

effect of failure of promotion”, 3299 “Commissioned officers: promotion to captain, major, or lieutenant colonel”, 3300 “Commissioned officers: promotion to captain, major, or lieutenant colonel; selection board procedure”, 3302 “Commissioned officers: Medical, Dental, and Veterinary Corps: promotion to captain, major, or lieutenant colonel; professional examination”, 3303 “Commissioned officers: effect of failure of promotion to captain, major, or lieutenant colonel”, 3305 “Commissioned officers: promotion to colonel”, 3306 “Commissioned officers: promotion to brigadier general”, 3307 “Commissioned officers: promotion to major general”, 3308 “Commissioned officers: effect of removal from recommended list by President or failure of confirmation by Senate”, 3309 “Commissioned officers: physical examination for promotion”, 3312 “Officers: acceptance of promotion”, 3313 “Suspension of laws for promotion or mandatory retirement or separation during war or emergency”, and 3314 “Commissioned officers: promotion not to be delayed by another appointment”.

1978—Pub. L. 95-485, title VIII, § 820(d)(5), Oct. 20, 1978, 92 Stat. 1627, struck out item 3311 “Officers: female; limitations on appointment”.

1967—Pub. L. 90-130, § 1(10)(C), (E), Nov. 8, 1967, 81 Stat. 375, struck out item 3304 “Commissioned officers; Army Nurse Corps and Army Medical Specialist: promotion to lieutenant colonel or colonel”, and struck out “other than officers in Army Nurse Corps and Army Medical Specialist Corps” after “Commissioned officers” in item 3305.

1958—Pub. L. 85-861, § 1(79)(B), Sept. 2, 1958, 72 Stat. 1468, added item 3314.

1957—Pub. L. 85-155, title I, § 101(9), (15), (17), Aug. 21, 1957, 71 Stat. 377, 379, substituted “Army Medical Specialist Corps” for “Women’s Medical Specialist Corps” in item 3291, “Army Medical Specialist” for “Women’s Medical Specialist Corps” and “promotion to lieutenant colonel or colonel” for “promotion to first lieutenant, captain, major, or lieutenant colonel” in item 3304, and “Commissioned officers other than officers in Army Nurse Corps and Army Medical Specialist Corps” for “Commissioned officers” in item 3305.

§ 7151. Commissioned officer grades

The commissioned grades in the Regular Army are:

- (1) Major general.
- (2) Brigadier general.
- (3) Colonel.
- (4) Lieutenant colonel.
- (5) Major.
- (6) Captain.
- (7) First lieutenant.
- (8) Second lieutenant.

(Aug. 10, 1956, ch. 1041, 70A Stat. 181, § 3281; renumbered § 7151, Pub. L. 115-232, div. A, title VIII, § 808(b)(3), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|----------------------------|--|
| 3281 | 10:506(a) (last 24 words). | Aug. 7, 1947, ch. 512, § 502(a) (last 24 words), 61 Stat. 884. |

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3281 of this title as this section.

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.

§ 7152. General officers: title of office

An officer holding an appointment as a general officer in the Regular Army may be called a general officer in the Regular Army. In addition, a general officer of the Regular Army in the Medical Corps, Dental Corps, Veterinary Corps, Judge Advocate General’s Corps, or the Chaplains, may be called a general officer of that branch.

(Aug. 10, 1956, ch. 1041, 70A Stat. 181, § 3282; renumbered § 7152, Pub. L. 115-232, div. A, title VIII, § 808(b)(3), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|-------------------------------|---|
| 3282 | 10:506(b) (less 2d sentence). | Aug. 7, 1947, ch. 512, § 502(b) (less 2d sentence), 61 Stat. 884. |

The words “may be called” are substituted for the words “shall be known as” and “may be specifically referred to”. The words “of that branch” are substituted for the enumeration of branches.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3282 of this title as this section.

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.

§ 7153. Commissioned officers: appointment without specification of branch; transfer between branches

(a) Appointments in commissioned grades in the Regular Army shall be made without specification of branch except in each of the special branches and as professors or director of admissions of the United States Military Academy.

(b) Commissioned officers appointed in the Regular Army without specification of branch shall be assigned, and may be transferred and reassigned, by the Secretary of the Army to branches other than the special branches, according to their professional qualifications and the needs of the Army.

(Aug. 10, 1956, ch. 1041, 70A Stat. 181, § 3283; Pub. L. 85-600, § 1(4), Aug. 6, 1958, 72 Stat. 522; Pub. L. 95-485, title VIII, § 820(d)(1), Oct. 20, 1978, 92 Stat. 1627; Pub. L. 95-551, § 2, Oct. 30, 1978, 92 Stat. 2069; renumbered § 7153, Pub. L. 115-232, div. A, title VIII, § 808(b)(3), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---|--|
| 3283(a) | 10:506(b) (2d sentence). | Aug. 7, 1947, ch. 512, § 502(b) (2d sentence), |
| 3283(b) | 10:506(c) (1st sentence). | § 502(b) (2d sentence), |
| | 10:506(c) (less 1st sentence and less proviso). | (c) (less proviso), 61 Stat. 884; June 12, 1948, ch. 449, § 104(d)(1), 62 Stat. 358. |

Subsection (a) is substituted for 10:506(b) (2d sentence) and 506(c) (1st sentence). The words “in each of the special branches” are substituted for the enumeration of branches in 10:506(b) (2d sentence) and for the words “each of the several corps of the Army Medical Service, as chaplains”, in 10:506(c).

