

ARMY ORGANIZATION ACT OF 1950.—The following act of Congress (Public Law 581—81st Cong.) is published for the information and guidance of all concerned:

An Act To provide for the organization of the Army and the Department of the Army, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Army Organization Act of 1950".

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DEFINITIONS

SEC. 2. As used in this Act—

(a) The terms "Army of the United States" and "Army" are synonymous and mean the Army or Armies referred to in the Constitution of the United States, less that part established by law as the Air Force. The Army includes the components and persons prescribed in section 301 of this Act.

(b) The term "members of the Army" means all persons appointed, enlisted, or inducted in any of the components of the Army; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription under any provision of law. The term "officers of the Army" means all members of the Army appointed to and holding a commissioned or warrant officer grade. The term "enlisted members of the Army" means all members of the Army in any enlisted grade.

(c) The term "Army Establishment" means all organizations, forces, agencies, installations, and activities, including the Department of the Army, all members of the Army, all property of every kind and character—real, personal, and mixed—and all civilian personnel, under the control or supervision of the Secretary of the Army.

(d) The term "Department of the Army" means the executive part of the Army Establishment at the seat of government.

TITLE I—SECRETARY OF THE ARMY; UNDER SECRETARY OF THE ARMY; ASSISTANT SECRETARIES OF THE ARMY

POWERS AND DUTIES OF THE SECRETARY

SEC. 101. (a) Except as otherwise prescribed by law, the Secretary of the Army shall be responsible for and shall have the authority necessary to conduct all affairs of the Army Establishment, including but not limited to those necessary or appropriate for the training, operations, administration, logistical support and maintenance, welfare, preparedness, and effectiveness of the Army, including research and development, and such other activities as may be prescribed by the President or the Secretary of Defense as authorized by law. There are authorized to be appropriated such sums as may be necessary to conduct the affairs of the Army Establishment.

(b) The Secretary of the Army may assign to the Under Secretary of the Army and to the Assistant Secretaries of the Army such of his duties under this Act as he may consider proper. Officers of the Army shall report regarding any matters to the Secretary, Under Secretary, or either Assistant Secretary of the Army, as the Secretary of the Army may prescribe.

(c) Except as otherwise prescribed by law, the Secretary of the Army or, as he may prescribe, the Under Secretary of the Army or either Assistant Secretary of the Army, shall, in addition to other duties, be charged with supervision of the procurement activities of the Army Establishment, of plans for the mobilization of materials and industrial organizations essential to wartime needs of the Army, and of other business pertaining thereto.

(d) Except as otherwise prescribed by law, the Secretary of the Army may make such assignments and details of members of the Army and civilian personnel as he thinks proper, and may prescribe the duties of the members and civilian personnel so assigned; and such members and civilian personnel shall be responsible for, and shall have the authority necessary to perform, such duties as may be so prescribed for them.

(e) Except as otherwise prescribed by law, the Secretary of the Army shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all those supplies needed by the Army which can be manufactured or produced upon an economical basis at such arsenals or factories.

UNDER SECRETARY AND ASSISTANT SECRETARIES

SEC. 102. (a) There shall be in the Department of the Army an Under Secretary of the Army and two Assistant Secretaries of the Army, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive the compensation prescribed by law.

(b) In case of the death, resignation, removal from office, absence, or disability of the Secretary of the Army, the officer of the United States who is highest on the following list, and who is not absent or disabled, shall, until the President directs some other person to perform such duties in accordance with section 179, Revised Statutes (5 U. S. C. 6), perform his duties until a successor is appointed, or until such absence or disability shall cease—

(1) the Under Secretary of the Army;

(2) the Assistant Secretaries of the Army in the order fixed by their length of service as such;

(3) the Chief of Staff.

(c) If the Chief of Staff by reason of succession assumes, or if he or any other officer of the Army is designated in accordance with section 179, Revised Statutes (5 U. S. C. 6), to perform the duties of the Secretary of the Army, section 1222,

Revised Statutes (10 U. S. C. 576), shall not apply to him by reason of his temporarily performing such duties.

