

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.

[[§ 5583, 5584. Repealed. Pub. L. 96-513, title III, § 321, Dec. 12, 1980, 94 Stat. 2892]

Section 5583, act Aug. 10, 1956, ch. 1041, 70A Stat. 324, prescribed requirements for original appointments to the active list of the Marine Corps from noncommissioned officers of the Regular Marine Corps. See section 532 of this title.

Section 5584, act Aug. 10, 1956, ch. 1041, 70A Stat. 324, prescribed requirements for original appointments to the active list of the Marine Corps from former officers of the Marine Corps. See section 532 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.

§ 5585. Regular Marine Corps: order of filling vacancies in grade of second lieutenant

Vacancies on the active-duty list of the Marine Corps in the grade of second lieutenant shall be filled, so far as practicable, first, from members of the graduating class of the Naval Academy; second, from meritorious noncommissioned officers of the Regular Marine Corps; and third, from other persons.

(Aug. 10, 1956, ch. 1041, 70A Stat. 324; Pub. L. 96-513, title V, § 503(29), Dec. 12, 1980, 94 Stat. 2913.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
5585	34 U.S.C. 634.	Mar. 3, 1899, ch. 413, § 19, 30 Stat. 1008; Mar. 3, 1903, ch. 1010, 32 Stat. 1198 (1st proviso in 5th par., 48th word to end of proviso).

The words "from other persons" are substituted for the words "from civil life" because 34 U.S.C. 1020e authorizes the appointment of graduates of the NROTC program as well as of other persons in civil life. Such graduates are, properly, persons in "civil life", since they are members of the Naval Reserve who are not on active duty. However, since the status of members of the NROTC is not always clear, the statement of the class is expanded.

AMENDMENTS

1980—Pub. L. 96-513 substituted "active-duty list" for "active list".

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

[[§ 5586. Repealed. Pub. L. 96-513, title III, § 321, Dec. 12, 1980, 94 Stat. 2892]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 324, prescribed requirements for original appointments to the active list of the Navy in the line or in any staff corps, except the Medical Service Corps and the Nurse Corps, in grades not above lieutenant and to the active list of the Marine Corps in grades not above captain from warrant officers and enlisted members of the Regular Navy and Regular Marine Corps. See section 532 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.

§ 5587. Regular Navy: officers designated for engineering duty, aeronautical engineering duty, and special duty

(a) Persons may be originally appointed in the line of the Navy as regular officers designated for engineering duty, aeronautical engineering duty, or special duty.

(b) With the approval of the Secretary, a regular officer in the line of the Navy may, upon his application, be designated for engineering duty, aeronautical engineering duty, or special duty.

(c) The types of engineering duty for which officers may be designated include ship engineering and ordnance engineering. The types of aeronautical engineering duty for which officers may be designated include aeronautical engineering and aviation maintenance. The types of special duty for which officers may be designated include communications, law, naval intelligence, photography, public affairs, psychology, geophysics, cryptography, and hydrography.

(d) Officers designated for engineering duty, aeronautical engineering duty, or special duty shall perform sea or shore duty appropriate to their special qualifications but may not succeed to command except on shore and then only as authorized by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 325; Pub. L. 90-179, § 5(2), Dec. 8, 1967, 81 Stat. 547; Pub. L. 90-386, § 1(5), July 5, 1968, 82 Stat. 293; Pub. L. 96-513, title III, § 324, Dec. 12, 1980, 94 Stat. 2893.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
5587	34 U.S.C. 77 (less statement of appointing authority). 34 U.S.C. 71, 73. 34 U.S.C. 78 (less (b)). 34 U.S.C. 211b (less (b)).	Aug. 7, 1947, ch. 512, § 408 (less statement of appointing authority), 61 Stat. 873. Aug. 29, 1916, ch. 417, 39 Stat. 580 (words preceding 3d proviso of 1st par. under "Officers for Engineering Duty Only"); May 11, 1928, ch. 522, 45 Stat. 498; Aug. 7, 1947, ch. 512, § 402(a), (c), 61 Stat. 870. Aug. 7, 1947, ch. 512, § 403 (less (b)), 61 Stat. 870. Aug. 7, 1947, ch. 512, § 401 (less (b)), 61 Stat. 869.

In subsection (a) the word "annually" and the words "and regularly commission" are omitted as surplusage. The word "male" is inserted in subsection (a) to limit the application of the appointing authority in this subsection to men. Authority to appoint women is covered in § 5590 of this title.

In subsection (b) the words "on the active list" are inserted in order to exclude reserve and temporary officers, which is the intention of Congress determined from the use of the words "additional numbers in grade" and "percentage of officers on the active list" which apply only to regular officers holding permanent appointments. In the same subsection and in subsections (c) and (d) the provisions of the law that these officers are assigned to a certain duty and then "described and known as officers designated" for that duty have been written simply as providing that these officers may be "designated" for that duty. This is done as there is no apparent reason for any distinction between