

brevity and the words "among the young men of the United States" are omitted as surplusage. The words "naval engineering" are substituted for the words "steam engineering" and the words "naval architecture" are substituted for the words "iron-ship building" to conform to current terminology and to express more clearly the intent of the statute. The words "the Territories, Commonwealths, or possessions" are inserted, since the words "United States" in the source statute are considered to have included all areas under the United States flag.

Section 1 of the act of March 3, 1899, ch. 413, 30 Stat. 1004, transferred officers of the Engineer Corps of the Navy to the line of the Navy; therefore, in subsection (a) the words "qualified officer" are substituted for the words "engineer officer" to preserve the meaning of the section and to include any officer possessing adequate background and training in engineering duties.

In subsection (b) the word "regulations" is substituted for the word "rules," and the words "public interest" are substituted for the words "public service" to conform to current terminology.

§ 5987. American National Red Cross: detail of officers in the Medical Corps.

The Secretary of the Navy may detail one or more officers in the Medical Corps of the Navy for duty with the Services to the Armed Forces Division of the American National Red Cross. (Aug. 10, 1956, ch. 1041, 70A Stat. 374.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|---|
| 5987..... | 34 U. S. C. 26. | Aug. 29, 1916, ch. 417, 39 Stat. 581 (1st par. 20th word to end). |

The words "and hereafter" are omitted. The words "Services to the Armed Forces division" are substituted for the words "Military Relief Division" to conform to present terminology.

CROSS REFERENCES

American National Red Cross, see chapter 1 of Title 36, Patriotic Societies and Observances.

Chapter 555.—ADMINISTRATION

Sec.

- 6011. Navy Regulations.
- 6012. Additional regulations for Marine Corps.
- 6013. Enlisted grades and ratings: authority to establish.
- 6014. Enlisted members: authority for transfer between Marine Corps and Hospital Corps of the Navy.
- 6015. Women members: duty; qualifications; restrictions.
- 6017. Retired list for Reserve members entitled to retired pay.
- 6018. Naval officers: shore duty; limitations.
- 6019. Citizenship of officers of vessels.
- 6021. Aviation duties: number of personnel assigned.
- 6022. Aviation training facilities.
- 6023. Aviation designations: naval aviator.
- 6024. Aviation designations: naval aviation observer.
- 6025. Aviation designations: aviation pilot.
- 6026. Supply Corps officers: bonds.
- 6027. Medical Department: composition.
- 6028. Medical Service Corps: composition.
- 6029. Dental services: responsibilities of senior dental officer.
- 6030. Nurse Corps officers: authority.
- 6031. Chaplains; divine services.
- 6032. Indebtedness to Marine Corps Exchanges: payment from appropriated funds in certain cases.
- 6033. Woman member: definition of dependents.
- 6034. Regulations for retired pay based on service in the Reserve.

AMENDMENTS

- 1961—Pub. L. 87-123, § 5(24), Aug. 3, 1961, 75 Stat. 266, deleted item 6020.
- 1958—Pub. L. 85-861, § 1(135), Sept. 2, 1958, 72 Stat. 1507, deleted item 6016.

§ 6011. Navy Regulations.

United States Navy Regulations shall be issued by the Secretary of the Navy with the approval of the President. (Aug. 10, 1956, ch. 1041, 70A Stat. 375.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|----------------------------|
| 6011..... | 34 U. S. C. 591. | R. S. 1547. |

So much as pertains to the "orders, regulations, and instructions issued by the Secretary of the Navy prior to July 14, 1862" and the alterations thereto is omitted as executed, and the section is worded to preserve the remaining requirement that Navy Regulations must be issued with Presidential approval. The words "United States Navy Regulations" are substituted for the words "regulations of the Navy" to preserve the distinction between the permanent regulations of general applicability falling within this statute and the many other regulations issued by the Secretary alone under specific statutes and under his power to administer the Department.

DELEGATION OF FUNCTIONS

For delegation to the Secretary of Defense of authority vested in the President by section 591 of former Title 34, see Ex. Ord. No. 10621, July 1, 1955, 20 F. R. 4759, set out as a note under section 301 of Title 3, The President.

