

quired grade of officer selected for assignment to position of defense attaché to United States embassy in France, prior to repeal by Pub. L. 108-136, div. A, title V, § 503(a), Nov. 24, 2003, 117 Stat. 1456.

Another prior section 714, act Aug. 10, 1956, ch. 1041, 70A Stat. 33, related to reports to Congress on length of tours of duty outside the United States by members of the Army and Air Force, prior to repeal by Pub. L. 86-533, § 1(5)(A), June 29, 1960, 74 Stat. 246.

#### AMENDMENTS

2016—Subsec. (a). Pub. L. 114-328, § 952(c)(4)(A), substituted “armed forces” for “Armed Forces” in introductory provisions.

Subsec. (a)(6). Pub. L. 114-328, § 952(c)(5)(A)(i), substituted “Members of the Joint Chiefs of Staff in addition to the Chairman and Vice Chairman” for “Chiefs of the Services”.

Subsec. (a)(7), (8). Pub. L. 114-328, § 952(c)(5)(A)(ii), (iii), redesignated par. (8) as (7) and struck out former par. (7) which read as follows: “Chief of the National Guard Bureau.”

Subsec. (b)(1). Pub. L. 114-328, § 952(c)(4)(A), (5)(B), in introductory provisions, substituted “armed forces” for “Armed Forces” and “through (7)” for “through (8)”.

Subsec. (b)(2)(A). Pub. L. 114-328, § 952(c)(6), struck out “, military member,” after “official” and inserted “or member of the armed forces” after “of the Department of Defense”.

Subsec. (c). Pub. L. 114-328, § 952(c)(4)(B), substituted “section, the terms ‘qualified members of the armed forces’ and” for “section:

“(1) CONGRESSIONAL DEFENSE COMMITTEES.—The term ‘congressional defense committees’ means the Committee on Appropriations and the Committee on Armed Services of the Senate and the Committee on Appropriations and the Committee on Armed Services of the House of Representatives.

“(2) QUALIFIED MEMBERS OF THE ARMED FORCES AND QUALIFIED CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.—The terms ‘qualified members of the Armed Forces’ and”; redesignated subpars. (A) to (E) of former par. (2) as pars. (1) to (5), respectively, of subsec. (c); and realigned margins.

Subsec. (d)(1). Pub. L. 114-328, § 952(c)(4)(A), substituted “armed forces” for “Armed Forces”.

Subsec. (d)(2). Pub. L. 114-328, § 952(c)(4)(C), struck out “, United States Code” after “title 18”.

#### § 715. Attending Physician to the Congress: grade

A general officer serving as Attending Physician to the Congress, while so serving, holds the grade of major general. A flag officer serving as Attending Physician to the Congress, while so serving, holds the grade of rear admiral (upper half).

(Added Pub. L. 115-232, div. A, title V, § 508(a), Aug. 13, 2018, 132 Stat. 1749.)

#### PRIOR PROVISIONS

A prior section 715, act Aug. 10, 1956, ch. 1041, 70A Stat. 33, related to detail of members of regular and reserve components to assist those components prior to repeal by Pub. L. 103-337, div. A, title XVI, §§ 1662(g)(2), 1691, Oct. 5, 1994, 108 Stat. 2996, 3026, effective Dec. 1, 1994. See section 12501 of this title.

#### § 716. Commissioned officers: transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service

(a) Notwithstanding any other provision of law, the President, within authorized strengths and with the consent of the officer involved, may transfer any commissioned officer of a uniformed service from his uniformed service to,

and appoint him in, another uniformed service. The Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of Health and Human Services shall jointly establish, by regulations approved by the President, policies and procedures for such transfers and appointments.

(b) An officer transferred under this section may not be assigned precedence or relative rank higher than that which he held on the day before the transfer.

