

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3067	10:81-1 (less last sentence).	June 28, 1950, ch. 383, § 307 (less last sentence), 64 Stat. 270.

The words “authorized by sections 21f and 21h, respectively, of this title” are omitted as surplusage. 10:81-1 (2d sentence) is omitted as covered by section 3064 of this title.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3067(8)	10 App.:81-1.	Aug. 9, 1955, ch. 654, § 3(a), 69 Stat. 579.

AMENDMENTS

1968—Pub. L. 90-329 substituted “Army Medical Department” for “Army Medical Service”.

1958—Pub. L. 85-861 substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” in cl. (8).

AUGMENTATION OF ARMY MEDICAL DEPARTMENT BY DETAILING RESERVE OFFICERS OF PUBLIC HEALTH SERVICE

Pub. L. 106-398, § 1 [[div. A], title VII, § 755(a), (b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-197, provided that:

“(a) AUTHORITY.—The Secretary of the Army and the Secretary of Health and Human Services may jointly conduct a program to augment the Army Medical Department by exercising any authorities provided to those officials in law for the detailing of reserve commissioned officers of the Public Health Service not in an active status to the Army Medical Department for that purpose.

“(b) AGREEMENT.—The Secretary of the Army and the Secretary of Health and Human Services shall enter into an agreement governing any program conducted under subsection (a).”

§ 3068. Medical Service Corps: organization; Chief and assistant chiefs

There is a Medical Service Corps in the Army. The Medical Service Corps consists of—

(1) the Chief of the Medical Service Corps, who shall be appointed by the Secretary of the Army from among the officers of the Medical Service Corps whose regular grade is above captain;

(2) the assistant chiefs of the Medical Service Corps, who shall be designated by the Surgeon General from officers in that Corps and who shall be his consultants on activities relating to their sections;

(3) commissioned officers of the Regular Army appointed therein;

(4) other members of the Army assigned thereto by the Secretary of the Army; and

(5) the following sections—

(A) the Administrative Health Services Section;

(B) the Medical Allied Sciences Section;

(C) the Preventive Medicine Sciences Section;

(D) the Clinical Health Sciences Section; and

(E) other sections considered necessary by the Secretary of the Army.

(Added Pub. L. 89-603, § 1(1), Sept. 24, 1966, 80 Stat. 846; amended Pub. L. 97-295, § 1(37), Oct. 12,

1982, 96 Stat. 1296; Pub. L. 111-383, div. A, title V, § 594, Jan. 7, 2011, 124 Stat. 4234.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3068(a)	10:81-1 (last sentence, less 5th through 14th words). 10:156a (less 2d sentence).	June 28, 1950, ch. 383, § 307 (last sentence, less 5th through 14th words), 64 Stat. 270.
3068(b)	10:156b.	Aug. 4, 1947, ch. 459, § 101 (less 2d sentence).
3068(c)	10:156d.	102(a), (b), 61 Stat. 734, 735; Mar. 23, 1954, ch. 103, 68 Stat. 30.

In subsection (a), 10:156a (1st 20 words) is omitted as superseded by section 3067 of this title, which establishes the Medical Service Corps in the Army Medical Service. 10:156a (last 16 words of 1st sentence) is omitted as superseded by section 3012(e) of this title, which authorizes the Secretary of the Army to prescribe the duties of members of the Army. 10:81-1 (last sentence, less 5th through 14th words) is omitted as surplusage.

In subsection (b), the words “of the Regular Army in that corps whose regular grade is above captain” are substituted for the words “commissioned in the Medical Service Corps, Regular Army, in the permanent grade of major or above”. The words “If he holds a lower regular grade” are substituted for the words “if commissioned in permanent grade below colonel”. The words “is entitled” are substituted for the words “shall * * * have”. The words “ranks above” are substituted for the words “shall be superior in rank”.

In subsection (c), the words “is the Surgeon General’s consultant” are substituted for the words “who shall be consultants to him”.

PRIOR PROVISIONS

A prior section 3068, acts Aug. 10, 1956, ch. 1041, 70A Stat. 168; Sept. 7, 1962, Pub. L. 87-649, § 6(a)(1), 76 Stat. 494, contained substantially the same provisions as the present section but placed the upper limit for the rank of officers of the Medical Service Corps at colonel, prior to repeal by Pub. L. 89-603.