CROSS REFERENCES

Uniform Code of Military Justice, see section 801 et seq. of this title.

§ 6012. Additional regulations for Marine Corps.

The President may prescribe military regulations for the discipline of the Marine Corps. (Aug. 10, 1956, ch. 1041, 70A Stat. 375.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|----------------------------|
| 6012..... | 34 U. S. C. 714. | R. S. 1620. |

The words "such" and "as he may deem expedient" are omitted as surplusage.

CROSS REFERENCES

Uniform Code of Military Justice, see section 801 et seq. of this title.

§ 6013. Enlisted grades and ratings: authority to establish.

The Secretary of the Navy may establish such enlisted grades and ratings as are necessary for the proper administration of the Navy and the Marine Corps. (Aug. 10, 1956, ch. 1041, 70A Stat. 375.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 6013..... | 34 U. S. C. 176; 34 U. S. C. 34 (less 1st sentence, and less proviso of 2d sentence). | June 4, 1920, ch. 228, § 7 (proviso), 41 Stat. 836. Aug. 29, 1916, ch. 417 (1st par. under "Hospital Corps", less 1st sentence, and less proviso of 2d sentence), 39 Stat. 572; Aug. 4, 1947, ch. 459, § 301 (a), 61 Stat. 738. |

The words "in his discretion" and "of the enlisted personnel" are omitted as surplusage. The words "Navy and the Marine Corps" are substituted for the words "naval service."

§ 6014. Enlisted members: authority for transfer between Marine Corps and Hospital Corps of the Navy.

Under regulations prescribed by the Secretary of the Navy, enlisted members of the Marine Corps are eligible for transfer to the Hospital Corps of the Navy, and enlisted members of the Hospital Corps are eligible for transfer to the Marine Corps. (Aug. 10, 1956, ch. 1041, 70A Stat. 375.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 6014..... | 34 U. S. C. 34 (proviso of 2d sentence); 34 U. S. C. 34a. | Aug. 29, 1916, ch. 417 (proviso of 2d sentence in 1st paragraph under "Hospital Corps"), 39 Stat. 572; Aug. 4, 1947, ch. 459, § 301 (a), 61 Stat. 738. Aug. 4, 1947, ch. 459, § 302, 61 Stat. 738. |

The authority to transfer Navy personnel to the Hospital Corps and personnel of that Corps to other branches or designations in the Navy is omitted as unnecessary because transfers within the Navy are permitted under provisions which authorize the Secretary of the Navy to establish grades and ratings (34 U. S. C. 176) and to administer the Department (5 U. S. C. 171a (c)).

The saving provision of 34 U. S. C. 34a which provided that no person would suffer any reduction in grade, rating, or pay, is omitted as executed. It pertained to personnel who, when the Hospital Corps was reorganized under the act of August 4, 1947, ch. 459, §§ 301, 302, 61 Stat. 738, were in grades and ratings prescribed by prior laws.

§ 6015. Women members: duty; qualifications; restrictions.

The Secretary of the Navy may prescribe the manner in which women officers appointed under section 5590 of this title, women warrant officers, and enlisted women members of the Regular Navy and the Regular Marine Corps shall be trained and qualified for military duty. The Secretary may prescribe the kind of military duty to which such women members may be assigned and the military authority which they may exercise. However, women may not be assigned to duty in aircraft that are engaged in combat missions nor may they be assigned to duty on vessels of the Navy other than hospital ships and transports. (Aug. 10, 1956, ch. 1041, 70A Stat. 375.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|---|
| 6015..... | 34 U. S. C. 105g; 34 U. S. C. 625h (a). | June 12, 1948, ch. 449, § 210, 62 Stat. 368. June 12, 1948, ch. 449, § 213 (a), 62 Stat. 369. |

The limitation to "women officers appointed under section 5590" is inserted to avoid application of the section to officers in the Nurse Corps, as required by 34 U. S. C. 105k, and to avoid application to women appointed in the Medical Corps, Dental Corps, and Medical Service Corps under 34 U. S. C. 21e, as required by that section.

