

Section 5232, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; July 30, 1977, Pub. L. 95-79, title VIII, §811(b)(3), (4), 91 Stat. 336; Oct. 20, 1978, Pub. L. 95-485, title VIII, §818(b), 92 Stat. 1626, related to designation by President of officers on active list of Marine Corps above the grade of colonel and, in time of war or national emergency, above the grade of lieutenant colonel for appropriate higher commands or performance of duty of great importance and responsibility. See section 601 of this title.

Section 5233, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; May 20, 1958, Pub. L. 85-422, §6(4), 72 Stat. 129; related to retirement of an officer serving or having served in a grade to which appointed under former sections 5231 or 5232 of this title. See section 601 of this title.

Section 5234, acts Aug. 10, 1956, ch. 1041, 70A Stat. 295; Apr. 21, 1976, Pub. L. 94-273, §2(3), 90 Stat. 375, authorized President during time of war or national emergency to suspend any provision of former sections 5231 or 5232 of this title relating to distribution in grade.

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.

[CHAPTER 519—REPEALED]

[§§ 5251, 5252. Repealed. Pub. L. 103-337, div. A, title XVI, § 1661(a)(3)(A), Oct. 5, 1994, 108 Stat. 2980]

Section 5251, act Aug. 10, 1956, ch. 1041, 70A Stat. 295, related to administration of Naval Reserve by Chief of Naval Operations and Naval Reserve Policy Board. See sections 10108 and 10303 of this title.

Section 5252, act Aug. 10, 1956, ch. 1041, 70A Stat. 296, related to administration of Marine Corps Reserve by Commandant of Marine Corps and Marine Corps Reserve Policy Board. See sections 10109 and 10304 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

PART II—PERSONNEL

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[543.]	Repealed.]	
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[547.]	Repealed.]	
[549.]	Repealed.]	
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AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, §1673(a)(3), Oct. 5, 1994, 108 Stat. 3015, struck out items for chapters

531 “Strength of Naval Reserve and Marine Corps Reserve”, 541 “Running Mates for Reserve Officers”, and 549 “Reserve Promotions”.

1980—Pub. L. 96-513, title V, §503(16), Dec. 12, 1980, 94 Stat. 2912, inserted “of Naval Reserve and Marine Corps Reserve” after “Strength” in item for chapter 531, inserted “for Reserve Officers” after “Running Mates” in item for chapter 541, struck out item for chapter 543 “Selection Boards”, added item for chapter 544, and struck out items for chapter 545 “Promotions” and for chapter 547 “Examinations for Promotion”.

1958—Pub. L. 85-861, §1(134), Sept. 2, 1958, 72 Stat. 1507, added item for chapter 549.

SUSPENSION OF CERTAIN SECTIONS OF TITLE 10 AND AMENDMENTS TO OFFICER PERSONNEL ACT OF 1947

Act Aug. 10, 1956, ch. 1041, §48, 70A Stat. 639, as amended by Pub. L. 109-163, div. A, title V, §515(h), Jan. 6, 2006, 119 Stat. 3237, provided that:

“SEC. 48. (a) Except as they may apply to women officers of the Regular Navy or the Regular Marine Corps appointed under section 5590 of title 10, United States Code, enacted by section 1 of this Act, the following sections of title 10 cease to operate whenever the number of male officers serving on active duty in the grade of ensign or above in the line of the Navy does not exceed the number of male officers holding permanent appointments in the grade of ensign or above on the active list in the line of the Regular Navy: Sections 5505, 5508, 5596, 5651-5663, 5701-5703, 5705-5711, 5751, 5753-5759, 5761, 5762, 5764-5770, 5785, 5786, 5791, 6371-6384, 6386, 6407.

“(b) For the purposes of subsection (a), the following officers may not be considered officers serving on active duty:

“(1) Retired officers.

“(2) Officers of the Navy Reserve assigned to active duty for training.

“(3) Officers of the Navy Reserve ordered to active duty in connection with organizing, administering, recruiting, instructing, or drilling the Navy Reserve or the Marine Corps Reserve.

“(4) Officers of the Navy Reserve ordered to temporary active duty for the purpose of prosecuting special work.

“(c) Title IV of the Officer Personnel Act of 1947 (61 Stat. 869), as amended, is amended by adding the following new section at the end thereof:

“[SEC. 437. Repealed. Pub. L. 104-106, div. A, title XV, §1505(a), Feb. 10, 1996, 110 Stat. 514.]”

