

(9) The Chief of Army Reserve.

(10) Other members of the Army assigned or detailed to the Army Staff.

(11) Civilian employees of the Department of the Army assigned or detailed to the Army Staff.

(c) Except as otherwise specifically prescribed by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and have such titles, as the Secretary may prescribe.

(Aug. 10, 1956, ch. 1041, 70A Stat. 150; Pub. L. 93-547, Dec. 26, 1974, 88 Stat. 1742; Pub. L. 93-608, §1(6), Jan. 2, 1975, 88 Stat. 1968; Pub. L. 98-525, title V, §515, Oct. 19, 1984, 98 Stat. 2522; Pub. L. 99-433, title V, §502(a), Oct. 1, 1986, 100 Stat. 1039.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3031(a)	10:21a(a).	June 28, 1950, ch. 383, §201, 64 Stat. 265.
3031(b)	10:21a(b).	
3031(c)	10:21a(c).	
3031(d)	10:21a(d).	

In subsection (a), the words “an Army Staff consisting of—” are substituted for the words “a staff, which shall be known as the Army Staff, and which shall consist of—”. The words “under regulations prescribed by the Secretary of the Army” are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions.

In subsection (c), the third sentence is substituted for 10:21a(c) (1st 13 words and 1st proviso). The words “officers and employees * * * or under the jurisdiction of” are omitted as surplusage.

In subsections (c) and (d), the word “hereafter” is omitted, since all wars and emergencies declared by Congress before June 24, 1950, have been terminated.

In subsection (d), the second sentence is substituted for 10:21a(d) (last 31 words of 1st sentence). The third sentence is substituted for 10:21a(d) (2d sentence). 10:21a(d) (1st 13 words of last sentence) is omitted as executed. The words “This subsection does not apply” are substituted for the words “and shall be in applicable”.

AMENDMENTS

1986—Pub. L. 99-433 amended section generally, substituting “The Army Staff: function; composition” for “Composition: assignment and detail of members of Army and civilians” in section catchline and substituting in text provisions relating to establishment and composition of the Army Staff and authorizing the Secretary to prescribe the organization, duties, and titles of the Army Staff for provisions relating to establishment and composition of the Army Staff, authorizing the Secretary to prescribe the organization, duties, and titles of the Army Staff and authorizing part of the Army Staff to be designated as the Army General Staff, and limiting the number of officers who may be assigned or detailed to permanent duty in the executive part of the Department of the Army and on or with the Army General Staff.

1984—Subsec. (d). Pub. L. 98-525 struck out subsec. (d) which provided that no commissioned officer who was assigned or detailed to duty in the executive part of the Department of the Army could serve for a tour of duty of more than four years, but that the Secretary could extend such a tour of duty if he made a special finding that the extension was necessary in the public interest, that no officer could be assigned or detailed to duty in the executive part of the Department of the Army within two years after relief from that duty, except upon a special finding by the Secretary that the assignment or detail was necessary in the public interest, and

that the subsection did not apply in time of war, or of national emergency declared by Congress.

1975—Subsec. (c). Pub. L. 93-608 struck out requirement of quarterly report to Congress on the number of officers in the executive part of the Department of the Army and the number of commissioned officers on or with the Army General Staff and the justification therefor.

1974—Subsec. (a)(3). Pub. L. 93-547 increased the number of Deputy Chiefs of Staff from three to four.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-525, title V, §515, Oct. 19, 1984, 98 Stat. 2522, provided that the amendment made by that section is effective Oct. 1, 1984.

§ 3032. The Army Staff: general duties

(a) The Army Staff shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army and to the Chief of Staff of the Army.

(b) Under the authority, direction, and control of the Secretary of the Army, the Army Staff shall—

(1) subject to subsections (c) and (d) of section 3014 of this title, prepare for such employment of the Army, and for such recruiting, organizing, supplying, equipping (including those aspects of research and development assigned by the Secretary of the Army), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Army, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

(2) investigate and report upon the efficiency of the Army and its preparation to support military operations by combatant commands;

(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

(4) as directed by the Secretary or the Chief of Staff, coordinate the action of organizations of the Army; and

(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 161; Pub. L. 85-599, §4(g), Aug. 6, 1958, 72 Stat. 517; Pub. L. 99-433, title V, §502(b), Oct. 1, 1986, 100 Stat. 1040.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3032(a)	10:21e(a).	June 28, 1950, ch. 383, §205, 64 Stat. 266.
3032(b)	10:21e(b).	

In subsection (a), the word “furnish” is substituted for the word “render”.

In subsection (b)(1), the words “power, duty, or function of” are substituted for the words “power vested in, duty imposed upon, or function assigned to”.

In subsection (b)(2), the words “all questions affecting” and “state of” are omitted as surplusage.

AMENDMENTS

1986—Pub. L. 99-433, §502(b)(3), substituted “The Army Staff: general duties” for “General duties” in section catchline.

Subsec. (a). Pub. L. 99-433, §502(b)(1), inserted “and to the Chief of Staff of the Army”.

