

## AMENDMENTS

1986—Pub. L. 99-433 renumbered section 3040 of this title as this section and substituted “section 3036” for “sections 3036 and 3039” in subsec. (a).

1978—Subsec. (b). Pub. L. 95-485 inserted provision establishing the Assistant Surgeon General as Chief of the Dental Corps and making him responsible for recommendations to the Surgeon General and through the Surgeon General to the Chief of Staff on all matters concerning dentistry and dental health of the Army.

**[§ 3040. Repealed. Pub. L. 103-337, div. A, title IX, § 904(b)(1), Oct. 5, 1994, 108 Stat. 2827]**

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 159, § 3015; Aug. 6, 1958, Pub. L. 85-599, § 12, 72 Stat. 521; renumbered § 3040, Oct. 1, 1986, Pub. L. 99-433, title V, § 501(a)(1), 100 Stat. 1034; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(a)(1), 102 Stat. 2059, related to National Guard Bureau, Chief of Bureau, appointment and acting Chief. See sections 10501, 10502, and 10505 of this title.

## EFFECTIVE DATE OF REPEAL

Repeal effective at end of 90-day period beginning on Oct. 5, 1994, see section 904(d) of Pub. L. 103-337, set out as an Effective Date note under section 10501 of this title.

## CHAPTER 307—THE ARMY

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## AMENDMENTS

2002—Pub. L. 107-314, div. A, title V, § 504(b)(2), Dec. 2, 2002, 116 Stat. 2531, added item 3084.

1997—Pub. L. 105-85, div. A, title V, § 596(b), Nov. 18, 1997, 111 Stat. 1766, added item 3083.

1996—Pub. L. 104-201, div. A, title V, § 502(c)(1), Sept. 23, 1996, 110 Stat. 2511, substituted “Chief and assistant chief; appointment; grade” for “chief and assistant chief; appointment” in item 3069.

1994—Pub. L. 103-337, div. A, title X, § 1070(a)(16), title XVI, § 1672(b)(1), Oct. 5, 1994, 108 Stat. 2856, 3015, struck out items 3076 “Army Reserve: composition”, 3077 “Army National Guard of United States: composition”, 3078 “Army National Guard: when a component of Army”, 3079 “Army National Guard of United States: status when not in Federal service”, and 3080 “Army National Guard of the United States: authority of officers with respect to Federal status”, struck out “3082.” before “Army” in item 3082, and then struck out item 3082 “Army National Guard combat readiness reform: annual report”.

1993—Pub. L. 103-160, div. A, title V, § 521(b), Nov. 30, 1993, 107 Stat. 1655, added item 3082.

1980—Pub. L. 96-513, title V, § 502(3), Dec. 12, 1980, 94 Stat. 2909, struck out item 3066 “Generals and lieutenant generals”.

1978—Pub. L. 95-485, title VIII, §§ 805(b)(2), 820(b), Oct. 20, 1978, 92 Stat. 1622, 1627, struck out item 3071 “Women's Army Corps: Director; Deputy Director; other positions” and added item 3081.

1968—Pub. L. 90-329, June 4, 1968, 82 Stat. 170, substituted “Army Medical Department” for “Army Medical Service” in item 3067.

1967—Pub. L. 90-130, § 1(8)(D), Nov. 8, 1967, 81 Stat. 375, substituted “composition; chief and assistant chief” for “Chief” in item 3069.

1960—Pub. L. 86-603, § 1(2)(B), July 7, 1960, 74 Stat. 357, added item 3080.

1957—Pub. L. 85-155, title I, § 101(3), Aug. 21, 1957, 71 Stat. 376, substituted “Army Medical Specialist Corps” for “Women's Medical Specialist Corps” in item 3070.

## § 3061. Regulations

The President may prescribe regulations for the government of the Army.

(Aug. 10, 1956, ch. 1041, 70A Stat. 165.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3061 .....	10:16.	July 15, 1870, ch. 294, § 20, 16 Stat. 319; Mar. 1, 1875, ch. 115, 18 Stat. 337.

The word “prescribe” is substituted for the words “make and publish”. 10:16 (last 35 words) is omitted as surplusage.

**§ 3062. Policy; composition; organized peace establishment**

(a) It is the intent of Congress to provide an Army that is capable, in conjunction with the other armed forces, of—

(1) preserving the peace and security, and providing for the defense, of the United States, the Commonwealths and possessions, and any areas occupied by the United States;

(2) supporting the national policies;

(3) implementing the national objectives; and

(4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.

(b) In general, the Army, within the Department of the Army, includes land combat and service forces and such aviation and water transport as may be organic therein. It shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations on land. It is responsible for the preparation of land forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Army to meet the needs of war.

(c) The Army consists of—

(1) the Regular Army, the Army National Guard of the United States, the Army National Guard while in the service of the United States and the Army Reserve; and

(2) all persons appointed or enlisted in, or conscripted into, the Army without component.

(d) The organized peace establishment of the Army consists of all—

- (1) military organizations of the Army with their installations and supporting and auxiliary elements, including combat, training, administrative, and logistic elements; and
- (2) members of the Army, including those not assigned to units;

necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency.

