

§ 7069. 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. 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, § 3069; 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; Pub. L. 114-328, div. A, title V, § 502(o), Dec. 23, 2016, 130 Stat. 2103; renumbered § 7069, Pub. L. 115-232, div. A, title VIII, § 808(a), Aug. 13, 2018, 132 Stat. 1838.)

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

2018—Pub. L. 115-232 renumbered section 3069 of this title as this section.

2016—Subsec. (b). Pub. L. 114-328 struck out second sentence which read as follows: “An appointee who holds a lower regular grade shall be appointed in the regular grade of major general.”

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 phrase-

ology, 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 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

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.”

§ 7070. Army Medical Specialist Corps: organization; Chief

(a) The Army Medical Specialist Corps consists of the Chief of that corps, other officers in grades prescribed by the Secretary of the Army, and the following sections:

- (1) The Dietitian Section.
- (2) The Physical Therapist Section.
- (3) The Occupational Therapist Section.
- (4) The Physician Assistant Section.
- (5) The Chiropractic Section.

(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 captain and who are recommended by the Surgeon General. The Chief serves during the pleasure of the Secretary, but not for more than four years, and may not be reappointed.

(c) Chiropractors who are qualified under regulations prescribed by the Secretary of the Army may be appointed as commissioned officers in the Chiropractic Section of the Army Medical Specialist Corps.

(Aug. 10, 1956, ch. 1041, 70A Stat. 169, §3070; Pub. L. 85-155, title I, §101(2), Aug. 21, 1957, 71 Stat. 375; Pub. L. 87-649, §6(b)(2), (3), Sept. 7, 1962, 76 Stat. 494; Pub. L. 89-609, §1(2), (3), Sept. 30, 1966, 80 Stat. 852; Pub. L. 90-130, §1(8)(B), Nov. 8, 1967, 81 Stat. 374; Pub. L. 102-190, div. A, title V, §551(a), Dec. 5, 1991, 105 Stat. 1370; Pub. L. 102-484, div. A, title V, §505(a), Oct. 23, 1992, 106 Stat. 2404; Pub. L. 114-328, div. A, title V, §502(p)(1), (2), Dec. 23, 2016, 130 Stat. 2103; renumbered §7070, Pub. L. 115-232, div. A, title VIII, §808(a), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3070(a)	10:81-1 (9th through 14th words of last sentence). 10:166a(a) (less 2d sentence; and less last sentence, as applicable to strength).	June 28, 1950, ch. 383, §307 (9th through 14th words of last sentence), 64 Stat. 270. Apr. 16, 1947, ch. 38, §102(a) (less 2d sentence; and less last sentence, as applicable to strength), 102(b), 61 Stat. 42.
3070(b)	10:166a(b).	

In subsection (a), 10:166a(a) (1st 20 words of 1st sentence) is omitted as superseded by section 3067 of this title, which establishes the Women’s Medical Specialist Corps in the Army Medical Service. 10:166a(a) (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.

In subsection (b), the words “officers of the Regular Army in that corps” are substituted for the words “officers permanently commissioned in such Women’s Medical Specialist Corps”. The words “vacating her regular grade” are substituted for the words “vacation of her permanent grade”.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3070 of this title as this section.

2016—Pub. L. 114-328, §502(p)(2), amended section catchline generally, substituting “Army Medical Spe-

cialist Corps: organization; Chief” for “Army Medical Specialist Corps: organization; Chief and assistant chiefs”.

Subsec. (a). Pub. L. 114-328, §502(p)(1)(A), struck out “and assistant chiefs” after “consists of the Chief” in introductory provisions.

Subsecs. (c), (d). Pub. L. 114-328, §502(p)(1)(B), (C), redesignated subsec. (d) as (c) and struck out former subsec. (c) which read as follows: “The Surgeon General shall appoint up to five assistant chiefs from officers of the Regular Army in that corps whose regular grade is above captain. Each assistant chief is the chief of a section of that corps. An 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.”

1992—Subsec. (a)(5). Pub. L. 102-484, §505(a)(1), added par. (5).

Subsec. (c). Pub. L. 102-484, §505(a)(2), substituted “up to five assistant chiefs” for “four assistant chiefs”.

Subsec. (d). Pub. L. 102-484, §505(a)(3), added subsec. (d).

1991—Subsec. (a). Pub. L. 102-190, §551(a)(1), (2), substituted “sections:” for “sections—”, substituted “The” for “the” and a period for the concluding semicolon in par. (1), substituted “The” for “the” and a period for “; and” in par. (2), substituted “The” for “the” in par. (3), and added par. (4).

Subsec. (c). Pub. L. 102-190, §551(a)(3), substituted “four assistant chiefs” for “three assistant chiefs” in first sentence.

1967—Subsec. (a). Pub. L. 90-130 removed limitation restricting membership in the Corps to officers in grades of second lieutenant through colonel and inserted provisions authorizing the Secretary of the Army to prescribe the grades of officers comprising the Corps.

Subsec. (b). Pub. L. 90-130 struck out provision entitling the Chief to the temporary grade of colonel while serving, ranking above all other colonels in the Corps.

Subsec. (c). Pub. L. 90-130 struck out provisions entitling each assistant chief to the temporary grade of lieutenant colonel while so serving, ranking above all other lieutenant colonels in the section.

1966—Subsec. (b). Pub. L. 89-609, §1(2), combined second and third sentences, substituting “; and” for period at end of second sentence and introductory word “She” to third sentence, and substituted “the regular grade held, the Chief” for “her regular grade, she” in fourth sentence.

Subsec. (c). Pub. L. 89-609, §1(3), combined second and third sentences, substituting “; and” for period at end of second sentence and introductory word “She” to third sentence, substituted “An assistant chief” for “She” in fourth sentence, and in fifth sentence substituted “the regular grade held” and “in the section” for “her regular grade” and “in her section”, respectively, and struck out “and the pay and allowances” before “of a lieutenant colonel”.

1962—Subsec. (b). Pub. L. 87-649, §6(b)(2), struck out provisions which authorized the pay and allowances of a colonel for Chief of the Army Medical Specialist Corps.

Subsec. (c). Pub. L. 87-649, §6(b)(3), struck out provisions which authorized the pay and allowances of a lieutenant colonel for each assistant chief of the Army Medical Specialist Corps.

1957—Pub. L. 85-155 substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” in section catchline.

Subsec. (a). Pub. L. 85-155 substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” and “colonel” for “major”.

Subsec. (b). Pub. L. 85-155 struck out provisions which related to assistant chiefs which are now covered by subsec. (c) of this section, substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps”, required the chief to be above the regular grade of captain, prohibited service for more than four years and reappointment, and provided that the chief shall rank above all other colonels in the corps.