

In subsection (c) the words "Under the Secretary" are inserted to make the provisions of 5 U.S.C. 413 and 5 U.S.C. 430, the latter of which is here codified, harmonious and to give meaning to each provision.

TRANSFER OF FUNCTIONS

Transfer of functions of bureaus and reorganization, see note set out under section 5111 of this title.

§ 5133. Bureau Chiefs: rank; pay and allowances; retirement

(a) Unless appointed to a higher grade under another provision of law, an officer of the Navy, while serving as a chief of bureau, has the rank of rear admiral.

(b) Except for an officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title, an officer who is retired while serving as a chief of bureau, or who, after serving at least two and one-half years as chief of bureau, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade of rear admiral, and with retired pay based on that grade. An officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title may, upon retirement, be appointed by the President, by and with the advice and consent of the Senate, to the highest grade held by him while on the active list or active-duty list and with retired pay based on that grade.

(c) Except in time of war, any officer of a staff corps who has served as a chief of bureau for a full term is exempt from sea duty.

(Aug. 10, 1956, ch. 1041, 70A Stat. 285; Pub. L. 86-174, § 2(2), Aug. 18, 1959, 73 Stat. 396; Pub. L. 87-649, § 14c(15), Sept. 7, 1962, 76 Stat. 501; Pub. L. 89-288, § 3, Oct. 22, 1965, 79 Stat. 1050; Pub. L. 89-718, § 35(2)-(4), Nov. 2, 1966, 80 Stat. 1120; Pub. L. 96-513, title V, § 503(9), Dec. 12, 1980, 94 Stat. 2911; Pub. L. 103-337, div. A, title V, § 504(b)(3), (5), Oct. 5, 1994, 108 Stat. 2751.)