AMENDMENTS

2011—Par. (5)(A). Pub. L. 111-383, § 594(1), substituted “Administrative Health Services” for “Pharmacy, Supply, and Administration”.

Par. (5)(C). Pub. L. 111-383, § 594(2), substituted “Preventive Medicine Sciences” for “Sanitary Engineering”.

Par. (5)(D). Pub. L. 111-383, § 594(3), substituted “Clinical Health Sciences” for “Optometry”.

1982—Par. (5). Pub. L. 97-295 redesignated cls. (a), (b), (c), (d), and (e) as subpars. (A), (B), (C), (D), and (E), respectively.

§ 3069. Army Nurse Corps: composition; Chief and assistant chief; appointment; grade

(a) The Army Nurse Corps consists of the Chief and assistant chief of that corps and other officers in grades prescribed by the Secretary of the Army.

(b) The Secretary of the Army shall appoint the Chief from the officers of the Regular Army in that corps whose regular grade is above lieutenant colonel and who are recommended by the Surgeon General. An appointee who holds a lower regular grade shall be appointed in the regular grade of major general. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed to the same position.

(c) The Surgeon General shall appoint the assistant chief from the officers of the Regular Army in that corps whose regular grade is above

lieutenant colonel. The assistant chief serves during the pleasure of the Surgeon General, but not for more than four years and may not be reappointed to the same position.

(Aug. 10, 1956, ch. 1041, 70A Stat. 168; Pub. L. 85-155, title I, §101(1), Aug. 21, 1957, 71 Stat. 375; Pub. L. 87-649, §6(b)(1), Sept. 7, 1962, 76 Stat. 494; Pub. L. 89-609, §1(1), Sept. 30, 1966, 80 Stat. 852; Pub. L. 90-130, §1(8)(A), Nov. 8, 1967, 81 Stat. 374; Pub. L. 104-201, div. A, title V, §502(a), Sept. 23, 1996, 110 Stat. 2511; Pub. L. 107-314, div. A, title V, §504(a)(1), Dec. 2, 2002, 116 Stat. 2531.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3069	10:81-1 (5th through 8th words of last sentence). 10:166(a) (words of last sentence before proviso). 10:166(b).	June 28, 1950, ch. 383, §307 (5th through 8th words of last sentence), 64 Stat. 270. Apr. 16, 1947, ch. 38 §§101(a) (words of last sentence before proviso), 101(b), 61 Stat. 41.

The words "officers of the Regular Army in that corps" are substituted for the words "officers permanently commissioned in such Army Nurse Corps". The words "but not for more than" are substituted for the words "for a term not to exceed", in 10:166(a). The words "vacating her regular grade" are substituted for the words "vacation of her permanent grade".

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-314 substituted "major general" for "brigadier general".

1996—Pub. L. 104-201, §502(a)(3), inserted "; grade" at end of section catchline.

Subsec. (b). Pub. L. 104-201, §502(a)(1), substituted "lieutenant colonel" for "major" in first sentence, inserted "An appointee who holds a lower regular grade shall be appointed in the regular grade of brigadier general." after first sentence, and inserted "to the same position" before period at end of last sentence.

Subsec. (c). Pub. L. 104-201, §502(a)(2), substituted "lieutenant colonel" for "major".

1967—Pub. L. 90-130 divided existing provisions into subsecs. (a), (b), and (c), made minor changes in phraseology, inserted provision for the appointment and service of an assistant chief, struck out limitation restricting membership in the Corps to grades of second lieutenant through colonel, and struck out provision entitling the Chief to the temporary grade of colonel while serving as Chief.

1966—Pub. L. 89-609 combined third and fourth sentences, substituting "and" for period at end of third sentence and introductory word "She" to fourth sentence, and substituted "the regular grade held, the Chief" for "her regular grade, she" in fifth sentence.

1962—Pub. L. 87-649 struck out provisions which authorized the pay and allowances of a colonel for Chief of the Army Nurse Corps.

1957—Pub. L. 85-155 substituted "second lieutenant through colonel" for "second lieutenant through lieutenant colonel", "major" for "captain", and "entitled to the temporary grade and the pay and allowances of a colonel while so serving and ranks above all other colonels in that corps" for "entitled to the rank, pay and allowances of a colonel so serving".