[CHAPTER 531—REPEALED]

[§§ 5401 to 5409. Repealed. Pub. L. 96-513, title III, § 311(a), Dec. 12, 1980, 94 Stat. 2889]

Section 5401, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of Regular Navy in enlisted members. See section 521 et seq. of this title.

Section 5402, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of Regular Marine Corps. See section 521 et seq. of this title.

Section 5403, act Aug. 10, 1956, ch. 1041, 70A Stat. 297, prescribed authorized strength of active list of the Navy in line officers. See section 521 et seq. of this title.

Section 5404, acts Aug. 10, 1956, ch. 1041, 70A Stat. 297; Oct. 13, 1964, Pub. L. 88-647, title III, §301(12), 78 Stat. 1072; Dec. 8, 1967, Pub. L. 90-179, §3, 81 Stat. 547, prescribed authorized strength of active list of Navy in officers in Supply Corps and Civil Engineer Corps, directed Secretary of Navy to compute annually the authorized strength of active list of Navy in officers in Medical Corps, Dental Corps, Chaplain Corps, Medical Service Corps, and Nurse Corps, and to establish annually the authorized strength of active list of Navy in officers in Judge Advocate General's Corps. See section 521 et seq. of this title.

Section 5405, act Aug. 10, 1956, ch. 1041, 70A Stat. 298, prescribed authorized strength of active list of Marine Corps. See section 521 et seq. of this title.

Section 5406, acts Aug. 10, 1956, ch. 1041, 70A Stat. 298; July 5, 1968, Pub. L. 90-386, §1(1), 82 Stat. 293, limited actual number of officers on active list in line of Navy that could be designated for engineering duty. See section 521 et seq. of this title.

Section 5407, acts Aug. 10, 1956, ch. 1041, 70A Stat. 298; July 5, 1968, Pub. L. 90-386, §1(2), 82 Stat. 293, limited actual number of officers on active list in line of Navy that could be designated for aeronautical engineering duty. See section 521 et seq. of this title.

Section 5408, acts Aug. 10, 1956, ch. 1041, 70A Stat. 298; July 5, 1968, Pub. L. 90-386, §1(3), 82 Stat. 293, limited actual number of officers on the active list in line of Navy that could be designated for special duty. See section 521 et seq. of this title.

Section 5409, acts Aug. 10, 1956, ch. 1041, 70A Stat. 298; Aug. 3, 1961, Pub. L. 87-123, §5(5), 75 Stat. 264, prescribed number of officers of actual number of officers on active lists in the line of Navy and of Marine Corps, that could be designated for limited duty. See section 521 et seq. 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.

§§ 5410, 5411. Repealed. Pub. L. 90-130, §1(16), Nov. 8, 1967, 81 Stat. 376]

Section 5410, act Aug. 10, 1956, ch. 1041, 70A Stat. 928, placed upper limits, stated in terms of percentages of the authorized strength of the Regular Navy and Regular Marine Corps in enlisted members, on the authorized strength of enlisted women in each.

Section 5411, act Aug. 10, 1956, ch. 1041, 70A Stat. 299, placed upper limits, stated in terms of percentages of the authorized strength in enlisted women of the Regular Navy and Regular Marine Corps, on the authorized strength of the Regular Navy and Regular Marine Corps in women officers.

§ 5412. Repealed. Pub. L. 96-513, title III, §311(a), Dec. 12, 1980, 94 Stat. 2889]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 299, prescribed authorized strength of Regular Navy in enlisted members in Hospital Corps. See section 521 et seq. 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.

§§ 5413, 5414. Repealed. Pub. L. 103-337, div. A, title XVI, §1662(a)(3), Oct. 5, 1994, 108 Stat. 2988]

Section 5413, act Aug. 10, 1956, ch. 1041, 70A Stat. 299, related to authorized strengths of Naval Reserve and Marine Corps Reserve. See section 12001(a) of this title.

Section 5414, added Pub. L. 85-861, §1(110)(A), Sept. 2, 1958, 72 Stat. 1490; amended Pub. L. 86-559, §1(33), (34), June 30, 1960, 74 Stat. 273; Pub. L. 96-513, title V, §513(8)(B), Dec. 12, 1980, 94 Stat. 2931; Pub. L. 102-190, div. A, title XI, §1131(8)(A), Dec. 5, 1991, 105 Stat. 1506, related to authorized strength of Naval Reserve and Marine Corps Reserve in officers in active status in grades above chief warrant officer, W-5. See section 12003 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.