TITLE II—CHIEF OF STAFF AND THE ARMY STAFF

ARMY STAFF AND ITS COMPOSITION

SEC. 201. (a) There shall be in the Department of the Army a staff, which shall be known as the Army Staff, and which shall consist of—

- (1) the Chief of Staff;
- (2) a Vice Chief of Staff;
- (3) not to exceed three Deputy Chiefs of Staff and not to exceed five Assistant Chiefs of Staff as the Secretary of the Army may prescribe;
- (4) the officers prescribed in sections 206, 207, and 208 of this Act; and
- (5) such other members of the Army and such civilian officers and employees in or under the jurisdiction of the Department of the Army as may be assigned or detailed under regulations prescribed by the Secretary of the Army.

(b) Except as otherwise specifically provided by law, the Army Staff shall be organized in such manner, and its members shall perform such duties and bear such titles, as the Secretary of the Army may prescribe. Part of the Army Staff may be designated the Army General Staff.

(c) Except in time of war or national emergency hereafter declared by the Congress, not more than three thousand officers of the Army shall be detailed or assigned to permanent duty in the Department of the Army, and of this number, not more than one thousand officers of the Army may be detailed or assigned to duty on or with the Army General Staff: *Provided*, That the numerical limits prescribed in this subsection shall not apply upon a finding by the President that an increase in the number of officers in the Department of the Army or on or with the Army General Staff is in the national interest: *Provided further*, That the Secretary of the Army shall report quarterly to the Congress the number of officers in the Department of the Army and the number of officers on or with the Army General Staff and the justifications therefor.

(d) A commissioned officer of the Army now or hereafter detailed or assigned to duty in the Department of the Army shall serve for a tour of duty not to exceed four years, except that such tour of duty may be extended beyond four years upon a special finding by the Secretary of the Army that the extension is necessary in the public interest. Upon relief from such duty no such officer shall again be detailed or assigned within two years to duty in the Department of the Army except upon a like finding by the Secretary of the Army. This subsection shall not take effect until one year after the enactment of this Act, and shall be inapplicable in time of war or national emergency hereafter declared by the Congress.

CHIEF OF STAFF

SEC. 202. The Chief of Staff shall be appointed by the President, by and with the advice and consent of the Senate, from the general officers of the Army, to serve during the pleasure of the President; but no person shall serve as Chief of Staff for a term of more than four years unless reappointed by the President, by and with the advice and consent of the Senate. The Chief of Staff, while holding office as such, shall have the grade of general, without vacation of his permanent grade in the Army, and shall take rank as prescribed by law. He shall receive the compensation prescribed by law and shall be counted as one of the officers authorized to be serving in grade above lieutenant general under the provisions of the Officer Personnel Act of 1947 (61 Stat. 886), as amended.

VICE CHIEF OF STAFF, DEPUTY CHIEFS OF STAFF, AND ASSISTANT CHIEF OF STAFF

SEC. 203. The Vice Chief of Staff, the Deputy Chiefs of Staff, and the Assistant Chiefs of Staff shall be general officers of the Army detailed to those positions. In case of a vacancy in the office or the absence or disability of the Chief of Staff, the Vice Chief of Staff or the senior Deputy Chief of Staff, who is not absent or

disabled, shall, unless otherwise directed by the President, perform the duties of Chief of Staff until his successor is appointed or such absence or disability shall cease.

DUTIES OF CHIEF OF STAFF

SEC. 204. (a) The Chief of Staff shall have supervision of all members and organizations of the Army, shall perform the duties prescribed for him by the National Security Act of 1947, as amended, by this Act, and by other laws, and shall perform such other military duties not otherwise assigned by law as may be assigned to him by the President.