EFFECTIVE DATE OF 1962 AMENDMENT

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

SHORT TITLE

Pub. L. 85-155, title I, §105, Aug. 21, 1957, 71 Stat. 381, provided that: "This title [amending this section and

sections 3070, 3206, 3207, 3288, 3291, 3296 to 3299, 3304, 3305, 3888, 3915, 3916, 3927, and 3991 of this title] may be cited as the 'Army Nurse and Medical Specialist Act of 1957'."

SAVINGS PROVISION

Pub. L. 85-155, title I, §104, Aug. 21, 1957, 71 Stat. 380, provided that:

"(a) This Act [amending this section and sections 3070, 3206, 3207, 3288, 3291, 3296 to 3299, 3304, 3305, 3888, 3915, 3916, 3927, 3991, 5140, 5444, 5449, 5702, 5707, 5708, 5753, 5762, 5773, 5775, 5776, 5782, 6377 to 6379, 6381, 6388, 6395, 6396, 8206, 8207, 8212, 8285 to 8288, 8297, 8298 to 8301, 8303, 8305, 8888, 8915, 8927 and 8991 of this title, and repealing sections 3881, 3882, 3887, 3912, 3928, 8291, 8304, 8881, 8882, 8887, 8912 and 8928 of this title] does not affect the appointment of an officer of the Army Nurse Corps, Regular Army, or the Army Medical Specialist Corps, Regular Army, on the active list on the effective date of this Act [Aug. 21, 1957].

"(b) This Act does not affect the retired status or retired pay of a person retired under section 108, Army-Navy Nurses Act of 1947, as amended, or any other law.

"(c) An officer of the Army Nurse Corps, Regular Army, or the Army Medical Specialist Corps, Regular Army, on the active list on the effective date of this Act [Aug. 21, 1957] does not lose any years of service creditable to her on that date for promotion, computation of basic pay, or other purposes, by the enactment of this Act.

"(d) Notwithstanding any other provision of law, an officer of the Army Nurse Corps, Regular Army, or the Army Medical Specialist Corps, Regular Army, who is on a recommended list for promotion to a higher regular grade on the effective date of this Act [Aug. 21, 1957] may, if nominated by the President and confirmed by the Senate, be promoted to that grade.

"(e) Notwithstanding any other provision of law, an officer of the Army Nurse Corps, Regular Army, or the Army Medical Specialist Corps, Regular Army, who, on the effective date of this Act [Aug. 21, 1957], has been nominated by the President and confirmed by the Senate for appointment to any regular grade, may be appointed in that grade."

AUTHORITY TO SUSPEND MANDATORY RETIREMENT, DISCHARGE, SEPARATION, OR TRANSFER FROM ACTIVE STATUS

Pub. L. 90-130, §4(a), Nov. 8, 1967, 81 Stat. 383, authorized the Secretary of the Army to suspend the operation of any provision of law relating to the mandatory retirement, discharge, separation, or transfer from an active status of an officer of the Army Nurse Corps, Army Medical Specialist Corps, or Woman's Army Corps for a period of five years following Nov. 8, 1967.

AUTHORITY OF MILITARY DEPARTMENT SECRETARIES TO CONVENE BOARDS TO RECOMMEND DEFERMENT OF RETIREMENT OR SEPARATION OF NURSES

Pub. L. 90-130, §4(f), Nov. 8, 1967, 81 Stat. 384, authorized until July 1, 1972, when the needs of the service required, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force to convene annually boards of officers to consider officers of the Army Nurse Corps, officers of the Navy Nurse Corps, or Air Force nurses, respectively, who otherwise would be required to be retired or separated under this Act within the calendar or fiscal year in which the board is convened. Upon the recommendation of such a board, the Secretary concerned could defer the separation or retirement of such an officer for a term of not more than five years, unless recommended for further deferment by a subsequent board of officers, and in any case not beyond the month following her attaining age sixty or July 1, 1976, whichever was earlier.

§ 3070. Army Medical Specialist Corps: organization; Chief and assistant chiefs

(a) The Army Medical Specialist Corps consists of the Chief and assistant chiefs of that