

Public Law 90-235

AN ACT

To amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes.

January 2, 1968
[H. R. 8547]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Armed Forces.
Laws, simplifi-
cation.

ACTIVE DUTY

SECTION 1. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 39 is amended—

(A) by inserting the following new sections after section 671:

70A Stat. 27.

“§ 671a. Members: service extension during war

“Unless terminated at an earlier date by the Secretary concerned, the period of active service of any member of an armed force is extended for the duration of any war in which the United States may be engaged and for six months thereafter.

“§ 671b. Members: service extension when Congress is not in session

“(a) Notwithstanding any other provision of law, when the President determines that the national interest so requires, he may, if Congress is not in session, having adjourned sine die, authorize the Secretary of Defense to extend for not more than six months enlistments, appointments, periods of active duty, periods of active duty for training, periods of obligated service, or other military status, in any component of the Armed Forces of the United States, that expire before the thirtieth day after Congress next convenes or reconvenes.

“(b) An extension under this section continues until the sixtieth day after Congress next convenes or reconvenes or until the expiration of the period of extension specified by the Secretary of Defense, whichever occurs earlier, unless sooner terminated by law or Executive order;” and

(B) by inserting the following new item in the analysis thereof:

“671a. Members: service extension during war.”

“671b. Members: service extension when Congress is not in session.”

(2) Sections 3492 and 8492 are repealed.

Repeals.

(3) The analysis of chapter 341 is amended by striking out the following item:

“3492. Members: service extension during war.”

(4) The analysis of chapter 841 is amended by striking out the following item:

“8492. Members: service extension during war.”

(b) Chapter 341 of title 10, United States Code, is amended by repealing section 3493 and striking out the following item in the analysis:

Repeal.

“3493. Army Reserve: commissioned officers with Corps of Engineers.”

ENLISTMENTS

SEC. 2. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 31 is amended—

(A) by redesignating section 501 as section “502”;

(B) by inserting the following new sections:

76 Stat. 748.

“§ 501. Definition

“In this chapter ‘enlistment’ means original enlistment or reenlistment.

“* * * * *

“§ 503. Enlistments: recruiting campaigns

“The Secretary concerned shall conduct intensive recruiting campaigns to obtain enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, and Regular Coast Guard.

“§ 504. Persons not qualified

“No person who is insane, intoxicated, or a deserter from an armed force, or who has been convicted of a felony, may be enlisted in any armed force. However, the Secretary concerned may authorize exceptions, in meritorious cases, for the enlistment of deserters and persons convicted of felonies.

“§ 505. Regular components: qualifications, term, grade

“(a) The Secretary concerned may accept original enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, of qualified, effective, and able-bodied persons who are not less than seventeen years of age in the case of male persons and not less than eighteen years of age in the case of female persons, nor more than thirty-five years of age. However, no male person under eighteen years of age, or female person under twenty-one years of age, may be originally enlisted without the written consent of his parent or guardian, if he has a parent or guardian entitled to his custody and control.

“(b) A person is enlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard in the grade or rating prescribed by the Secretary concerned.

“(c) The Secretary concerned may accept original enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be—

“(1) of male persons for the duration of their minority or for a period of two, three, four, five, or six years; and

“(2) of female persons for a period of two, three, four, five, or six years.

“(d) In the Regular Army, female persons may be enlisted only in the Women’s Army Corps.

“(e) The Secretary concerned may accept reenlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, for periods of two, three, four, five, or six years. No enlisted member is entitled to be reenlisted for a period that would expire before the end of his current enlistment.

“§ 506. Regular components: extension of enlistments during war

“An enlistment in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard in effect at the beginning of a war, or entered into during a war, unless sooner terminated by the President, continues in effect until six months after the termination of that war.

