

1978—Pub. L. 95-485, title VIII, §820(c)(5), Oct. 20, 1978, 92 Stat. 1627, substituted “other branches” for “other branches; Women’s Army Corps” in item 3209 and struck out item 3215 “Regular Army: Women’s Army Corps; warrant officers on active list; enlisted members on active duty”.

1958—Pub. L. 85-861, §1(70), Sept. 2, 1958, 72 Stat. 1464, inserted “; Army Reserve; Army National Guard of United States” in item 3212, and added items 3217 to 3220 and 3230.

1957—Pub. L. 85-155, title I, §101(6), Aug. 21, 1957, 71 Stat. 376, substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” in item 3207.

§ 3201. Officers on active duty: minimum strength based on requirements

(a) The Secretary of the Army shall ensure that (beginning with fiscal year 1999) the strength at the end of each fiscal year of officers on active duty is sufficient to enable the Army to meet at least that percentage of the programmed manpower structure for officers for the active component of the Army that is provided for in the most recent Defense Planning Guidance issued by the Secretary of Defense.

(b) The number of officers on active duty shall be counted for purposes of this section in the same manner as applies under section 115(a)(1) of this title.

(c) In this section:

(1) The term “programmed manpower structure” means the aggregation of billets describing the full manpower requirements for units and organizations in the programmed force structure.

(2) The term “programmed force structure” means the set of units and organizations that exist in the current year and that is planned to exist in each future year under the then-current Future-Years Defense Program.

(Added Pub. L. 104-106, div. A, title V, §505(a)(1), Feb. 10, 1996, 110 Stat. 295.)

PRIOR PROVISIONS

A prior section 3201, acts Aug. 10, 1956, ch. 1041, 70A Stat. 172; Sept. 2, 1958, Pub. L. 85-861, §1(62), 72 Stat. 1462; Oct. 13, 1964, Pub. L. 88-647, title III, §301(4), 78 Stat. 1071, prescribed the authorized strength of the Army in members on active duty, exclusive of certain categories, and the authorized daily average strength of the Army in members on active duty during the fiscal year, exclusive of certain categories, prior to repeal by Pub. L. 96-513, title II, §202, title VII, §701, Dec. 12, 1980, 94 Stat. 2878, 2955, effective Sept. 15, 1981.

ASSISTANCE IN ACCOMPLISHING REQUIREMENT

Section 505(b) of Pub. L. 104-106 provided that: “The Secretary of Defense shall provide to the Army sufficient personnel and financial resources to enable the Army to meet the requirement specified in section 3201 of title 10, United States Code, as added by subsection (a).”

[§ 3202. Repealed. Pub. L. 101-510, div. A, title IV, § 403(b)(1)(A), Nov. 5, 1990, 104 Stat. 1545]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 172; Sept. 2, 1958, Pub. L. 85-861, §1(63), 72 Stat. 1463; Dec. 28, 1967, Pub. L. 90-228, §1(1), (2), 81 Stat. 745; Dec. 12, 1980, Pub. L. 96-513, title II, §203(a), 94 Stat. 2878, related to authorized strength of Army in general officers on active duty.

[§§ 3203 to 3207. Repealed. Pub. L. 96-513, title II, § 202, Dec. 12, 1980, 94 Stat. 2878]

Section 3203, acts Aug. 10, 1956, ch. 1041, 70A Stat. 173; Sept. 2, 1958, Pub. L. 85-861, §1(64), 72 Stat. 1463, pre-

scribed authorized strength of Regular Army in members on active duty, exclusive of officers candidates.

Section 3204, acts Aug. 10, 1956, ch. 1041, 70A Stat. 173, Aug. 6, 1958, Pub. L. 85-600, §1(2), 72 Stat. 522; Oct. 30, 1978, Pub. L. 95-551, §2, 92 Stat. 2069, prescribed authorized strength of Regular Army in commissioned officers of active list.

Section 3205, acts Aug. 10, 1956, ch. 1041, 70A Stat. 173; Aug. 6, 1958, Pub. L. 85-600, §1(3), 72 Stat. 522; Sept. 2, 1958, Pub. L. 85-861, §1(60), (65), 72 Stat. 1462, 1463; Oct. 30, 1978, Pub. L. 95-551, §2, 92 Stat. 2069, prescribed authorized strength of Regular Army in commissioned officers on active list, exclusive of certain categories.

Section 3206, acts Aug. 10, 1956, ch. 1041, 70A Stat. 173; Aug. 21, 1957, Pub. L. 85-155, title I, §101(4), 71 Stat. 376; Nov. 8, 1967, Pub. L. 90-130, §1(9)(A), (B), 81 Stat. 375, prescribed authorized strength of Regular Army Nurse Corps in commissioned officers on active list of Regular Army.

Section 3207, acts Aug. 10, 1956, ch. 1041, 70A Stat. 173; Aug. 21, 1957, Pub. L. 85-155, title I, §101(5), 71 Stat. 376; Nov. 8, 1967, Pub. L. 90-130, §1(9)(C), (D), 81 Stat. 375, prescribed authorized strength of Army Medical Specialist Corps in commissioned officers on active list of Regular Army.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

[§ 3209. Repealed. Pub. L. 96-513, title II, § 202, Dec. 12, 1980, 94 Stat. 2878]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 174; Sept. 2, 1958, Pub. L. 85-861, §1(60), 72 Stat. 1462; Nov. 8, 1967, Pub. L. 90-130, §1(9)(E), 81 Stat. 375; Oct. 20, 1978, Pub. L. 95-485, title VIII, §820(c)(1), (2), 92 Stat. 1627, prescribed, with exception of Army Nurse Corps and Army Medical Specialist Corps, the authorized strength of each branch in commissioned officers on active list of Regular Army.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

§ 3210. Regular Army: strength in grade; general officers

(a) Subject to section 526 of this title, the authorized strength of the Regular Army in general officers on the active-duty list is 75/10,000 of the authorized strength of the Regular Army in commissioned officers on the active-duty list.

(b) The authorized strength of each of the following branches—

- (1) each corps of the Army Medical Department; and
- (2) the Chaplains;

in general officers on the active-duty list of the Regular Army is 5/1,000 of the authorized strength of the branch concerned in commissioned officers on the active-duty list of the Regular Army. Not more than one-half of the authorized strength in general officers in such a branch may be in a regular grade above brigadier general.

(c) When the application of the percentages and ratios specified in this section results in a fraction, a fraction of one-half or more is counted as one, and a fraction of less than one-half is disregarded.

(Aug. 10, 1956, ch. 1041, 70A Stat. 174; Pub. L. 85-861, §1(66), Sept. 2, 1958, 72 Stat. 1463; Pub. L.