(Aug. 10, 1956, ch. 1041, 70A Stat. 166; Pub. L. 109-163, div. A, title X, §1057(a)(6), Jan. 6, 2006, 119 Stat. 3441.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3062(a) .....	10:20.	July 10, 1950, ch. 454, § 2, §101, 64 Stat. 321.
3062(b) .....	5:181-1(e).	July 26, 1947, ch. 343, §205(e), 61 Stat. 501.
3062(c) .....	10:1b.	June 28, 1950, ch. 383, §301, 64 Stat. 268; July 9, 1952, ch. 608, §807(b), 66 Stat. 508.
3062(d) .....	10:20i. 50:1021.	July 9, 1952, ch. 608, §301, 66 Stat. 498.

In subsection (a), 10:20 (1st 19 words) is omitted as surplusage. The word “Commonwealth” is inserted to reflect the present status of Puerto Rico. The words “any areas occupied by the United States” are substituted for the words “occupied areas wherever located”.

In subsection (c), the words “consists of” are substituted for the word “includes”.

In subsection (c)(1), the words “the Army National Guard while in the service of the United States” are substituted for the words “all persons serving in the Army under call \* \* \* under any provision of law, including members of the National Guard of the several States, Territories, and the District of Columbia when in the service of the United States pursuant to call as provided by law”. 10:1b (words between 1st and 3d semicolons) and 50:1021 (last sentence) are omitted, since the components listed include their members.

In subsection (c)(2), the words “or inducted” are omitted as covered by the word “conscripted”.

In subsection (d), 10:20i (8th through 38th words) is omitted as surplusage. The words “consists of all” are substituted for the words “shall include all of”. The words “members of the Army” are substituted for the word “personnel”.

#### AMENDMENTS

2006—Subsec. (a)(1). Pub. L. 109-163 substituted “Commonwealths and possessions” for “Territories, Commonwealths, and possessions”.

#### § 3063. Basic branches

(a) The Secretary of the Army may assign members of the Army to its basic branches. The basic branches are—

- (1) Infantry;
- (2) Armor;
- (3) Artillery;
- (4) Corps of Engineers;
- (5) Signal Corps;
- (6) Adjutant General’s Corps;
- (7) Quartermaster Corps;
- (8) Finance Corps;
- (9) Ordnance Corps;
- (10) Chemical Corps;
- (11) Transportation Corps;
- (12) Military Police Corps; and

(13) such other basic branches as the Secretary considers necessary.

(b) The Secretary may discontinue or consolidate basic branches of the Army for the duration of any war, or of any national emergency declared by Congress.

(c) The Secretary may not assign to a basic branch any commissioned officer appointed in a special branch.

(Aug. 10, 1956, ch. 1041, 70A Stat. 166.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3063(a) .....	10:1g(a) (less words of 1st sentence after semicolon, and less last sentence).	June 28, 1950, ch. 383, §306(a), 64 Stat. 269.
3063(b) .....	10:1g(a) (last sentence).	
3063(c) .....	10:1g(a) (words of 1st sentence after semicolon).	

In subsection (a), the words “The basic branches are” are substituted for the words “There shall be in the Army certain branches, which shall be known as basic branches of the Army” and “The basic branches of the Army shall be”.

In subsection (b), the words “enumerated in this subsection” are omitted as surplusage. The word “hereafter” is omitted, since all wars and emergencies declared by Congress before June 29, 1950, have been terminated.

In subsection (c), the words “and commissioned” are omitted as covered by the word “appointed”. The words “specified in subsection (b) of this section” are omitted as surplusage. The word “commissioned” is inserted before the word “officer”, for clarity.

#### PHILIPPINE SCOUTS

Act Aug. 10, 1956, ch. 1041, §42, 70A Stat. 636, provided that: “The President is authorized to form the Philippine Scouts into such branches and tactical units as he may deem expedient, within the limit of strength prescribed by law, organized similarly to those of the Regular Army.”

#### § 3064. Special branches

(a) The special branches of the Army consist of commissioned officers of the Regular Army appointed therein, other members of the Army assigned thereto by the Secretary of the Army, and the sections prescribed in this chapter. The special branches are—

- (1) each corps of the Army Medical Department;
- (2) the Judge Advocate General’s Corps;
- (3) the Chaplains; and
- (4) such other special branches as may be established by the Secretary of the Army under subsection (b).

(b) The Secretary of the Army may establish special branches for the Army and may assign commissioned officers (other than officers of the Regular Army) and members to such branches.

(c) Commissioned officers of the Regular Army may be appointed in a special branch, but the Secretary may not assign any officer of the Regular Army to a special branch.

(Aug. 10, 1956, ch. 1041, 70A Stat. 167; Pub. L. 90-329, June 4, 1968, 82 Stat. 170; Pub. L. 96-513, title II, §231, Dec. 12, 1980, 94 Stat. 2886; Pub. L. 97-22, §5(a), July 10, 1981, 95 Stat. 128.)