§ 6016. Repealed. Pub. L. 85-861, § 36B (16), Sept. 2, 1958, 72 Stat. 1571.

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 376, required the names of retired officers to be carried on the Navy Register.

§ 6017. Retired list for Reserve members entitled to retired pay.

The Secretary of the Navy shall maintain a United States Naval Reserve Retired List containing the names of members of the Naval Reserve and the Marine Corps Reserve entitled to retired pay. (Aug. 10, 1956, ch. 1041, 70A Stat. 376.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|---|
| 6017..... | 34 U. S. C. 440h. | June 29, 1948, ch. 708, § 301 (b), 62 Stat. 1087. |

Citations to provisions authorizing retired pay are omitted as unnecessary. The authority to establish the list is omitted as executed and the section is rephrased to require the Secretary to maintain it.

CROSS REFERENCES

Naval Reserve and Marine Corps Reserve; administration, see sections 5251, 5252 of this title.

§ 6018. Naval officers: shore duty; limitations.

An officer of the Regular Navy, other than an officer in the Nurse Corps and other than a woman officer appointed under section 5590 of this title, may not be assigned to shore duty, unless—

- (1) the shore duty is specifically provided for by law; or
- (2) the Secretary of the Navy determines that the employment of the officer on shore duty is required by the public interest.

(Aug. 10, 1956, ch. 1041, 70A Stat. 376; Aug. 1, 1958, Pub. L. 85-588, 72 Stat. 488.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|--|
| 6018..... | 34 U. S. C. 222. | Mar. 3, 1883, ch. 97, § 2, 22 Stat. 481; July 19, 1892, ch. 206, 27 Stat. 245 (3d par.). |

The words "but need not state the duration of such service" are omitted as surplusage. The word "specifically" is substituted for the word "specially".

The exception as to officers in the Nurse Corps is added to reflect the fact that the primary duties of such officers are performed at medical activities, which are generally located ashore. The exception as to women officers appointed under § 5590 of this title is added to reflect 34 U. S. C. 105g, which indicates that the primary duties of the women officers concerned are performed ashore. As written, the section applies to male officers of the Regular Navy and women officers of the Regular Navy covered by 34 U. S. C. 21e, and it is so interpreted.

AMENDMENTS

1958—Pub. L. 85-588 deleted from clause (2) the words "and his determination to that effect is stated in the officer's orders to shore duty".

§ 6019. Citizenship of officers of vessels.

The officers of vessels of the United States shall in all cases be citizens of the United States. (Aug. 10, 1956, ch. 1041, 70A Stat. 376.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|----------------------------|
| 6019..... | 34 U. S. C. 211. | R. S. 1428. |

CROSS REFERENCES

Citizenship of officers of Regular Navy and Regular Marine Corps, see section 5571 of this title.

§ 6020. Repealed. Pub. L. 87-123, § 5(23), Aug. 3, 1961, 75 Stat. 266.

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 376, provided for detail of Marine Corps officers for duty in the supply department for a period of four years.

§ 6021. Aviation duties: number of personnel assigned.

The number of officers and enlisted members of the Navy and the Marine Corps detailed to duty involving flying and to other duties in connection with aircraft shall be in accordance with the requirements of naval aviation as determined by the Secretary of the Navy. (Aug. 10, 1956, ch. 1041, 70A Stat. 376.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|------------------------------------|--|
| 6021..... | 34 U. S. C. 732; 34 U. S. C. 732a. | July 12, 1921, ch. 44, § 8 (last par., less provisos), 42 Stat. 141. July 22, 1935, ch. 402, § 8, 49 Stat. 490. |

The provisions cited as source are consolidated in this section. The second sentence of § 8 of the act of July 22, 1935, is omitted as executed.

CROSS REFERENCES

Incentive pay for hazardous duty, see section 301 of Title 37, Pay and Allowances of the Uniformed Services.

§ 6022. Aviation training facilities.

