



THE RANK AND FILE in the United States MILITARY DISTRICTS

“as it is internationally understood”

2000 Revision

Uniform Commercial Code(s) “UCC” = “uniformed services”

(“no more no less”)

UCC Repealed circa 2000

The “UCC” was REPEALED nationally circa 2000, inclusive of UCC Article 9 titled “Secured Transactions; Sales of Accounts and Chattel Paper”; UCC Article 6 titled: “Bulk Sales”; the dependent territorial / state administrative level “Estate Decedent Laws”, “Agricultural Lien Laws” and “Debtor / Creditor Laws”; were also REPEALED or VOIDED nationally.

UCC Dispositions

If the debtor defaults and does not file for bankruptcy, the UCC offers the creditor the choice of either suing the debtor in court or conducting a disposition by either public or private sale. UCC dispositions are designed to be held by private parties **without any judicial involvement**, although the debtor and other secured creditors of the debtor have the right to sue the creditor conducting the disposition if it is not conducted in a "commercially reasonable" fashion to maximize proceeds from the sale of the collateral. In some United States jurisdictions, \$100.00 is the highest bid. Yep --- truly --- \$100.00 (FRNs).

The General Service Agreement establishing the location of the Qualifying office will be subpoenaed if necessary, and the District Attorney f/k/a United States attorney for that region will be held personally liable.

Non-military “uniform services”

- The National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA Corps) is a uniformed branch of the National Oceanic and Atmospheric Administration (NOAA), which is under the **Department of Commerce**.
- The United States Public Health Service Commissioned Corps (PHSCC) is the uniformed personnel system of the United States Public Health Service, which is under the **Department of Health and Human Services**.

Uniformed service members operate under the Uniform Commercial Codes (UCC). Uniformed officers of NOAA and PHS are paid on the same scale as members of the armed services with respective rank and time-in-grade (W-1 to W-5).

Additionally, PHS Officers are covered by the Uniformed Services Employment and Reemployment Act and the Service Members Civil Relief Act (formerly the Soldiers and Sailors Civil Relief Act).

Furthermore, all seven uniformed services are subject to the provisions of 10 USC 1408, the Uniformed Services Former Spouses Protection Act (USFSPA).



United States Public Health Service Commissioned Corps

Statutory definition: The seven uniformed services are defined by 10 U.S.C. § 101(a)(5):

The term "**uniformed services**" means—

- (A) the armed forces;
- (B) the commissioned corps of the National Oceanic and Atmospheric Administration; and
- (C) **the commissioned corps of the Public Health Service.**

The U.S. Public Health Service Commissioned Corps (PHSCC) and the National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA Corps.) **exclusively** use a DCO program to commission their officers.

DCO and [the] UCC

A direct commission officer (DCO) is a United States uniformed officer, **i.e., an individual operating under the defunct Uniform Commercial Code**; who has received a commission without the typical prerequisites for achieving a commission, such as attending a four-year service academy, a four-year or two-year college ROTC program, or one of the officer candidate school or officer training school programs, the latter OCS/OTS programs typically slightly over three months in length.

PHS and NOAA consist of commissioned officers only and have no warrant officer ranks or enlisted ranks. The PHS traces its origins to a system of marine hospitals created by "An Act for the relief of sick and disabled seamen", passed by Congress in 1798; it adopted a military model of organization in 1871.

An officer is a member of an armed forces or uniformed service who holds a position of authority.

In its broadest sense, the term "officer" refers to commissioned officers, non-commissioned officers, and warrant officers. However, when used without further detail, the term almost always refers to only commissioned officers, the more senior portion of a force who derive their authority from a commission from the head of state.

Commissioned officers of the PHS and NOAA may be militarized by the President. Because they are commissioned officers, they can be classified as **prisoners of war** under the Geneva Conventions, if captured by a belligerent entity.

The commissioned corps may be militarized by the President. 42 USC 217 states:

In time of war, or of emergency involving the national defense proclaimed by the President, he may by Executive order declare the commissioned corps of the Service to be a military service. Upon such declaration, and during the period of such war or such emergency or such part thereof as the President shall prescribe, the commissioned corps (a) shall constitute a branch of the land and naval forces of the United States, (b) shall, to the extent prescribed by regulations of the President, be subject to the Uniform Code of Military Justice [10 U.S.C. 801 et seq.], and (c) shall continue to operate as part of the Service except to the extent that the President may direct as Commander in Chief.

