

## 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 705—THE ARMY STAFF

Sec.	
7031.	The Army Staff: function; composition.
7032.	The Army Staff: general duties.
7033.	Chief of Staff.
7034.	Vice Chief of Staff.
7035.	Deputy Chiefs of Staff and Assistant Chiefs of Staff.
7036.	Chiefs of branches: appointment; duties.
7037.	Judge Advocate General, Deputy Judge Advocate General, and general officers of Judge Advocate General's Corps: appointment; duties.
7038.	Office of Army Reserve: appointment of Chief.

## Editorial Notes

## AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(1), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 305 of this title as this chapter and items 3031 to 3038 as 7031 to 7038, respectively.

2016—Pub. L. 114-328, div. A, title V, § 502(n)(2), Dec. 23, 2016, 130 Stat. 2103, struck out item 3039 “Deputy and assistant chiefs of branches”.

2008—Pub. L. 110-181, div. A, title V, § 543(a)(3)(B), Jan. 28, 2008, 122 Stat. 115, substituted “Deputy” for “Assistant” in item 3037.

1994—Pub. L. 103-337, div. A, title IX, § 904(b)(2), Oct. 5, 1994, 108 Stat. 2827, struck out item 3040 “Chief of National Guard Bureau: appointment; acting chief”.

1986—Pub. L. 99-433, title V, § 502(g)(2), Oct. 1, 1986, 100 Stat. 1042, amended analysis generally, substituting items 3031 to 3040 for former items 3031 to 3040.

1980—Pub. L. 96-513, title V, § 512(2), Dec. 12, 1980, 94 Stat. 2929, substituted “Deputy Chiefs” for “Deputy Chief” in item 2035, and substituted “appointment” for “appointments” in item 3036.

1966—Pub. L. 89-718, § 25(b), Nov. 2, 1966, 80 Stat. 1119, struck out item 3038 “Chief of Engineers: additional duties”.

## § 7031. The Army Staff: function; composition

(a) There is in the executive part of the Department of the Army an Army Staff. The function of the Army Staff is to assist the Secretary of the Army in carrying out his responsibilities.

(b) The Army Staff is composed of the following:

- (1) The Chief of Staff.
- (2) The Vice Chief of Staff.
- (3) The Deputy Chiefs of Staff.
- (4) The Assistant Chiefs of Staff.
- (5) The Chief of Engineers.
- (6) The Surgeon General of the Army.
- (7) The Judge Advocate General of the Army.
- (8) The Chief of Chaplains of the Army.
- (9) The Chief of Army Reserve.
- (10) Other members of the Army assigned or detailed to the Army Staff.

(11) Civilian employees of the Department of the Army assigned or detailed to the Army Staff.

(c) Except as otherwise specifically prescribed by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and have such titles, as the Secretary may prescribe.

(Aug. 10, 1956, ch. 1041, 70A Stat. 150, § 3031; Pub. L. 93-547, Dec. 26, 1974, 88 Stat. 1742; Pub. L. 93-608, § 1(6), Jan. 2, 1975, 88 Stat. 1968; Pub. L. 98-525, title V, § 515, Oct. 19, 1984, 98 Stat. 2522; Pub. L. 99-433, title V, § 502(a), Oct. 1, 1986, 100 Stat. 1039; renumbered § 7031, 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)
3031(a) .....	10:21a(a).	June 28, 1950, ch. 383, § 201, 64 Stat. 265.
3031(b) .....	10:21a(b).	
3031(c) .....	10:21a(c).	
3031(d) .....	10:21a(d).	

In subsection (a), the words “an Army Staff consisting of—” are substituted for the words “a staff, which shall be known as the Army Staff, and which shall consist of—”. The words “under regulations prescribed by the Secretary of the Army” are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions.

In subsection (c), the third sentence is substituted for 10:21a(c) (1st 13 words and 1st proviso). The words “officers and employees \* \* \* or under the jurisdiction of” are omitted as surplusage.

In subsections (c) and (d), the word “hereafter” is omitted, since all wars and emergencies declared by Congress before June 24, 1950, have been terminated.

In subsection (d), the second sentence is substituted for 10:21a(d) (last 31 words of 1st sentence). The third sentence is substituted for 10:21a(d) (2d sentence). 10:21a(d) (1st 13 words of last sentence) is omitted as executed. The words “This subsection does not apply” are substituted for the words “and shall be in applicable”.

## Editorial Notes

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3031 of this title as this section.

1986—Pub. L. 99-433 amended section generally, substituting “The Army Staff: function; composition” for “Composition: assignment and detail of members of Army and civilians” in section catchline and substituting in text provisions relating to establishment and composition of the Army Staff and authorizing the Secretary to prescribe the organization, duties, and titles of the Army Staff for provisions relating to establishment and composition of the Army Staff, authorizing the Secretary to prescribe the organization, duties, and titles of the Army Staff and authorizing part of the Army Staff to be designated as the Army General Staff, and limiting the number of officers who may be assigned or detailed to permanent duty in the executive part of the Department of the Army and on or with the Army General Staff.