“§ 507. Extension of enlistment for members needing medical care or hospitalization

“(a) An enlisted member of an armed force on active duty whose term of enlistment expires while he is suffering from disease or injury incident to service and not due to his misconduct, and who needs medical care or hospitalization, may be retained on active duty, with his consent, until he recovers to the extent that he is able to meet the physi-

cal requirements for reenlistment, or it is determined that recovery to that extent is impossible.

“(b) This section does not prevent the retention in service, without his consent, of an enlisted member of an armed force under section 972 of this title.

72 Stat. 1443.

“§ 508. Reenlistment: qualifications

“(a) No person whose service during his last term of enlistment was not honest and faithful may be reenlisted in an armed force. However, the Secretary concerned may authorize the reenlistment in the armed force under his jurisdiction of such a person if his conduct after that service has been good.

“(b) A person discharged from a Regular component may be reenlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, under such regulations as the Secretary concerned may prescribe.

“(c) This section does not deprive a person of any right to be reenlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard under any other provision of law.

“§ 509. Voluntary extension of enlistments: periods and benefits

“(a) Under such regulations as the Secretary concerned may prescribe, the term of enlistment of a member of an armed force may be extended or reextended with his written consent for any period. However, the total of all such extensions of an enlistment may not exceed four years.

“(b) When a member is discharged from an enlistment that has been extended under this section, he has the same rights, privileges, and benefits that he would have if discharged at the same time from an enlistment not so extended.

“* * * * *

“§ 518. Temporary enlistments

“Temporary enlistments may be made only in the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, without specification of component.

“§ 519. Temporary enlistments: during war or emergency

“Except as provided in section 505 of this title and except for enlistments as Reserves of an armed force—

Ante, p. 754.

“(1) temporary enlistments in an armed force entered into in time of war or of emergency declared by Congress shall be for the duration of the war or emergency plus six months; and

“(2) only persons at least eighteen years of age and otherwise qualified under regulations to be prescribed by the Secretary concerned are eligible for such enlistments.”; and

(C) by striking the following item out of the analysis:

70A Stat. 17.

“501. Enlistment oath: who may administer.”

and inserting the following new items in place thereof:

“501. Definition.

“502. Enlistment oath: who may administer.

“503. Enlistments: recruiting campaigns.

“504. Persons not qualified.

“505. Regular components: qualifications, term, grade.

“506. Regular components: extension of enlistments during war or national emergency.

“507. Extension of enlistment for members needing medical care or hospitalization.

"508. Reenlistment: qualifications.

"509. Voluntary extension of enlistments: periods and benefits.

"* * * * *

"518. Temporary enlistments.

"519. Temporary enlistments: during war or emergency."

(2) Chapter 333 is amended—

(A) by amending section 3253 to read as follows:

"§ 3253. Army: persons not qualified

"In time of peace, no person may be accepted for original enlistment in the Army unless he is a citizen of the United States or has been lawfully admitted to the United States for permanent residence under the applicable provisions of chapter 12 of title 8."

(B) by repealing sections 3252, 3254, 3255, 3256, 3262, and 3263; and

(C) by striking out the following items in the analysis:

"3252. Temporary enlistments.

"* * * * *

"3254. Army: during war or emergency.

"3255. Regular Army: recruiting campaigns.

"3256. Regular Army: qualifications, term, grade.

"* * * * *

"3262. Extension of enlistment for members needing medical care or hospitalization.

"3263. Voluntary extension of enlistment."

(3) Chapter 537 is amended by repealing sections 5531(a), 5532, 5533, 5534, 5537, 5538, and 5539 and by striking out the following items in the analysis:

"5532. Prohibited classes.

"5533. Minors.

"5534. Term: grade.

"* * * * *

"5537. Extension: during disability incident to service.

"5538. Extension: during war or national emergency.

"5539. Extension: voluntary, periods and benefits."

(4) Chapter 833 is amended—

(A) by amending section 8253 to read as follows:

"§ 8253. Air Force: persons not qualified

"In time of peace, no person may be accepted for original enlistment in the Air Force unless he is a citizen of the United States or has been lawfully admitted to the United States for permanent residence under the applicable provisions of chapter 12 of title 8."

