

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5942 of this title as this section.

2014—Subsec. (a). Pub. L. 113-291 designated existing provisions as par. (1) and added par. (2).

1970—Subsec. (a). Pub. L. 91-198 substituted “naval flight officer” for “naval aviation observer”.

Subsecs. (b), (c). Pub. L. 91-198 inserted “or naval flight officer” after “naval aviator”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8163. Naval shipyards

Commanders of naval shipyards may be selected by the President from officers of the Navy not below the grade of commander.

(Aug. 10, 1956, ch. 1041, 70A Stat. 371, §5943; renumbered §8163, Pub. L. 115-232, div. A, title VIII, §807(b)(5), Aug. 13, 2018, 132 Stat. 1834.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 5943, 34 U.S.C. 501, R.S. 1542.

The words “Commanders of naval shipyards” are substituted for the words “commandants of the several navy yards” to conform to present terminology. The words “of the Navy” are inserted for clarity.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5943 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8164. Marine Corps officers: limitation on power to command

Officers of the Marine Corps may not command vessels or naval shipyards.

(Aug. 10, 1956, ch. 1041, 70A Stat. 371, §5944; renumbered §8164, Pub. L. 115-232, div. A, title VIII, §807(b)(5), Aug. 13, 2018, 132 Stat. 1834.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 5944, 34 U.S.C. 713, R.S. 1617.

The words “of the United States” are omitted as surplusage. The word “command” is substituted for the words “exercise command over any”.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5944 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8165. Staff corps officers: limitation on power to command

An officer in a staff corps may command only such activities as are appropriate to his corps.

(Aug. 10, 1956, ch. 1041, 70A Stat. 371, §5945; Pub. L. 90-130, §1(21), Nov. 8, 1967, 81 Stat. 380; renumbered §8165, Pub. L. 115-232, div. A, title VIII, §807(b)(5), Aug. 13, 2018, 132 Stat. 1834.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 5945, 34 U.S.C. 253, R.S. 1488; Mar. 3, 1899, ch. 413, §7 (3d proviso of 2d sentence, and 3d sentence), 30 Stat. 1006; June 24, 1910, ch. 378, 36 Stat. 614 (3d proviso), Aug. 4, 1947, ch. 459, §207 (1st 23 words), 61 Stat. 738; renumbered §206, Aug. 7, 1947, ch. 512, §433(b), 61 Stat. 881. Apr. 16, 1947, ch. 38, §205 (proviso), 61 Stat. 48.

The provision of §7 of the Act of March 3, 1899 (supra), relating to relative rank is omitted as executed. The provision that the rank conferred upon staff corps officers shall not change their titles is omitted because these titles were abolished by §405 of the Officer Personnel Act of 1947 (34 U.S.C. 10a) and the corresponding line grades substituted. The cited proviso in the Act of June 24, 1910 (34 U.S.C. 253 (proviso)) is omitted as obsolete because the officers referred to were officers of the Construction Corps which has been abolished.

The first sentence of this section is phrased so as to reflect the accepted meaning of the cited provision. 34 U.S.C. 253, as worded, if interpreted literally, could be held to prohibit, for example, the assignment of members of the Medical Service Corps, Nurse Corps, and Hospital Corps to duty under officers of the Medical Corps, despite the fact that all of these corps were established by law within the Medical Department of the Navy. The provision is not so interpreted. It is understood to restrict only the types of activities that staff corps officers may command, and not to restrict to a single corps the personnel who may be assigned to an activity commanded by a staff corps officer.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5945 of this title as this section.

1967—Pub. L. 90-130 struck out provision that an officer in the Nurse Corps may not exercise command.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8166. Precedence accorded commanding officers

The commanding officer of a vessel or of a naval station takes precedence over all officers under his command.

(Aug. 10, 1956, ch. 1041, 70A Stat. 372, §5946; renumbered §8166, Pub. L. 115-232, div. A, title VIII, §807(b)(5), Aug. 13, 2018, 132 Stat. 1834.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 5946, 34 U.S.C. 246, R.S. 1468.