Subsec. (b). Pub. L. 99-433, §502(b)(2), substituted “authority, direction, and control of the Secretary of the

Army” for “direction and control of the Secretary” in introductory provisions, inserted “subject to subsections (c) and (d) of section 3014 of this title,” and substituted “(including those aspects of research and development assigned by the Secretary of the Army), training, servicing, mobilizing, demobilizing, administering, and maintaining” for “, training, serving, mobilizing, and demobilizing” in cl. (1), substituted “to support military operations by combatant commands” for “for military operations” in cl. (2), and amended cl. (4) generally. Prior to amendment, cl. (4) read as follows: “act as agent of the Secretary and the Chief of Staff in coordinating the action of all organizations of the Department of the Army; and”.

1958—Subsec. (b)(1). Pub. L. 85-599 substituted “prepare for such employment of the Army” for “prepare such plans for the national security, for employment of the Army for that purpose, both separately and in conjunction with the naval and air forces”.

§ 3033. Chief of Staff

(a)(1) There is a Chief of Staff of the Army, appointed for a period of four years by the President, by and with the advice and consent of the Senate, from the general officers of the Army. He serves at the pleasure of the President. In time of war or during a national emergency declared by Congress, he may be reappointed for a term of not more than four years.

(2) The President may appoint an officer as Chief of Staff only if—

(A) the officer has had significant experience in joint duty assignments; and

(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(f) of this title) as a general officer.

(3) The President may waive paragraph (2) in the case of an officer if the President determines such action is necessary in the national interest.

(b) The Chief of Staff, while so serving, has the grade of general without vacating his permanent grade.

(c) Except as otherwise prescribed by law and subject to section 3013(f) of this title, the Chief of Staff performs his duties under the authority, direction, and control of the Secretary of the Army and is directly responsible to the Secretary.

(d) Subject to the authority, direction, and control of the Secretary of the Army, the Chief of Staff shall—

- (1) preside over the Army Staff;
- (2) transmit the plans and recommendations of the Army Staff to the Secretary and advise the Secretary with regard to such plans and recommendations;
- (3) after approval of the plans or recommendations of the Army Staff by the Secretary, act as the agent of the Secretary in carrying them into effect;
- (4) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Army as the Secretary determines;
- (5) perform the duties prescribed for him by section 171 of this title and other provisions of law; and
- (6) perform such other military duties, not otherwise assigned by law, as are assigned to

him by the President, the Secretary of Defense, or the Secretary of the Army.

(e)(1) The Chief of Staff shall also perform the duties prescribed for him as a member of the Joint Chiefs of Staff under section 151 of this title.

(2) To the extent that such action does not impair the independence of the Chief of Staff in the performance of his duties as a member of the Joint Chiefs of Staff, the Chief of Staff shall inform the Secretary regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Army.

(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief of Staff shall keep the Secretary of the Army fully informed of significant military operations affecting the duties and responsibilities of the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 162, §3034; Pub. L. 85-599, §4(a), Aug. 6, 1958, 72 Stat. 516; Pub. L. 87-651, title I, §114, Sept. 7, 1962, 76 Stat. 513; Pub. L. 90-22, title IV, §401, June 5, 1967, 81 Stat. 53; Pub. L. 96-513, title V, §502(2), Dec. 12, 1980, 94 Stat. 2909; Pub. L. 97-22, §10(b)(4), July 10, 1981, 95 Stat. 137; renumbered §3033 and amended Pub. L. 99-433, title V, §502(c), Oct. 1, 1986, 100 Stat. 1040; Pub. L. 100-456, div. A, title V, §519(a)(3), Sept. 29, 1988, 102 Stat. 1972.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3034(a)	10:21b (1st sentence).	June 28, 1950, ch. 383,
3034(b)	10:21b (less 1st sentence).	§§202, 204, 64 Stat. 266.
3034(c)	10:21d(a) (1st 9 words).	June 3, 1916, ch. 134, §5
	10:21d(b) (2d sentence).	(last par.), added June
	10:21d(c).	15, 1933, ch. 87, §2 (last
3034(d)	10:21d(a) (less 1st 9 words).	par.), 48 Stat. 154.
	10:21d(b) (less 2d sentence).	
	10:38 (last par.).	

In subsection (a), the words “not for” are substituted for the words “no person shall serve as Chief of Staff for a term of”.

In subsection (b), the words “so serving” are substituted for the words “holding office as such”. The words “regular or reserve” are substituted for the word “permanent”, since there are no other “permanent” grades. The words “in the Army” are omitted as surplusage. The words “and shall take rank as prescribed by law” are omitted as covered by section 743 of this title. The words “He shall receive the compensation prescribed by law” are omitted as covered by the Career Compensation Act of 1949, 63 Stat. 802 (37 U.S.C. 231 et seq.).

In subsection (c), the provisions of 10:21d relating to the direction of the Secretary of the Army over the Chief of Staff are combined. The words “and of subsection (c) of this section” and “state of” are omitted as surplusage.

In subsection (d), 10:38 (last par.) is omitted as covered by 10:21d(a). The words “by sections 1a-1g, 19, 21a-21h, 61-1, 81-1, 231a and 316-1 of this title and section 181-3 to 181-5 of Title 5” are omitted as covered by the words “other provisions of law”.

1962 ACT

The changes correct references to section 202(j) of the National Security Act of 1947, which is now set out as section 124 of title 10.