(B) by repealing sections 8252, 8254, 8255, 8256, 8262, and 8263; and

(C) by striking out the following items in the analysis:

"8252. Temporary enlistments.

"* * * * *

"8254. Air Force: during war or emergency.

"8255. Regular Air Force: recruiting campaigns.

"8256. Regular Air Force: qualifications, term, grade.

"* * * * *

"8262. Extension of enlistment for members needing medical care or hospitalization.

"8263. Voluntary extension of enlistment."

(b) Chapter 537 of title 10, United States Code, is amended by repealing sections 5531(b) and 5535 and by striking out the following items in the analysis:

"5531. Recruiting campaigns: use of advertising agencies.

"* * * * *

"5535. Evidence of age required for certain enlistments of minors."

70 A Stat. 177;
75 Stat. 364.

66 Stat. 163.
8 USC 1101
note.
Repeals.
70 A Stat. 177;
72 Stat. 1465.

Repeals.
70 A Stat. 318.

Repeals.
70 A Stat. 503;
72 Stat. 1516.

Repeals.

(c) Section 906 of title 37, United States Code, is amended to read as follows:

76 Stat. 489.

“§ 906. Extension of enlistment: effect on pay and allowances

“A member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, who extends his enlistment under section 509 of title 10 is entitled to the same pay and allowances as though he had reenlisted. For the purposes of determining entitlement to reenlistment bonus or to travel and transportation allowances upon discharge, all such extensions of an enlistment are considered one continuous extension.”

Ante, p. 755.

DISCHARGE AND SEPARATION

SEC. 3. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 59 is amended—

70A Stat. 89;

(A) by adding the following new sections at the end thereof:

76 Stat. 508.

10 USC 1161-1168.

“§ 1169. Regular enlisted members: limitations on discharge

“No regular enlisted member of an armed force may be discharged before his term of service expires, except—

“(1) as prescribed by the Secretary concerned;

“(2) by sentence of a general or special court martial; or

“(3) as otherwise provided by law.

“§ 1170. Regular enlisted members: minority discharge

“Upon application by the parents or guardian of a regular enlisted member of an armed force to the Secretary concerned within 90 days after the member's enlistment, the member shall be discharged for his own convenience, with the pay and form of discharge certificate to which his service entitles him, if—

“(1) there is evidence satisfactory to the Secretary concerned that the member is under eighteen years of age; and

“(2) the member enlisted without the written consent of his parent or guardian.

“§ 1171. Regular enlisted members: early discharge

“Under regulations prescribed by the Secretary concerned and approved by the President, any regular enlisted member of an armed force may be discharged within three months before the expiration of the term of his enlistment or extended enlistment. A discharge under this section does not affect any right, privilege, or benefit that a member would have had if he completed his enlistment or extended enlistment, except that the member is not entitled to pay and allowances for the period not served.

“§ 1172. Enlisted members: during war or emergency; discharge

“A person enlisted under section 518 of this title may be discharged at any time by the President, or otherwise according to law.”; and

Ante, p. 755.

(B) by inserting the following items in the analysis:

“1169. Regular enlisted members: limitations on discharge.

“1170. Regular enlisted members: minority discharge.

“1171. Regular enlisted members: early discharge.

“1172. Enlisted members: during war or emergency; discharge.”

(2) Sections 3811(b), 3812, 3816, 6293, 6295, 8811(b), 8812, and 8816 are repealed.

Repeals.

70A Stat. 220.

(3) The analysis of chapter 361 is amended by striking out the following items:

“3812. Army enlisted members: during war or emergency; discharge.

“* * * * *

“3816. Regular enlisted members: minority discharge.”

(4) The analysis of chapter 569 is amended by striking out the following items:

"6293. Minors enlisted without consent of parent or guardian.

"* * * * *

"6295. Regular Navy : early discharge."