In subsection (b), the words “other than the special branches and the Women’s Army Corps” are substituted for 10:506(c) (words between 3d and 4th parentheses). The word “their” is substituted for the words “of the officers concerned”. The words “of the Army” are substituted for the words “of the branches, arms, and services”. The words “from time to time” and “arms, and services” are omitted as surplusage.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 3283 of this title as this section.

1978—Subsec. (a). Pub. L. 95–551 substituted “director of admissions” for “registrar”.

Pub. L. 95–485 struck out “, in the Women’s Army Corps,” after “special branches”.

Subsec. (b). Pub. L. 95–485 struck out “and the Women’s Army Corps” after “special branches”.

1958—Subsec. (a). Pub. L. 85–600 inserted reference to registrar of the Military Academy.

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.

CHAPTER 719—TEMPORARY APPOINTMENTS

Sec.

7176. Retention on active duty.

AMENDMENTS

2018—Pub. L. 115–232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 339 of this title as this chapter and item 3446 as 7176.

1980—Pub. L. 96–513, title V, §502(11), Dec. 12, 1980, 94 Stat. 2910, struck out items 3441 “General rule”, 3442 “Commissioned officers; regular and reserve components: appointment in higher grade”, 3444 “Commissioned officers: during war or emergency”, 3445 “Officers: additional appointments during war or emergency”, 3447 “Appointments in commissioned grade: how made; how terminated”, 3448 “Warrant officers: grades, appointment”, 3449 “Warrant officers: promotion”, 3451 “Officers: acceptance of appointment in higher grade”, and 3452 “Officers; Medical and Dental Corps: temporary promotion to captain”.

1968—Pub. L. 90–235, §3(b)(2), Jan. 2, 1968, 81 Stat. 758, struck out item 3450 “Warrant officers: suspension of laws for promotion or mandatory retirement or separation during war or emergency”.

1958—Pub. L. 85–861, §1(81)(F), (G), Sept. 2, 1958, 72 Stat. 1480, struck out item 3443 “Commissioned officers; Reserves; appointment in higher or lower grade” and added item 3452.

§ 7176. Retention on active duty

The President may retain on active duty a disabled officer until—

- (1) the physical condition of the officer is such that the officer will not be further benefited by retention in a military hospital or a medical facility of the Department of Veterans Affairs; or
- (2) the officer is processed for physical disability benefits provided by law.

(Aug. 10, 1956, ch. 1041, 70A Stat. 196, §3446; Pub. L. 85–861, §1(81)(C), Sept. 2, 1958, 72 Stat. 1480; Pub. L. 101–189, div. A, title XVI, §1621(a)(10), Nov. 29, 1989, 103 Stat. 1603; Pub. L. 102–25, title VII, §701(j)(6), Apr. 6, 1991, 105 Stat. 116; renumbered §7176, Pub. L. 115–232, div. A, title VIII, §808(b)(4), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES
1956 ACT

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------|
| 3446 | 10:499. | June 19, 1948, ch. 511, 62 Stat. 489. |

The word “shall” is substituted for the words “authorized and directed”. The words “on active duty” are substituted for the words “in service”. The words “warrant officers, and flight officers” are omitted, since the definition of “officer” in section 101(14) of this title covers commissioned, warrant, and flight officers. The words “who has only a temporary appointment” are substituted for the words “of the Army * * * of the United States”. The words “his physical condition is such that he” are substituted for the words “their treatment for physical reconstruction has reached a point where they”. The words “in the Army” are substituted for the words “in the military service”.

1958 ACT

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------|
| 3446 | 10 App.:499. | June 15, 1956, ch. 388, 70 Stat. 282. |

The words “commissioned officers and warrant” are omitted as covered by the definition of the word “officer” in section 101(14) of this title. The words “condition is such that” are substituted for the words “reconstruction has reached a point where”.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 3446 of this title as this section.

1991—Par. (2). Pub. L. 102–25 struck out “as” before “provided by law”.

1989—Pub. L. 101–189 amended section generally. Prior to amendment, section read as follows: “Notwithstanding any other provision of law, the President may retain on active duty a disabled officer until his physical condition is such that he will not be further benefited by retention in a military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law.”

1958—Pub. L. 85–861 substituted “may retain on active duty a disabled officer” for “shall retain on active duty any disabled officer who has only a temporary appointment”, and “military or Veterans’ Administration hospital or until he is processed for physical disability benefits provided by law” for “military hospital or in the Army”.

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.

CHAPTER 721—ACTIVE DUTY

Sec.

7191.

Non-regular officers: status.

7203.

Retired commissioned officers: status.

AMENDMENTS

2018—Pub. L. 115–232, div. A, title VIII, §808(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 341 of this title as this chapter and items 3491 and 3503 as 7191 and 7203, respectively.

1994—Pub. L. 103–337, div. A, title XVI, §1672(b)(4), Oct. 5, 1994, 108 Stat. 3015, struck out items 3495 “Army National Guard of United States: status”, 3496 “Army National Guard of United States: commissioned officers; duty in National Guard Bureau”, 3497 “Army National Guard of United States: members; status in