(b) The Chief of Staff shall preside over the Army Staff. Subject to the provisions of section 101 of this Act, and of subsection (c) of this section, he shall be directly responsible to the Secretary of the Army for the efficiency of the Army, its state of preparation for military operations, and plans therefor. He shall transmit to the Secretary of the Army the plans and recommendations of the Army Staff, shall advise him in regard thereto, and, upon the approval of such plans or recommendations by the Secretary of the Army, he shall act as the agent of the Secretary of the Army in carrying the same into effect.

(c) Except as otherwise prescribed by law, the Chief of Staff shall perform his duties under the direction of the Secretary of the Army.

DUTIES OF ARMY STAFF

SEC. 205. (a) The Army Staff shall render professional aid and assistance to the Secretary of the Army, the Under Secretary of the Army, and the Assistant Secretaries of the Army.

(b) Under the direction and control of the Secretary of the Army, it shall be the duty of the Army Staff—

(1) to prepare such plans for the national security, and the use of the Army for that purpose, both separately and in conjunction with the naval and air forces, and for recruiting, organizing, supplying, equipping, training, serving, mobilizing, and demobilizing the Army, as will assist the execution of any power vested in, duty imposed upon, or function assigned to the Secretary of the Army or the Chief of Staff;

(2) to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations;

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

(4) to act as the agents of the Secretary of the Army and the Chief of Staff in coordinating the action of all organizations of the Army Establishment; and

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

CHIEFS OF SERVICES

SEC. 206. (a) There shall be in the Army the following officers: Chief of Engineers, Chief Signal Officer, Adjutant General, Quartermaster General, Chief of Finance, Chief of Ordnance, Chief Chemical Officer, Chief of Transportation, Surgeon General, Judge Advocate General, and Chief of Chaplains.

(b) Each of the officers named in this section shall have the grade of major general, and shall be selected and appointed by the President, by and with the advice and consent of the Senate, as prescribed in section 513 of the Officer Personnel Act of 1947 (61 Stat. 901; 10 U. S. C. 559g); except that the Judge Advocate General shall be selected and appointed as prescribed in section 249, Public Law 759, Eightieth Congress (62 Stat. 643).

(c) Each of the officers named in this section shall perform such duties as may be prescribed by the Secretary of the Army or required by law.

INSPECTOR GENERAL AND PROVOST MARSHAL GENERAL

SEC. 207. (a) There shall be in the Army an Inspector General and a Provost Marshal General, who shall be general officers of the Army detailed to those posi-

tions for tours of duty not to exceed four years, except that such tours of duty may be extended beyond four years upon a special finding by the Secretary of the Army that the extension is necessary in the public interest.

(b) The Inspector General shall, when so directed by the Secretary of the Army or the Chief of Staff, inquire into and report upon matters which pertain to the discipline, efficiency, and economy of the Army; and shall perform such other duties as may be prescribed by the Secretary of the Army or the Chief of Staff or required by law.

(c) The Provost Marshal General shall perform such duties as may be prescribed by the Secretary of the Army or the Chief of Staff or required by law.

DEPUTY AND ASSISTANT CHIEFS OF SERVICES

Sec. 208. (a) Each of the officers named in sections 206 and 207 of this Act shall have such deputies and assistants as may be prescribed by the Secretary of the Army. Except as prescribed in subsections (b) and (c) of this section, such deputies and assistants shall be officers of the Army selected and detailed to those positions for tours of duty not to exceed four years by the Secretary of the Army under a procedure prescribed by the Secretary of the Army, which procedure shall be similar to that prescribed in section 513 of the Officer Personnel Act of 1947 (61 Stat. 901; 10 U. S. C. 559g), but no officers shall be entitled to any increase in rank, pay, or allowances solely by virtue of such selection and detail.

(b) There shall be an Assistant Surgeon General with the rank of major general, who shall be an officer in the Dental Corps, and who shall be selected and appointed as prescribed in section 513 of the Officer Personnel Act of 1947.