(5) The analysis of chapter 861 is amended by striking out the following items:

"8812. Air Force enlisted members : during war or emergency ; discharge.

"* * * * *

"8816. Regular enlisted members : minority discharge."

(b) Title 10, United States Code, is amended as follows:

Repeals.

70 A Stat. 197.

(1) Sections 3450, 3811(a), 3813, 3815, 6291, 6296, 6298, 6409, 8450, 8811(a), 8813, and 8815 are repealed.

(2) The analysis of chapter 339 is amended by striking out the following item:

"3450. Warrant officers : suspension of laws for promotion or mandatory retirement or separation during war or emergency."

(3) The analysis of chapter 361 is amended by striking out the following items:

"3811. Army enlisted members : discharge certificate ; limitations on discharge.

"* * * * *

"3813. Army enlisted members : dependency discharge.

"* * * * *

"3815. Regular enlisted members : resignation of members enlisted on career basis ; limitations."

(4) The analysis of chapter 569 is amended by striking out the following items:

"6291. Honorable discharges.

"* * * * *

"6296. Furlough without pay.

"6298. Authority to live at a receiving station after honorable discharge."

(5) The analysis of chapter 573 is amended by striking out the following item:

"6409. Navy and Marine Corps ; warrant officers : suspension of laws for mandatory retirement and separation during war or emergency."

(6) The analysis of chapter 839 is amended by striking out the following item:

"8450. Warrant officers : suspension of laws for promotion or mandatory retirement or separation during war or emergency."

(7) The analysis of chapter 861 is amended by striking out the following items:

"8811. Air Force enlisted members : discharge certificate ; limitations on discharge.

"* * * * *

"8813. Air Force enlisted members : dependency discharge.

"* * * * *

"8815. Regular enlisted members : resignation of members enlisted on career basis ; limitations."

(c) Members of the Army or the Air Force who, on the effective date of this Act, are serving under enlistments for unspecified periods under sections 3256(b) and 8256(b) of title 10, United States Code, shall continue in that status and shall be discharged therefrom in accordance with laws applicable to such discharges on the day before the effective date of this Act.

Ante, p. 756.

DETAILS AND DUTIES

SEC. 4. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 41 is amended—

(A) by inserting the following new section after section 711:

70 A Stat. 32.

“§ 711a. American National Red Cross: detail of commissioned officers

“(a) Commissioned officers of the Army, Navy, and Air Force may be detailed for duty with the American National Red Cross, by the Secretary of the military department concerned, as follows:

“(1) for duty with the Service to the Armed Forces Division—

“(A) one or more officers of the Army Medical Service;

“(B) one or more officers of the Medical Department of the Navy; and

“(C) one or more officers selected from among medical officers, dental officers, veterinary officers, medical service officers, nurses, and medical specialists of the Air Force; and

“(2) to be in charge of the first-aid department—

“(A) an officer of the Medical Corps of the Army;

“(B) an officer of the Medical Corps of the Navy; or

“(C) a medical officer of the Air Force.”; and

(B) by inserting the following new item in the analysis thereof:

“711a. American National Red Cross; detail of commissioned officers.”.

(2) Sections 3539 and 5987 are repealed.

Repeals.

(3) The analysis of chapter 343 is amended by striking out the following item:

“3539. American National Red Cross: detail of officers of Army Medical Service.”

(4) The analysis of chapter 553 is amended by striking out the following item:

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

(5) Chapter 49 is amended—

72 Stat. 1442.

(A) by adding the following new section:

10 USC 971,

972.

Post, p. 762.

“§ 973. Duties: regular officers; performance of civil functions restricted

“(a) No officer on the active list of the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard may accept employment if that employment requires him to be separated from his organization, branch, or unit, or interferes with the performance of his military duties.