The President may maintain facilities to provide flight training for 16,000 members of the naval service. (Aug. 10, 1956, ch. 1041, 70A Stat. 376.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|--|
| 6022..... | 34 U. S. C. 736. | June 15, 1940, ch. 375, § 1 (2d sentence), 54 Stat. 400. |

The proviso to the effect that the section does not affect the responsibility of the Secretary of the Navy under 34 U. S. C. 732 is omitted as unnecessary. The words "as may, in his judgment, be necessary" are omitted as surplusage. The words "members of the naval service" are substituted for "naval aviators" to avoid the implication that trainees are naval aviators while undergoing the training. The designation depends on successful completion of flight training.

§ 6023. Aviation designations: naval aviator.

(a) Members of the naval service in the following categories may be designated as naval aviators:

(1) Commissioned officers.

(2) Warrant officers, W-1, classed as of the line.

(b) To be eligible for designation as a naval aviator, a member must have successfully completed the course prescribed for naval aviators and must—

(1) have flown in heavier-than-air craft a total of 200 hours at least 75 of which were flown alone or as first pilot of a dual-control aircraft; or

(2) have been in the air under training in lighter-than-air craft at least 150 hours.

(Aug. 10, 1956, ch. 1041, 70A Stat. 376; Oct. 13, 1964, Pub. L. 88-647, title III, § 301(15), 78 Stat. 1072.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 6023..... | 34 U. S. C. 735 (par. 1); 34 U. S. C. 1020d (as applicable to designation as naval aviators). | June 24, 1926, ch. 668, § 3 (par. 1), 44 Stat. 766; Aug. 27, 1940, ch. 694, § 9, 54 Stat. 566; June 5, 1942, ch. 330, 56 Stat. 309. Aug. 13, 1946, ch. 962, § 5 (as applicable to designation as naval aviators), 60 Stat. 1059; May 16, 1947, ch. 77, § 1 (e), 61 Stat. 100. |

The definition form of 34 U. S. C. 735 is not followed in this section. The provision is worded to set forth (1) the categories of persons eligible for the designation and (2) qualifications required of designees.

In subsection (a), clause (3), the words "warrant officers, W-1, classed as of the line" are substituted for the words "warrant line officers". The Warrant Officer Act of 1954 established the grade of warrant officer, W-1, in lieu of all the old warrant officer (as distinguished from the commissioned warrant officer) grades. There is not now, nor has there been in the past, a statutory designation of warrant officers as "line" or "staff" officers; however, warrant officers are grouped administratively as warrant officers "classed as of the line" or "classed as of the staff" according to the nature of their duties. The substituted phrase, therefore, conforms to current law and usage.

In subsection (b) the words "lighter-than-air craft" are substituted for the word "airships" for uniformity.

AMENDMENTS

1964—Subsec. (a) Pub. L. 88-647 redesignated former clause (3) as (2), and eliminated former clause (2) which related to midshipmen appointed under section 6906 of this title.

CROSS REFERENCES

Aviation commands, eligibility, see section 5942 of this title.

§ 6024. Aviation designations: naval aviation observer.

Any officer of the naval service may be designated a naval aviation observer if he has successfully completed the course prescribed for naval aviation observers and has been in the air at least 100 hours. (Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------|---|
| 6024..... | 34 U. S. C. 735 (par. 3). | June 24, 1926, ch. 668, § 3 (par. 3), 44 Stat. 767. |

The phrase "by competent authority" is omitted as surplusage. The definition form of 34 U. S. C. 735 is not followed.

CROSS REFERENCES

Aviation commands, eligibility, see section 5942 of this title.

§ 6025. Aviation designations: aviation pilot.

Any enlisted member of the naval service may be designated an aviation pilot if he has successfully completed the course prescribed for aviation pilots and—

(1) has flown in heavier-than-air craft a total of 200 hours at least 75 of which were flown alone or as first pilot of a dual-control aircraft; or

(2) has flown in lighter-than-air craft a total of 200 hours at least 150 of which were under training.

(Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------|--|
| 6025..... | 34 U. S. C. 735 (par. 2). | June 24, 1926, ch. 663, § 3 (par. 2), 44 Stat. 767; June 5, 1942, ch. 330, 56 Stat. 309. |

The phrase "by competent authority in the Navy" is omitted as surplusage. The last sentence is omitted as unnecessary because the term "pilot" is not used in the subtitle in the defined sense. The definition form of 34 U. S. C. 735 is not followed and the wording is conformed to that of the preceding two sections.