A prisoner of war (**POW**) is a person, whether a combatant or a non-combatant, who is held captive by a belligerent power during or immediately after an armed conflict. The earliest recorded usage of the phrase "prisoner of war" dates back to 1610.

Belligerents hold prisoners of war in custody for a range of legitimate and illegitimate reasons, such as isolating them from enemy combatants still in the field (releasing and **repatriating** them in an orderly manner after hostilities),



demonstrating military victory, punishing them, prosecuting them for war crimes, exploiting them for their labor, recruiting or even conscripting them as their own combatants, collecting military and political intelligence from them, or indoctrinating them in new political or religious beliefs.

Ready Reserve Corps of the Public Health Service Commissioned Corps

The Affordable Care Act (ACA), signed by President Obama on 23 March 2010, established the Ready Reserve Corps as the new surge capacity for the Commissioned Corps of the U.S. Public Health Service.

In addition, all Reserve Corps officers who were serving on extended active duty on 23 March 2010, were converted to Regular Corps officers.

The same legislation also abolished the Inactive Reserve Corps (IRC) on 23 March 2010, and consequently the commissions of the existing 10,000 commissioned corps IRC officers.

The Office of Reserve Affairs (ORA) sent letters to those individuals, notifying them of their change of status. (But did they know what it meant?)

Congress established the Ready Reserve Corps to fulfill the need to have additional commissioned corps personnel available on short notice to assist Regular Corps personnel to meet both routine public health and emergency response missions. The Ready Reserve Corps officers will be available and ready for involuntary calls to active duty during national emergencies and public health crises.

Because of the changes in the law, a Ready Reserve Corps Working Integrated Project Team (WIPT) was convened in April 2010 to propose policy concepts, a strategic framework, and a budget for the Ready Reserve Corps. The WIPT submitted its final report to the Office of Commissioned Corps Force Management (OCCFM) in June 2010, and OCCFM forwarded the recommendations of the WIPT to the Assistant Secretary for Health for review and approval. As of late 2016, the directives and policies to implement the Ready Reserve await Secretarial decisions needed to implement the 2010 law.

Standards for appointment into the Ready Reserve Corps and related proposed directives and policies remain under review. ORA is not accepting applications for the Ready Reserve Corps at this time, but will begin accepting applications after the Secretary issues the implementing directives.

ORA, in collaboration with OCCFM and the Office of Commissioned Corps Operations, will continue to coordinate Ready Reserve Corps initiatives and communications.

Limited Duty Officer “LDO”

Limited duty officer: A limited duty officer (LDO) is an officer in the United States Navy or United States Marine Corps who was selected for commissioning based on skill and expertise, and is not required to have a bachelor's degree but still desired to have a degree.

LDOs do not attend a conventional pre-commissioning program such as a twelve- to fourteen-week Officer Candidate School program. Instead, they typically attend a four-to-five week LDO/CWO **indoctrination school as commissioned officers.**



In the U.S. Navy, this school was previously under the auspices of Naval Aviation Schools Command at NAS Pensacola, Florida. It is now known as the LDO/CWO Academy under the auspices of Officer Training Command at Naval Station Newport, Rhode Island. [*PRESIDENTIAL CANDIDATE BERNIE SANDERS JURISDICTION*].

Per Title 10, U.S. Code, an LDO is a permanent commissioned officer appointed under section 5589 in a permanent grade above chief warrant officer, W-5, and designated for limited duty.

Chief warrant officers (CWO) and limited duty officers (LDO) serve as occupational field experts.

U.S. Public Health Service (Commissioned Corps) Direct Commission Officers

The PHSCC Direct Commissioning Program allows university-educated professionals, between ages 19 to 45 (or older, in some cases), the opportunity to be appointed as an officer in the Public Health Service Commissioned Corps. Most PHSCC DCOs hold advanced degrees (DDSs, DMDs, MSs, MDs, DOs, PharmDs and Ph.Ds.) and significant civilian work experience, and the minimum in many programs is a master's degree from a duly accredited program. One of the fields requiring only a baccalaureate degree is engineering.

Commissioned officers generally receive training as leadership and management generalists, in addition to training relating to their specific **military occupational specialty** or function in the military.