“(b) Except as otherwise provided by law, no officer on the active list of the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard may hold a civil office by election or appointment, whether under the United States, a Territory or possession, or a State. The acceptance of such a civil office or the exercise of its functions by such an officer terminates his military appointment.”; and

(B) by adding the following new item at the end of the analysis:

“973. Duties: Regular officers; performance of civil functions restricted.”

(6) Sections 3544 and 8544 are repealed.

Repeals.

(7) Section 3017(b) is amended by striking out “3544(b)” and inserting in place thereof “973(b)”.

70 A Stat. 203, 527.

(8) Section 5036 is amended by adding the following new subsection:

80 Stat. 426.
5 USC 3347 and
notes.
Ante, p. 759.

“(c) Performance of the duties of the Secretary by the Chief of Naval Operations, the Vice Chief of Naval Operations, or any officer of the Navy or Marine Corps designated under section 6 of title 5 shall not be considered as the holding of a civil office within the meaning of section 973(b) of this title.”

(9) Section 8017(b) is amended by striking out “8544(b)” and inserting in place thereof “973(b)”.

(10) The analysis of chapter 343 is amended by striking out the following item:

“3544. Duties: regular officers; performance of civil functions restricted.”

(11) The analysis of chapter 843 is amended by striking out the following item:

“8544. Duties: regular officers; performance of civil functions restricted.”

Repeal.

(12) Section 6405 is repealed.

(13) The analysis of chapter 573 is amended by striking out the following item:

“6405. Effect of acceptance of appointment in Foreign Service.”

Repeals.

(b) Title 10, United States Code, is amended as follows:

(1) Sections 3538, 3545, 5984, 8537, and 8545 are repealed.

(2) The analysis of chapter 343 is amended by striking out the following items:

“3538. Geological Survey: detail of officers of Ordnance Corps.

“* * * * *

“3545. Duties: officers; superintendence of cooking for enlisted members.”

(3) The analysis of chapter 553 is amended by striking out the following item:

“5984. Military institutions and colleges: details as superintendents and instructors.”

(4) The analysis of chapter 843 is amended by striking out the following items:

“8537. Department of Commerce: detail in aid of civil aviation.

“* * * * *

“8545. Duties: officers; superintendence of cooking for enlisted members.”

RANK AND COMMAND

SEC. 5. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 43 is amended—

(A) by adding the following new sections at the end thereof:

“§ 747. Command: when different commands of Army, Navy, Air Force, Marine Corps, and Coast Guard join

“When different commands of the Army, Navy, Air Force, Marine Corps, and Coast Guard join or serve together, the officer highest in rank in the Army, Navy, Air Force, Marine Corps, or Coast Guard on duty there, who is otherwise eligible to command, commands all those forces unless otherwise directed by the President.

“* * * * *

“§ 749. Command: commissioned officers in same grade or corresponding grades on duty at same place

“(a) When the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, has on duty in the same area, field command, or organization two or more commissioned officers of the same grade who are otherwise eligible to command, the President may assign the command without regard to rank in that grade.

70A Stat. 33.
10 USC 741-
745.

"(b) When officers of the Army, Navy, Air Force, Marine Corps, or Coast Guard are on duty in the same area, field, command, or organization and two or more commissioned officers of different services, who are otherwise eligible to command, have the same grade or corresponding grades, the President may assign the command without regard to rank in that grade."; and

(B) by adding the following new items at the end of the analysis:

"747. Command: when different commands of Army, Navy, Air Force, Marine Corps and Coast Guard join.

"749. Command: commissioned officers in same grade or corresponding grades on duty at same place."

(2) Sections 3576, 3578, 5954, 8576, and 8578 are repealed.

Repeals.
70A Stat. 205.

(3) The analysis of chapter 345 is amended by striking out the following items:

"3576. Command: when different commands of Army and Marine Corps join.

"3578. Command: commissioned officers of Army in same grade on duty at same place."

(4) The analysis of chapter 551 is amended by striking out the following item:

"5954. Command: when different commands of Marine Corps and Army or Air Force join."