§ 6026. Supply Corps officers: bonds.

(a) Each officer in the Supply Corps, before entering upon the duties of his office, shall give a good and sufficient bond to the United States, approved by the Secretary of the Navy, to account for all public money and property that he receives. The bond shall be in an amount prescribed by the Secretary. The Secretary may waive the requirement of a bond for any officer who is not accountable for public funds or public property.

(b) When required by the Secretary, an officer in the Supply Corps shall post a new bond with sufficient surety.

(c) The promotion or appointment to a new office in the Supply Corps of an officer who is bonded under this section does not affect his existing bond. The bond remains in force and continuous to cover the officer in his new office. (Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 6026..... | 34 U. S. C. 64; 34 U. S. C. 65; 34 U. S. C. 66. | R. S. 1333; June 6, 1935, ch. 151, 49 Stat. 326. R. S. 1354. R. S. 1355. |

In subsection (a) the word "faithfully" is omitted as surplusage.

In subsection (c) the words "promotion or appointment to a new office in the Supply Corps of" are substituted for the words "issuing of a new appointment and commission to" to cover transfers between the Naval Reserve and the Regular Navy specifically and not merely by implication. The words "does not affect" are substituted for the words "shall not offset or annul".

§ 6027. Medical Department: composition.

The Medical Corps, the Dental Corps, the Medical Service Corps, the Nurse Corps, and the Hospital Corps are in the Medical Department of the Navy. (Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|--|--|
| 6027..... | 34 U. S. C. 30a (1st 20 words of 1st sentence); 34 U. S. C. 43 (less 2d sentence); 34 U. S. C. 32; 34 U. S. C. 51 (26th through 37th words). | Aug. 4, 1947, ch. 459, § 201 (1st 20 words of 1st sentence), 61 Stat. 736. Apr. 16, 1947, ch. 38, § 201 (less 2d sentence), 61 Stat. 47; Aug. 7, 1947, ch. 512, § 434 (a), 61 Stat. 882. Aug. 29, 1916, ch. 417, 39 Stat. 573 (30th through 44th words of 6th par. under "Hospital Corps"). Aug. 29, 1916, ch. 417 (1st par. under "Naval Dental Corps"), 75th word to end of 1st sentence; added July 1, 1918, ch. 114, 40 Stat. 708 (4th par.). |

There is no provision of law specifically stating that the Medical Corps is in the Medical Department. It was the first corps to have duties relating to medical and sanitary matters and so long as it was the only corps having such duties there was no need for the departmental concept. The subsequent establishment of other corps with related duties "in the Medical Department" indicates clearly that the Medical Corps is in that Department.

The words "effective August 4, 1947" and the words "establishing the Medical Service Corps" in 34 U. S. C. 30a are omitted as executed. The words "is created and established as a Staff Corps of the United States Navy" in 34 U. S. C. 43 are omitted as executed.

§ 6028. Medical Service Corps: composition.

The following sections, and such other sections as the Secretary of the Navy considers necessary, are in the Medical Service Corps:

(1) Pharmacy, Supply, and Administration Section.

(2) Medical Allied Sciences Section.

(3) Optometry Section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|--|---|
| 6028..... | 34 U. S. C. 30a (1st sentence, less 1st 20 words). | Aug. 4, 1947, ch. 459, § 201 (1st sentence, less 1st 20 words), 61 Stat. 736. |

§ 6029. Dental services: responsibilities of senior dental officer.

(a) The Secretary of the Navy shall prescribe regulations for dental services on ships and at shore stations. Such services shall be under the senior dental officer, who is responsible to the commanding officer of the ship or station for all professional, technical, and administrative matters concerning dental services.

(b) This section does not impose any administrative requirements that would interfere with the proper functioning of battle organizations. (Aug. 10, 1956, ch. 1041, 70A Stat. 377.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|--|
| 6029..... | 5 U. S. C. 456d. | Dec. 28, 1945, ch. 604, § 4, 59 Stat. 667. |

The words "for establishing" are omitted as executed and unnecessary.