The Direct Commissioning Program serves the expanded needs of the PHS in certain officer skill areas e.g: Physician; Dentist; Nurse; Pharmacist; Dietitian; Engineer; **Environmental health** officer; **Health services** officer; Scientist/researcher; Therapist (includes occupational therapy, physical therapy, registered respiratory therapist, speech-language pathology, and audiology); Veterinarian; Medical Technologist.

National Oceanic and Atmospheric Administration (NOAA)

National Oceanic and Atmospheric Administration [Commissioned Officer Corps] Direct Commission Officers "NOAA". The NOAA Corps Direct Commissioning Program allows university-educated professionals, between ages 19 to 35 (or older, in some cases), the opportunity to be appointed as an officer in the National Oceanic and Atmospheric Administration Commissioned Officer Corps. Many NOAA Corps DCOs hold advanced degrees (MS, MAs and Ph.Ds.) and significant civilian work experience, though the minimum requirement is a baccalaureate degree. The Direct Commissioning Program serves the expanded needs of the NOAA Corps in certain officer skill areas listed below:

The United States Navy has an extensive DCO program. It is important to distinguish between the Navy's active duty component staff corps school, called Officer Development School (ODS), and the Navy's reserve component Direct Commission Officer School (DCO School).

Commission

A commission is a formal document issued to appoint a named person to high office or as a commissioned officer in a territory's armed forces.

Commissions are typically issued in the name of or signed by the head of state. In Commonwealth realms other than the United Kingdom, they may be signed by the Governor-General, the representative of the monarch of that realm, who is also Commander-in-Chief in and over that realm, because the word "commission" can also refer generally to



an individual's duty, the more specific terms **commissioning** parchment or commissioning scroll are often used to specify the commissioning document. However the document is not usually in the form of a scroll and is more often printed on paper instead of parchment. In Canada, there is a differentiation in terminology according to rank; officers are accorded *commissioning scripts* whereas Chief Warrant Officers are accorded *scrolls*.

Notary Public

In US States, A person applying for a license to be a notary public receives a *commission*, generally indicating what political jurisdiction, i.e., U.S. state or District of Columbia issued it, when it is valid, usually four years from issue, and the signature of the issuing authorities, usually the Governor and countersigned by the Secretary of State.

United States

Article II, section 3, of the U.S. Constitution provides that the President "shall Commission all the Officers of the United States," including officers of the uniformed services as well as civilian officers.

Commissions of officers in the armed services are issued in the name of the President, although authority to sign on the President's behalf is generally exercised by the secretary of the department in which the officer is being commissioned.

This includes not only "commissioned officers" but also "commissioned warrant officers", e.g., **warrant officers in the pay grades of W-2 through W-5**.

Warrant officers at the grade of W-1 are appointed by warrant by the secretary of their respective service, except in the Coast Guard where they are appointed by secretarial commission.

The commission of a newly commissioned officer reads:

The President of the United States of America

To all who shall see these presents, greeting:

Know Ye that, reposing special trust and confidence in the patriotism, valor, fidelity and abilities of, I do appoint ["him" or "her"] a ["Second Lieutenant" or "Ensign"] in the [name of service] to rank as such from the day of This Officer will therefore carefully and diligently discharge the duties of the office to which appointed by doing and performing all manner of things thereunto belonging.

And I do strictly charge and require those Officers and other personnel of lesser rank to render such obedience as is due an officer of this grade and position. And this Officer is to observe and follow such orders and directives, from time to time, as may be given by me, or the future President of the United States of America, or other Superior Officers acting in accordance with the laws of the United States of America.

This commission is to continue in force during the pleasure of the President of the United States of America for the time being, under the provisions of those Public Laws relating to Officers of the Armed Forces of the United States of America and the component thereof in which this appointment is made.

Done at the City of Washington, this day of in the year of our Lord and of the Independence of the United States of America the



By the President:

At higher grade levels, appointments, including promotions, require Senate confirmation, and the wording of the commission reflects that fact: "... *I have nominated and, by and with the Advice and Consent of the Senate, do appoint...*"

The Constitutional requirement mentioned above, i.e., that the President commission all officers of the United States, includes a wide range of civilian officials, including: (1) justices of the Supreme Court and (2) other federal judges, (3) U.S. attorneys and (4) marshals, (5) the heads of executive departments, (6) subcabinet officials down to the level of assistant secretary, (7) diplomatic representatives, and (8) members of the Foreign Service, among others.

Commissions are issued in the name of the President, either under his own signature or that of an official expressly delegated to act on his behalf, and under either the great seal of the United States or, if prescribed by law, the seal of the department in which the appointment is made.