(5) The analysis of chapter 845 is amended by striking out the following items:

"8576. Command: when different commands of Air Force and Marine Corps join.

"8578. Command: commissioned officers of Air Force in same grade on duty at same place."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 5941, 5950, and 5953 are repealed.

Repeals.

(2) The analysis of chapter 551 is amended by striking out the following items:

"5941. Assignment to command: regulations.

"5950. Exemption from Supply Corps duties.

"5953. Executive officer: assignment; authority."

MISCELLANEOUS PROHIBITIONS AND PENALTIES

SEC. 6. (a) Title 10, United States Code, is amended as follows:

(1) Section 971 is amended by inserting the designation "(a)" before the words "The period of" and adding the following new subsection:

72 Stat. 1442.

"(b) In computing length of service for any purpose—

"(1) no officer of the Navy or Marine Corps may be credited with service as a midshipman at the United States Naval Academy or as a cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy, if he was appointed as a midshipman or cadet after March 4, 1913; and

"(2) no commissioned officer of the Army or Air Force may be credited with service as a midshipman at the United States Naval Academy or as a cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy, if he was appointed as a midshipman or cadet after August 24, 1912."

(2) Sections 3682, 6116, and 8682 are repealed.

Repeals.
70A Stat. 210.

(3) The analysis of chapter 353 is amended by striking out the following item:

"3682. Service credit: officers; service as cadet not counted."

(4) The analysis of chapter 559 is amended by striking out the following item:

"6116. Service credit: officers; service as midshipman or cadet not counted."

(5) The analysis of chapter 853 is amended by striking out the following item:

"8682. Service credit: officers; service as cadet not counted."

Ante, p. 759.

(6) Chapter 49 is amended—

(A) by adding the following new section:

"§ 974. Civilian employment: enlisted members

70A Stat. 388.

"Except as provided in section 6223 of this title no enlisted member of an armed force on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade, or profession."; and

(B) by adding the following new item at the end of the analysis:

"974. Civilian employment: enlisted members."

Repeals.

(7) Sections 3635, 6114, and 8635 are repealed.

(8) The analysis of chapter 349 is amended by striking out the following item:

"3635. Enlisted members: restriction on civilian employment."

(9) The analysis of chapter 559 is amended by striking out the following item:

"6114. Civilian employment: enlisted members."

(10) The analysis of chapter 849 is amended by striking out the following item:

"8635. Enlisted members: restriction on civilian employment."

MISCELLANEOUS RIGHTS AND BENEFITS

SEC. 7. (a) Title 10, United States Code, is amended as follows:

70A Stat. 3;
72 Stat. 1564.
"Dependent."

(1) Section 101 is amended by adding the following new clause:

"(36) 'Dependent', with respect to a female member of an armed force, does not include her husband, unless he is in fact dependent on her for his chief support, or her child, unless his father is dead or he is in fact dependent on her for his chief support."

70A Stat. 80;
79 Stat. 579.
10 USC 1031-
1040.

(2) Chapter 53 is amended—

(A) by adding the following new section:

"§ 1040. Replacement of certificate of discharge

"If satisfactory proof is presented that a person who was discharged honorably or under honorable conditions has lost his certificate of discharge from an armed force or that it was destroyed without his procurement or connivance, the Secretary concerned may give that person, or his surviving spouse, a certificate of that discharge, indelibly marked to show that it is a certificate in place of the lost or destroyed certificate. A certificate given under this section may not be accepted as a voucher for the payment of a claim against the United States for pay, bounty, or other allowance, or as evidence in any other case."; and

(B) by adding the following new item at the end of the analysis:

"1040. Replacement of certificate of discharge."

(3) Sections 3685, 3693, 6033, 8685, and 8693 are repealed.

(4) The analysis of chapter 353 is amended by striking out the following items:

"3685. Regular Army; Army Reserve: female members; definition of 'dependents'.

"3693. Replacement of certificate of discharge."