§§ 5415 to 5417. Repealed. Pub. L. 96-513, title III, §§311(a), 312, Dec. 12, 1980, 94 Stat. 2889]

Section 5415, added Pub. L. 85-861, §1(110)(A), Sept. 2, 1958, 72 Stat. 1490, excluded enlisted members of the

Navy or Marine Corps serving as midshipmen or cadets in any of the military academies from computations of authorized strengths. See section 521 et seq. of this title.

Section 5416, added Pub. L. 85-861, §1(110)(A), Sept. 2, 1958, 72 Stat. 1490, excluded members of the Navy or the Marine Corps, or of the Coast Guard when it is operating as a service in the Navy, detailed for duty with United States agencies outside the Department of Defense on a reimbursable basis, from computations of authorized strengths or numbers in grade. See section 521 et seq. of this title.

Section 5417, added Pub. L. 85-861, §1(110)(A), Sept. 2, 1958, 72 Stat. 1490, directed Secretary of Defense, with approval of President, to estimate annually, for each of five years following such estimate, the strengths of the Navy and the Marine Corps in officers on active lists exclusive of officers specifically authorized as additional numbers. See section 521 et seq. 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.

CHAPTER 533—DISTRIBUTION IN GRADE

Sec.

5441. Prescribed number; vacancies.

[5442 to 5449. Repealed.]

5450. Regular Navy: retired flag officers on active duty.

5451. Suspension: preceding sections.

[5452 to 5458. Repealed.]

AMENDMENTS

1996—Pub. L. 104-106, div. A, title XV, §1501(c)(20), Feb. 10, 1996, 110 Stat. 499, struck out item 5454 “Computations: rule when fraction occurs in final result”.

1994—Pub. L. 103-337, div. A, title XVI, §1673(b)(1), Oct. 5, 1994, 108 Stat. 3016, struck out items 5456 “Naval Reserve and Marine Corps Reserve”, 5457 “Naval Reserve: officers in an active status in grades above chief warrant officer, W-5”, and 5458 “Marine Corps Reserve: officers in an active status in grades above chief warrant officer, W-5”.

1991—Pub. L. 102-190, div. A, title XI, §1131(8)(B), Dec. 5, 1991, 105 Stat. 1506, substituted “W-5” for “W-4” in items 5457 and 5458.

1990—Pub. L. 101-510, div. A, title IV, §403(b)(2)(B), Nov. 5, 1990, 104 Stat. 1545, struck out items 5442 “Navy: line officers on active duty; rear admirals (lower half) and rear admirals”, 5443 “Marine Corps: officers on active duty; brigadier generals and major generals”, 5444 “Navy: staff corps officers on active duty; rear admirals (lower half) and rear admirals”, and 5446 “Applications: sections 5442, 5443, 5444”.

1985—Pub. L. 99-145, title V, §514(b)(6)(B), (7)(B), Nov. 8, 1985, 99 Stat. 629, substituted “rear admirals (lower half)” for “commodores” in items 5442 and 5444.

1981—Pub. L. 97-86, title IV, §405(b)(6)(B), (7)(B), Dec. 1, 1981, 95 Stat. 1106, substituted “commodores” for “commodore admirals” in items 5442 and 5444.

Pub. L. 97-22, §10(b)(6)(B), July 10, 1981, 95 Stat. 137, struck out item 5455 “Computations and determinations: effect on status of officers”.

1980—Pub. L. 96-513, title V, §§503(18), 513(9)(A), Dec. 12, 1980, 94 Stat. 2912, 2931, inserted “; commodore admirals and rear admirals” in item 5442, inserted “; brigadier generals and major generals” in item 5443, inserted “; commodore admirals and rear admirals” in item 5444, struck out items 5445 “Suspension: sections 5442, 5443, 5444”, 5447 “Navy: line officers on the active list; permanent grade”, 5448 “Marine Corps: officers on the active list; permanent grade”, 5449 “Navy: staff corps officers on the active list; permanent grade”, and 5452 “Navy: women line officers on active duty; Marine Corps: women officers on active duty”, and substituted “in grades” for “in permanent grades” in items 5457 and 5458.