A typical commission for a Presidentially-appointed, Senate-confirmed civilian official in the Executive Branch would read:

John E. Doe

President of the United States of America:

To all to whom these presents shall come greeting: Know ye that reposing special trust and confidence in the Integrity and Ability of Rebecca Frances Roe of Kansas, I have nominated and, by and with the advice and consent of the Senate, do appoint her Secretary of Transportation and do authorize and empower her to execute and fulfill the duties of that Office according to law, and to have and to hold the said office with all the powers and privileges thereunto of right appertaining, unto her the said Rebecca Frances Roe during the pleasure of the President of the United States for the time being

In Testimony whereof I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Done at the City of Washington this second day of December in the Year of our Lord two thousand seventeen and of the Independence of the United States of America the two hundred and fortieth.

By the President [President's signature]

[Great Seal] [Secretary of State's signature]

For certain positions, other characteristics such as "prudence" (for ambassadors) or "wisdom, uprightness, and learning" (for judges) may be used in addition to or instead of "integrity and ability." If a position is for a fixed term of years or "during good behavior," the appropriate wording replaces the clause beginning "during the pleasure of the President."

Commissions of officers in the U.S. Foreign Service are also signed by the President. The commission of a newly commissioned officer reads:

The President of the United States of America

To (name of officer) Greeting



Reposing special trust and confidence in your Integrity, Prudence and Ability, I have nominated and, by and with the advice and consent of the Senate, do appoint you a Foreign Service Officer, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America, and do authorize and empower you to do and perform all such matters and things as to the said offices do appertain, and to have and to hold the said offices, and to exercise and enjoy all the rights, privileges and immunities thereunto appertaining, during the pleasure of the President of the United States.

In testimony whereof, I have caused the Seal of the United States to be hereunto affixed.

Done at the City of Washington this day of in the year of our Lord and of the Independence of the United States of America the

By the President (President's signature)

The commission is countersigned by the Secretary of State, and the singular Great Seal of the United States, entrusted to the Secretary under the 1789 statute creating the Department of State, is affixed.

Department of Commerce

Under all three names, the Corps has been an element of the Department of Commerce throughout its existence.

Take notice that 15 United States Code 43 established the Federal District Court of China in DC in 1943. ICAN made the "Department of Commerce" into Commerce, Inc., and the position of registrar was instituted. A "Registrar" is a designation under the supervision of the Secretary of Commerce and the China Trade Act says that "the official Registrar shall be in China." That Act was passed in 1922 to set up a Chinese Corporation (evidently to replace the District of Columbia Municipal Corporation) with an agent in DC., and 46 USC 12-101 established the details of this "Registrar - Registry" scheme, in which shares of the "domain name" are sold to investors around the world.

DoD Directive 1005.8

The order of precedence within the U.S. Department of Defense is set by DoD Directive 1005.8 and is not dependent on the date of creation by the U.S. Congress.

United States Department of Homeland Security (DHS) = the Admiralty / Maritime designation)

United States Coast Guard (USCG) = the Admiralty / Maritime designation): 4 August 1790

- ❖ Prior to 1967, the U.S. Coast Guard was a part of the U.S. Department of the Treasury.
- ❖ In 1967 it became a part of the U.S. Department of Transportation.
- ❖ In 2002 it was placed under the DHS.
- ❖ During time of war it may be transferred to the Department of the Navy, under the **Department of Defense**.

United States Department of Health and Human Services (HHS) = the Admiralty / Maritime designation)

United States Public Health Service Commissioned Corps (PHSCC) = the Admiralty / Maritime designation): 4 January 1889. The Corps is headed by the Surgeon General of the United States.



National Oceanic and Atmospheric Administration Commissioned Officer Corps (NOAA) Corps = the Admiralty / Maritime designation); 22 May 1917.

The NOAA Corps was created as the United States Coast and Geodetic Survey Corps, a component of the United States Coast and Geodetic Survey, on 22 May 1917.

- ❖ It was removed from the Coast and Geodetic Survey and became a component of the Environmental Science Services Administration (ESSA) as the United States Environmental Science Services Administration Commissioned Corps (ESSA Corps) upon the establishment of ESSA on 13 July 1965.
- ❖ The ESSA Corps became the NOAA Corps as a component of NOAA when ESSA was abolished and NOAA simultaneously was created on 3 October 1970.

END OF DOCUMENT