The last sentence of § 4 of the act of December 28, 1945, ch. 604, 59 Stat. 667, was a repealing clause and savings provision. It is omitted from this section.

§ 6030. Nurse Corps officers: authority.

(a) Officers in the Nurse Corps have authority in medical and sanitary matters and other work within the line of their professional duties in activities of the Medical Department after officers in the Medical Corps, Dental Corps, and Medical Service Corps.

(b) Officers in the Nurse Corps may exercise such military authority, other than command, as the Secretary of the Navy prescribes. (Aug. 10, 1956, ch. 1041, 70A Stat. 378.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------------|---|
| 6030..... | 34 U. S. C. 43d (less proviso). | Apr. 16, 1947, ch. 38, § 205 (less proviso), 61 Stat. 49; Aug. 7, 1947, ch. 512, § 434 (e), 61 Stat. 882. |

In subsection (a) the words "in and about naval hospitals and other" and the word "next" are omitted as surplusage.

In subsection (b) the words "other than command" are inserted to reflect the proviso of 34 U. S. C. 43d, which is covered in § 5945 of this title.

CROSS REFERENCES

Prohibition against exercise of command by Nurse Corps officers, see section 5945 of this title.

§ 6031. Chaplains: divine services.

(a) An officer in the Chaplain Corps may conduct public worship according to the manner and forms of the church of which he is a member.

(b) The commanders of vessels and naval activities to which chaplains are attached shall cause divine service to be performed on Sunday, whenever the weather and other circumstances allow it to be done; and it is earnestly recommended to all officers, seamen, and others in the naval service diligently to attend at every performance of the worship of Almighty God.

(c) All persons in the Navy and in the Marine Corps are enjoined to behave themselves in a reverent and becoming manner during divine service. (Aug. 10, 1956, ch. 1041, 70A Stat. 378; Aug. 7, 1959, Pub. L. 86-140, 73 Stat. 288.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------------------|---|
| 6031 (a)... | 34 U. S. C. 95. | R. S. 1397. |
| 6031 (b)... | 34 U. S. C. 266 (1st sentence). | May 5, 1950, ch. 169, § 7 (d) 64 Stat. 146. |
| 6031 (c).... | 34 U. S. C. 266 (2d sentence). | May 5, 1950, ch. 169, § 7 (e), 64 Stat. 146. |
| 6031 (d)... | 34 U. S. C. 96. | R. S. 1398. |

In subsection (c) the words "and in the Marine Corps" are added to execute the definition of "Navy" in section 1, article 1, of the act of May 5, 1950, ch. 169, 64 Stat. 146.

AMENDMENTS

1959—Subsec. (d) Pub. L. 86-140 repealed subsec. (d) which required each chaplain to report annually to the Secretary of the Navy the official services performed by him.

§ 6032. Indebtedness to Marine Corps Exchanges: payment from appropriated funds in certain cases.

Under regulations prescribed by the Secretary of the Navy, appropriations for the pay of the Marine Corps are available to pay any indebtedness to Marine Corps Exchanges of members of the Marine Corps who are discharged, who desert, or who are sentenced to prison. (Aug. 10, 1956, ch. 1041, 70A Stat. 378.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|--|
| 6032..... | 34 U. S. C. 725. | Aug. 2, 1946, ch. 756, § 28, 60 Stat. 857. |

The words "while in debt to the United States" are omitted as surplusage and to avoid the erroneous interpre-

ation that the provision authorizes the payment, out of appropriations, of debts other than to Marine Corps Exchanges.

§ 6033. Woman member: definition of dependents.

(a) Except as otherwise specifically provided, the husband of a woman member of the Regular Navy, the Regular Marine Corps, the Fleet Reserve or the Fleet Marine Corps Reserve may not be considered a dependent unless he is in fact dependent on his wife for his chief support, and the child of such a member may not be considered a dependent unless his father is dead or he is in fact dependent on his mother for his chief support.