(Added Pub. L. 85-599, § 11(2), Aug. 6, 1958, 72 Stat. 521; amended Pub. L. 91-392, § 1, Sept. 1, 1970, 84 Stat. 834; Pub. L. 96-215, § 2(a), Mar. 25, 1980, 94 Stat. 123; Pub. L. 97-295, § 1(10), Oct. 12, 1982, 96 Stat. 1289; Pub. L. 98-94, title X, § 1007(a)(1), Sept. 24, 1983, 97 Stat. 661; Pub. L. 99-348, title III, § 304(a)(1), July 1, 1986, 100 Stat. 703; Pub. L. 107-296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

#### CODIFICATION

Another section 716 was renumbered section 717 of this title.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1986—Subsec. (c). Pub. L. 99-348 struck out subsec. (c) which defined “uniformed service” for purposes of this section. See section 101(43) of this title.

1983—Pub. L. 98-94 amended section generally, substituting “transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service” for “transfers between armed forces and to and from National Oceanic and Atmospheric Administration” in section catchline and adding subsec. (c). Prior to amendment subsecs. (a) and (b) read as follows:

“(a) Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from his armed force or from the National Oceanic and Atmospheric Administration to, and appoint him in, another armed force or the National Oceanic and Atmospheric Administration. The Secretary of Defense, the Secretary of the department in which the Coast Guard is operating, and the Secretary of Commerce shall jointly establish, by regulations approved by the President, policies and procedures for such transfers and appointments.

“(b) An officer transferred under this section—

“(1) may not be assigned precedence or relative rank higher than that which he held on the day before his transfer; and

“(2) shall be credited for retirement and pay purposes with the same years of service with which he has been credited on the day before his transfer.”

1982—Subsec. (a). Pub. L. 97-295 struck out the comma after “policies”.

1980—Pub. L. 96-215 inserted “and to and from National Oceanic and Atmospheric Administration” in section catchline, divided existing unlettered provisions into subsecs. (a) and (b)(1), inserted references to National Oceanic and Atmospheric Administration and to Secretary of Commerce in subsec. (a) as so redesignated, and added subsec. (b)(2).

1970—Pub. L. 91-392 substituted “armed forces” for “Army, Navy, Air Force, and Marine Corps” in section catchline and “his armed force”, “another armed force”, “An officer transferred under this section may not be assigned”, and “before his transfer” for “the Army, Navy, Air Force, or Marine Corps”, “any other of those armed forces”, “No officer transferred pursuant to this authority shall be assigned”, and “prior to such transfer” in text, respectively, and authorized interservice transfers of officers of the Coast Guard.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

DELEGATION OF FUNCTIONS

Functions of President under subsec. (a) of this section delegated to Secretary of Commerce by section 1(m) of Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, as amended, set out as a note under section 301 of Title 3, The President.

**§ 717. Members of the armed forces: participation in international sports**

(a) The Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, may permit members of the armed forces under his jurisdiction to train for, attend, and participate in any of the following sports competitions:

(1) The Pan-American Games and the Olympic Games, and qualifying events and preparatory competition for those games.

(2) The Paralympic Games, if eligible to participate in those games, and qualifying events and preparatory competition for those games.

(3) Any other international competition in amateur sports, if the Secretary of State determines that the interests of the United States will be served by participation in that competition, and qualifying events and preparatory competition for that competition.

(b) Subject to subsections (c) and (d), the Secretary of Defense or the Secretary of Homeland Security, as the case may be, may spend such funds, and acquire and use such supplies, as he determines to be necessary to provide for—

(1) the training of members of the armed forces for the competitions covered by subsection (a);

(2) their attendance at and participation in those competitions; and

(3) the training of animals of the armed forces for, and their attendance at and participation in, those competitions.

(c)(1) Not more than \$3,000,000, to be apportioned among the military departments as the Secretary of Defense prescribes, may be spent during each successive four-year period beginning on October 1, 1980, for the participation of members of the Army, Navy, Air Force, and Marine Corps in the competitions covered by subsection (a).

