

after renumbering by Pub. L. 115-232 to reflect the probable intent of Congress.

2003—Pub. L. 108-136, div. A, title V, §576(a)(2), Nov. 24, 2003, 117 Stat. 1487, added item for chapter 375.

1994—Pub. L. 103-337, div. A, title XVI, §1672(a), Oct. 5, 1994, 108 Stat. 3015, struck out items for chapters 337 “Appointments as Reserve Officers”, 361 “Separation for Various Reasons”, and 363 “Separation or Transfer to Retired Reserve”.

1980—Pub. L. 96-513, title V, §502(1), Dec. 12, 1980, 94 Stat. 2909, struck out item for chapter 359 “Separation from Regular Army for Substandard Performance of Duty”, item for chapter 360 “Separation from Regular Army for Moral or Professional Dereliction or in Interests of National Security”, and item for chapter 365 “Retirement for Age”.

1968—Pub. L. 90-377, §3, July 5, 1968, 82 Stat. 288, struck out item for chapter 351 “United States Disciplinary Barracks”.

Pub. L. 90-235, §8(5), Jan. 2, 1968, 81 Stat. 764, struck out item for chapter 347 “The Uniform”.

1960—Pub. L. 86-616, §§2(b), 3(b), July 12, 1960, 74 Stat. 388, 390, substituted “Substandard Performance of Duty” for “Failure to Meet Standards” in item for chapter 359 and added item for chapter 360.

1958—Pub. L. 85-861, §1(95), Sept. 2, 1958, 72 Stat. 1487, substituted “3841” for “[No present sections]” in item for chapter 363.

## CHAPTER 711—STRENGTH

Sec.

7101. Officers on active duty: minimum strength based on requirements.

7110. Regular Army: strength in grade; general officers.

### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 331 of this title as this chapter and items 3201 and 3210 as 7101 and 7110, respectively.

1996—Pub. L. 104-106, div. A, title V, §505(a)(2), Feb. 10, 1996, 110 Stat. 296, added item 3201.

1994—Pub. L. 103-337, div. A, title XVI, §1672(b)(2), Oct. 5, 1994, 108 Stat. 3015, struck out items 3212 “Army Reserve; Army National Guard of the United States: strength in grade; temporary increases”, 3217 “Reserves: commissioned officers in active status”, 3218 “Reserves: strength in grade; general officers in active status”, 3219 “Reserves: strength in grade; commissioned officers in grades below brigadier general in active status”, 3220 “Reserve officers: distribution”, 3221 “Army Reserve”, 3222 “Army Reserve, exclusive of members on active duty”, 3223 “Army Reserve: warrant officers”, 3224 “Army National Guard of United States”, and 3225 “Army National Guard and Army National Guard of United States, exclusive of members on active duty”.

1990—Pub. L. 101-510, div. A, title IV, §403(b)(1)(B), Nov. 5, 1990, 104 Stat. 1545, struck out item 3202 “Army: strength in grade; general officers”.

1980—Pub. L. 96-513, title V, §502(4), Dec. 12, 1980, 94 Stat. 2909, struck out item 3201 “Army: members on active duty”, substituted “strength in grade; general officers” for “officers in certain commissioned grades” in item 3202, struck out items 3203 “Regular Army: members on active duty”, 3204 “Regular Army: commissioned officers on active list”, 3205 “Regular Army: commissioned officers on active list, exclusive of certain categories”, 3206 “Regular Army: commissioned officers on active list; Army Nurse Corps”, 3207 “Regular Army: commissioned officers on active list; Army Medical Specialist Corps”, 3209 “Regular Army: commissioned officers on active list; other branches”, and 3211 “Regular Army: strength in grade; promotion-list officers”, substituted “Army Reserve; Army National Guard of the United States: strength in grade; temporary increases” for “Regular Army; Army Reserve; Army National Guard of United States: strength in

grade; temporary increases” in item 3212, and struck out items 3213 “Regular Army: warrant officers on active list”, 3214 “Regular Army: enlisted members on active duty”, 3216 “Corps of Engineers: enlisted members on active duty”, and 3230 “Personnel detailed outside Department of Defense”.

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.

### § 7101. Officers on active duty: minimum strength based on requirements

(a) The Secretary of the Army shall ensure that 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, §3201; amended Pub. L. 112-239, div. A, title X, §1076(f)(37), Jan. 2, 2013, 126 Stat. 1954; renumbered §7101, Pub. L. 115-232, div. A, title VIII, §808(b)(1), Aug. 13, 2018, 132 Stat. 1838.)

### PRIOR PROVISIONS

Prior sections 7101 to 7104 were renumbered sections 8591 to 8594 of this title, respectively.

### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3201 of this title as this section.

2013—Subsec. (a). Pub. L. 112-239 struck out “(beginning with fiscal year 1999)” after “shall ensure that”.

### 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.

### ASSISTANCE IN ACCOMPLISHING REQUIREMENT

Pub. L. 104-106, div. A, title V, §505(b), Feb. 10, 1996, 110 Stat. 296, as amended by Pub. L. 115-232, div. A, title VIII, §809(b)(5), Aug. 13, 2018, 132 Stat. 1840, provided