(b) The husband of a woman member of the Naval Reserve or the Marine Corps Reserve may not be considered a dependent unless he is in fact dependent on his wife for over half of his support, and the child of such a member may not be considered a dependent unless he is in fact dependent on his mother for over half of his support. (Aug. 10, 1956, ch. 1041, 70A Stat. 378; Sept. 7, 1962, Pub. L. 87-649, § 6(f)(5), 76 Stat. 494; Sept. 7, 1962, Pub. L. 87-651, title 1, § 122, 76 Stat. 513.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 6033 (a)... | 34 U. S. C. 21e (1st proviso); 34 U. S. C. 43h (a) (1st proviso); 34 U. S. C. 105h; 34 U. S. C. 625h (a). | June 24, 1952, ch. 457 (1st proviso), 66 Stat. 155. Apr. 16, 1947, ch. 38, § 208 (a) (1st proviso), 61 Stat. 50. June 12, 1948, ch. 449, § 211, 62 Stat. 368. June 12, 1948, ch. 449, § 213 (a), 62 Stat. 368. July 9, 1952, ch. 608, § 414, 66 Stat. 500. |
| 6033 (b)... | 50 U. S. C. 1053 (less applicability to Coast Guard). | |

In subsection (a), the exception as to the Career Compensation Act of 1949, in 34 U. S. C. 21e (1st proviso), is made applicable to 34 U. S. C. 43h (a) (1st proviso) and 34 U. S. C. 105h, since the definition of "dependent" in section 102 (g) of the Career Compensation Act of 1949 (37 U. S. C. 231 (g)) superseded the proviso of 34 U. S. C. 105h and the first proviso of 34 U. S. C. 43h (a) for the purposes of that act. The words "the husband of a woman member of the Regular Navy, the Regular Marine Corps, the Fleet Reserve, or the Fleet Marine Corps Reserve" are substituted for the words "the husbands of officers of the Navy Nurse Corps" in 34 U. S. C. 43h (a) (1st proviso) and for the words "the husbands of women officers and enlisted personnel of the Regular Navy" in 34 U. S. C. 105h (proviso), and made applicable to the Marine Corps by 34 U. S. C. 625h (a). The applicability of 34 U. S. C. 21e (1st proviso) to reserve officers is omitted as superseded by 50 U. S. C. 1053.

34 U. S. C. 105h (less proviso) and 50 U. S. C. 1053 (less last sentence) are omitted as executed by this revised title, since distinctions between the applicability of laws to men and women are omitted except where the context requires otherwise.

For application of subsection (b) to the Coast Guard, see Distribution Tables.

AMENDMENTS

1962—Subsec. (a). Pub. L. 87-651 substituted "Except as otherwise specifically provided" for "Except for the purposes of sections 231—319 of title 37."

Pub. L. 87-649 substituted "the purposes of title 37" for "the purposes of sections 231—319 of title 37."

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment of section by Pub. L. 87-649 effective on Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

§ 6034. Regulations for retired pay based on service in the Reserve.

The Secretary of the Navy may prescribe regulations for the Navy and the Marine Corps to carry out chapter 67 of this title. (Aug. 10, 1956, ch. 1041, 70A Stat. 379.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|---------------------|---|
| 6034..... | 34 U. S. C. 440n. | June 29, 1948, ch. 708, § 307, 62 Stat. 1090. |

Chapter 557.—RATIONS

Sec.

6081. Navy ration: persons entitled to.
 6082. Navy ration: composition.
 6083. Fixing cost on certain vessels and stations.
 6084. Enlisted members assigned to mess: basic allowance for subsistence paid to mess.
 6085. Flight rations.
 6086. Subsistence in hospital messes; hospital ration.
 6087. Sale of meals by general messes.

§ 6081. Navy ration: persons entitled to.