(2) Not more than \$100,000 may be spent during each successive four-year period beginning on October 1, 1980, for the participation of members of the Coast Guard in the competitions covered by subsection (a).

(d) Appropriations available to the Department of Defense or to the Department of Homeland Security, as the case may be, may be used to carry out this section.

(Added Pub. L. 85-861, §1(17), Sept. 2, 1958, 72 Stat. 1442, §716; renumbered §717, Pub. L. 87-651, title I, §103(a), Sept. 7, 1962, 76 Stat. 508; amended Pub. L. 89-348, §1(12), Nov. 8, 1965, 79 Stat. 1311; Pub. L. 89-718, §7, Nov. 2, 1966, 80 Stat. 1117; Pub. L. 96-513, title V, §511(22), Dec. 12, 1980, 94

Stat. 2921; Pub. L. 98-525, title XV, §1534, Oct. 19, 1984, 98 Stat. 2632; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 109-163, div. A, title V, §561, Jan. 6, 2006, 119 Stat. 3266.)

HISTORICAL AND REVISION NOTES

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
716 [now 717].	22:1981. 22:1982. 22:1983.	Mar. 14, 1955, ch. 11 (less last 2 pars.), 69 Stat. 11.

In subsection (a), the first 27 words are substituted for section 1 of the source statute. The reference to the Second Pan-American Games, the Seventh Olympic Winter Games, and the Games of the XVI Olympiad are omitted as covered by clause (1) of the revised subsection. The words “subject to the limitation contained in subsection (b) herein” are omitted as covered by revised subsection (b). The words “any other” are substituted for the words “other \* \* \* not specified in (1) above”.

In subsection (b), the word “entry” is substituted for the word “commitment” for clarity. The words “or the Secretary of the Treasury, as the case may be” are inserted since, under subsection (a), the Secretary of the Treasury has the prescribed authority with respect to members of the Coast Guard when it is not operating as a service in the Navy.

In subsection (c), the words “materiel, and equipment” are omitted as covered by the word “supplies” as defined in section 101(26) of this title.

1962 ACT

This section corrects a duplication in numbering occasioned by the addition of a duplicate section 716 by Pub. L. 85-861. (The first section 716 was added by Pub. L. 85-599.)

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-163 substituted “participate in any of the following sports competitions:

“(1) The Pan-American Games and the Olympic Games, and qualifying events and preparatory competition for those games.

“(2) The Paralympic Games, if eligible to participate in those games, and qualifying events and preparatory competition for those games.

“(3) Any other” for “participate in—

“(1) Pan-American Games and Olympic Games and qualifying events and preparatory competition for those games; and

“(2) any other”.

2002—Subsecs. (a), (b), (d). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1984—Subsec. (a)(1). Pub. L. 98-525, §1534(1), included qualifying events and preparatory competition.

Subsec. (a)(2). Pub. L. 98-525, §1534(2), included qualifying events and preparatory competition.

Subsec. (b). Pub. L. 98-525, §1534(3), struck out reference to subsec. (e).

Subsec. (c). Pub. L. 98-525, §1534(4), (6), designated existing provisions as par. (1), substituted “\$3,000,000” for “\$800,000” and “October 1, 1980” for “March 14, 1955”, redesignated subsec. (d) as par. (2), and substituted “October 1, 1980” for “March 14, 1955”.

Subsecs. (d), (e). Pub. L. 98-525, §1534(7), redesignated subsec. (e) as (d). Former subsec. (d) redesignated par. (2) of subsec. (c).

1980—Subsec. (a). Pub. L. 96-513, §511(22)(A), substituted “Transportation” for “the Treasury”.

Subsec. (b). Pub. L. 96-513, §511(22), redesignated subsec. (c) as (b) and substituted reference to subsec. (c) for reference to subsec. (f), and “Transportation” for “the Treasury”.