(5) The analysis of chapter 555 is amended by striking out the following item:

"6033. Woman member: definition of dependents."

(6) The analysis of chapter 853 is amended by striking out the following items:

"8685. Regular Air Force; Air Force Reserve: female members; definition of 'dependents'.

"8693. Replacement of certificates of discharge."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 3631, 3637, 3690, 6158, 8631, 8637, and 8690 are repealed.

(2) The analysis of chapter 349 is amended by striking out the following items:

"3631. Dealing in quartermaster supplies prohibited.

"3637. Enlisted members: forfeiture of right to pension by deserters."

(3) The analysis of chapter 353 is amended by striking out the following item:

"3690. Exemption from arrest for debt: enlisted members."

(4) The analysis of chapter 561 is amended by striking out the following item:

"6158. Exemption from arrest for debt: enlisted members of Marine Corps."

(5) The analysis of chapter 849 is amended by striking out the following items:

"8631. Dealing in quartermaster supplies prohibited.

"8637. Enlisted members: forfeiture of right to pension by deserters."

(6) The analysis of chapter 853 is amended by striking out the following item:

"8690. Exemption from arrest for debt: enlisted members."

THE UNIFORM

SEC. 8. Title 10, United States Code, is amended as follows:

(1) Chapter 45 is amended—

(A) by inserting the following new section after section 771:

"§ 771a. Disposition on discharge

"(a) Except as provided in subsections (b) and (c), when an enlisted member of an armed force is discharged, the exterior articles of uniform in his possession that were issued to him, other than those that he may wear from the place of discharge to his home under section 772(d) of this title, shall be retained for military use.

Repeals.
70A Stat. 211.

"(b) When an enlisted member of an armed force is discharged for bad conduct, undesirability, unsuitability, inaptitude, or otherwise than honorably—

"(1) the exterior articles of uniform in his possession shall be retained for military use;

"(2) under such regulations as the Secretary concerned prescribes, a suit of civilian clothing and an overcoat when necessary, both to cost not more than \$30, may be issued to him; and

"(3) if he would be otherwise without funds to meet his immediate needs, he may be paid an amount, fixed by the Secretary concerned, of not more than \$25.

"(c) When an enlisted member of the Army National Guard or the Air National Guard who has been called into Federal service is released from that service, the exterior articles of uniform in his possession shall be accounted for as property issued to the Army National Guard or the Air National Guard, as the case may be, of the State or territory, Puerto Rico, the Canal Zone, or the District of Columbia of whose Army National Guard or Air National Guard he is a member, as prescribed in section 708 of title 32.";

(B) by inserting the following new item in the analysis thereof:

"771a. Disposition on discharge."

(2) Chapters 347 and 847 are repealed.

(3) Section 6297 is repealed.

(4) The analysis of chapter 569 is amended by striking out the following item:

"6297. Disposition of uniform; clothing allowance; emergency funds."

(5) The chapter analysis of subtitle B and the chapter analysis of part II of subtitle B are each amended by striking out the following item:

"347. The Uniform----- 3611".

(6) The chapter analysis of subtitle D and the chapter analysis of part II of subtitle D are each amended by striking out the following item:

"847. The Uniform----- 8611".

Approved January 2, 1968.

Public Law 90-236

AN ACT

To amend title 37, United States Code, to authorize the nontemporary storage of household effects of members of a missing status.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 554 (b) of title 37, United States Code, is amended by adding the following new flush sentence:

"When he considers it necessary, the Secretary concerned may, with respect to the household and personal effects of a member who is officially reported as absent for a period of more than twenty-nine days in a missing status, authorize the nontemporary storage of those effects for a period of one year, or longer when justified."

Approved January 2, 1968.

70A Stat. 614.

Repeals.
10 USC 3611,
3612, 8611, 8612.
Repeal.

January 2, 1968
[H. R. 12961]

Uniformed services.
Members in missing status.
Household effects, storage.
80 Stat. 627.