(a) Except when entitled to a basic allowance for subsistence or to a per diem in place of subsistence, each enlisted member of the naval service is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.
 (b) Each midshipman is entitled to a Navy ration for each day that he is on active duty, including each day that he is on leave.
 (c) The Secretary of the Navy may prescribe regulations stating the conditions under which the ration shall be allowed under subsection (b). (Aug. 10, 1956, ch. 1041, 70A Stat. 379; Sept. 7, 1962, Pub. L. 87-649, § 5(c), 76 Stat. 494.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U. S. Code) | Source (Statutes at Large) |
|-----------------|--|--|
| 6081..... | 34 U. S. C. 901a (1st 2 sentences); 5 U. S. C. 421g (b). | Aug. 2, 1946, ch. 756, § 17 (a) (1st 2 sentences), 60 Stat. 855. Aug. 2, 1946, ch. 756, § 40 (b), 60 Stat. 858. |

So much of 34 U. S. C. 901a as authorizes a commuted ration for enlisted members of the naval service under conditions and at rates prescribed by the Secretary of the Navy is superseded by § 301 of the Career Compensation Act of 1949 (37 U. S. C. 251). That section established a basic allowance for subsistence for enlisted members entitled to basic pay who are not subsisting at Government expense and prescribes the conditions under which the basic allowance for subsistence shall be paid and the amount of the allowance. Pursuant to Executive Order No. 10119, March 30, 1950, 15 F. R. 1757, the Secretary of Defense is authorized to make supplemental regulations to carry out the provisions of § 301. The words "or to a per diem in place of subsistence" are inserted to reflect the subsistence allowance authorized by § 303 (a) of the Career Compensation Act of 1949 (37 U. S. C. 253a) to members in travel status.

In subsection (a) reference to the Coast and Geodetic Survey is omitted since there are no enlisted personnel in that service, and reference to the Coast Guard is omitted as covered by 14 U. S. C. 478.

In subsections (a) and (b) the words "or furlough therefrom" are omitted as surplusage, and the words "for each day" are inserted to make clear the fact that a ration is a daily allowance of food and that, in subsection (b), the commuted ration is credited on a daily basis.

The words "and cadets" are omitted as there are no cadets in the Navy or Marine Corps entitled to a Navy ration. Aviation cadets are entitled to the basic allowance for subsistence prescribed for officers (34 U. S. C. 850c).

In subsection (c) the words "prescribed by law" and "in accordance with law" are omitted as surplusage.

AMENDMENTS

1962—Subsec. (b). Pub. L. 87-649 eliminated provisions which permitted payment of the commuted value of the ration in money. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

Subsec. (c). Pub. L. 87-649 eliminated provisions which permitted the Secretary to prescribe regulations for the allowance of the commuted value of the ration. See section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment of section by Pub. L. 87-649 effective on Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

CROSS REFERENCES

Commuted value of ration, see section 422(b) of Title 37, Pay and Allowances of the Uniformed Services.

§ 6082. Navy ration: composition.

(a) The Navy ration consists of the following daily allowance of provisions:

- (1) Eight ounces of biscuit or twelve ounces of soft bread or twelve ounces of flour.
- (2) Twelve ounces of preserved meat or fourteen ounces of salt or smoked meat or twenty ounces of fresh meat, fish, or poultry.
- (3) Twelve ounces of dried vegetables or eighteen ounces of canned vegetables or forty-four ounces of fresh vegetables.
- (4) Four ounces of dried fruit or ten ounces of canned fruit or six ounces of preserved fruit or sixteen ounces of fresh fruit or six ounces of powdered fruit juices, or one ounce of concentrated fruit juices.
- (5) Two ounces of cocoa or two ounces of coffee or one-half ounce of tea.

(6) Four ounces of evaporated milk or one ounce of powdered milk or one-half pint of fresh milk.

- (7) One and six-tenths ounces of butter.
- (8) One and six-tenths ounces of cereal or rice or starch foods.

- (9) One-half ounce of cheese.
- (10) One and two-tenths eggs.
- (11) One and six-tenths ounces of lard or lard substitutes.
- (12) Two-fifths of a gill of oils or sauces or vinegar.
- (13) Five ounces of sugar.

(14) Such quantities of baking powder and soda, flavoring extracts, mustard, pepper, pickles, salt, sirup, spices, and yeast as required.

(b) Any article of the Navy ration may be issued in excess of the authorized quantity if there is an under issue of the same value in other articles.

(c) The Secretary of the Navy may increase the daily allowance of provisions on a vessel or station having an authorized complement of less than 150 men and subsisting on a ration allowance when, in his opinion, the vessel or station is operating under