1984—Subsec. (d). Pub. L. 98-525 struck out subsec. (d) which provided that no commissioned officer who was assigned or detailed to duty in the executive part of the Department of the Army could serve for a tour of duty of more than four years, but that the Secretary could extend such a tour of duty if he made a special finding that the extension was necessary in the public interest, that no officer could be assigned or detailed to duty in the executive part of the Department of the Army within two years after relief from that duty, except upon a special finding by the Secretary that the assignment or detail was necessary in the public interest, and that the subsection did not apply in time of war, or of national emergency declared by Congress.

1975—Subsec. (c). Pub. L. 93-608 struck out requirement of quarterly report to Congress on the number of officers in the executive part of the Department of the Army and the number of commissioned officers on or with the Army General Staff and the justification therefor.

1974—Subsec. (a)(3). Pub. L. 93-547 increased the number of Deputy Chiefs of Staff from three to four.

**Statutory Notes and Related Subsidiaries**

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 1984 AMENDMENT

Pub. L. 98-525, title V, § 515, Oct. 19, 1984, 98 Stat. 2522, provided that the amendment made by that section is effective Oct. 1, 1984.

**§ 7032. The Army Staff: general duties**

(a) The Army Staff shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army and to the Chief of Staff of the Army.

(b) Under the authority, direction, and control of the Secretary of the Army, the Army Staff shall—

(1) subject to subsections (c) and (d) of section 7014 of this title, prepare for such employment of the Army, and for such recruiting, organizing, supplying, equipping (including those aspects of research and development assigned by the Secretary of the Army), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Army, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

(2) investigate and report upon the efficiency of the Army and its preparation to support military operations by combatant commands;

(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

(4) as directed by the Secretary or the Chief of Staff, coordinate the action of organizations of the Army; and

(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 161, § 3032; Pub. L. 85-599, § 4(g), Aug. 6, 1958, 72 Stat. 517; Pub. L. 99-433, title V, § 502(b), Oct. 1, 1986, 100 Stat. 1040; renumbered § 7032 and amended Pub. L. 115-232, div. A, title VIII, §§ 808(a), 809(a), Aug. 13, 2018, 132 Stat. 1838, 1840.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3032(a) .....	10:21e(a).	June 28, 1950, ch. 383, § 205, 64 Stat. 266.
3032(b) .....	10:21e(b).	

In subsection (a), the word “furnish” is substituted for the word “render”.

In subsection (b)(1), the words “power, duty, or function of” are substituted for the words “power vested in, duty imposed upon, or function assigned to”.

In subsection (b)(2), the words “all questions affecting” and “state of” are omitted as surplusage.

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-232, § 808(a), renumbered section 3032 of this title as this section.

Subsec. (b)(1). Pub. L. 115-232, § 809(a), substituted “section 7014” for “section 3014”.

1986—Pub. L. 99-433, § 502(b)(3), substituted “The Army Staff: general duties” for “General duties” in section catchline.

Subsec. (a). Pub. L. 99-433, § 502(b)(1), inserted “and to the Chief of Staff of the Army”.

Subsec. (b). Pub. L. 99-433, § 502(b)(2), substituted “authority, direction, and control of the Secretary of the Army” for “direction and control of the Secretary” in introductory provisions, inserted “subject to subsections (c) and (d) of section 3014 of this title,” and substituted “(including those aspects of research and development assigned by the Secretary of the Army), training, servicing, mobilizing, demobilizing, administering, and maintaining” for “, training, serving, mobilizing, and demobilizing” in cl. (1), substituted “to support military operations by combatant commands” for “for military operations” in cl. (2), and amended cl. (4) generally. Prior to amendment, cl. (4) read as follows: “act as agent of the Secretary and the Chief of Staff in coordinatng the action of all organizations of the Department of the Army; and”.

1958—Subsec. (b)(1). Pub. L. 85-599 substituted “prepare for such employment of the Army” for “prepare such plans for the national security, for employment of the Army for that purpose, both separately and in conjunction with the naval and air forces”.

**Statutory Notes and Related Subsidiaries**

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.

**§ 7033. Chief of Staff**

(a)(1) There is a Chief of Staff of the Army, appointed for a period of four years by the President, by and with the advice and consent of the Senate, from the general officers of the Army. He serves at the pleasure of the President. In time of war or during a national emergency declared by Congress, he may be reappointed for a term of not more than four years.

(2) The President may appoint an officer as Chief of Staff only if—

(A) the officer has had significant experience in joint duty assignments; and

(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(f)<sup>1</sup> of this title) as a general officer.

(3) The President may waive paragraph (2) in the case of an officer if the President determines such action is necessary in the national interest.

(b) The Chief of Staff, while so serving, has the grade of general without vacating his permanent grade.

(c) Except as otherwise prescribed by law and subject to section 7013(f) of this title, the Chief of Staff performs his duties under the authority, direction, and control of the Secretary of the Army and is directly responsible to the Secretary.

(d) Subject to the authority, direction, and control of the Secretary of the Army, the Chief of Staff shall—

(1) preside over the Army Staff;

(2) transmit the plans and recommendations of the Army Staff to the Secretary and advise

<sup>1</sup> See References in Text note below.