(c) There shall be an Assistant Judge Advocate General with the rank of major general, who shall be selected and appointed as prescribed in section 249 of Public Law 759, Eightieth Congress.

TITLE III—ORGANIZATION OF THE ARMY

COMPOSITION OF THE ARMY

Sec. 301. The Army includes the Regular Army, the National Guard of the United States, and the Organized Reserve Corps; all persons appointed, enlisted, or inducted in the above-named components; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription 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.

COMPOSITION OF THE REGULAR ARMY

Sec. 302. (a) The Regular Army is that component of the Army which consists of persons whose continuous service on active duty in both peace and war is contemplated by law, and of persons who are retired members of the Regular Army.

(b) The Regular Army shall include the commissioned officers, warrant officers, and enlisted members, holding appointments or enlisted in the Regular Army as now or hereafter provided by law; the professors and cadets of the United States Military Academy; the retired commissioned officers, warrant officers, and enlisted members of the Regular Army; and such other persons as are now or may hereafter be specified by law. No person who is now a member of the Regular Army, active or retired, shall, by reason of the enactment of this Act, be deprived of his or her membership in the Regular Army.

ARMY COMMANDS

Sec. 303. Except as otherwise prescribed by law, the Army shall be divided into such commands, forces, and organizations as may be directed by the Secretary of the Army.

TERRITORIAL ORGANIZATION

SEC. 304. For Army purposes, the United States of America, its Territories and possessions, and other territory in which the Army may be stationed or operate, may be divided into such areas as may be directed by the Secretary of the Army; and officers of the Army may be assigned to command of Army activities, installations, and personnel in such areas. In the discharge of the Army's functions or such other functions as may be authorized by other provisions of law, officers of the Army so assigned shall perform such duties and exercise such powers as the Secretary of the Army may prescribe.

ORGANIZED PEACE ESTABLISHMENT

SEC. 305. The organized peace establishment of the Army, including the Regular Army, the National Guard of the United States, and the Organized Reserve Corps, shall include all military organizations, with their supporting and auxiliary elements, including combat, training, administrative, and logistic organizations and elements; and all personnel, including those not assigned to units; necessary to form the basis for a complete and immediate mobilization for the national security.

BRANCHES OF THE ARMY

SEC. 306. (a) There shall be in the Army certain branches, which shall be known as basic branches of the Army, to which members of the Army shall be assigned by the Secretary of the Army; but the Secretary shall not assign to any basic branch any officer who has been appointed and commissioned in one of the special branches specified in subsection (b) of this section. The basic branches of the Army shall be: Infantry, Armor, Artillery, Corps of Engineers, Signal Corps, Adjutant General's Corps, Quartermaster Corps, Finance Corps, Ordnance Corps, Chemical Corps, Transportation Corps, Military Police Corps, and such other basic branches as the Secretary of the Army deems to be necessary. For the duration of any war or national emergency hereafter declared by the Congress, the Secretary of the Army may discontinue or consolidate the basic branches enumerated in this subsection.

(b) There shall be in the Army certain branches, which shall be known as special branches, and which shall consist of Regular Army officers appointed and commissioned therein, and such other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to any special branch any officer who has been appointed and commissioned in some other special branch, or in the Regular Army without specification of branch. The several corps of the Army Medical Service, the Judge Advocate General's Corps, and the chaplains, authorized by sections 307, 308, and 309 of this Act, shall constitute the special branches of the Army.

(c) Under such regulations as the Secretary of the Army may prescribe, commissioned officers of the Army may be detailed as general staff officers and as inspectors general; and members of the Army may be detailed to duty in particular fields to be designated from time to time by the Secretary of the Army, including, but not limited, to the fields of intelligence, counterintelligence, and military government.

(d) Members of the Army, appointed or assigned to one branch, may, under regulations prescribed by the Secretary of the Army, be detailed for duty with any other branch.

(e) Members of the Army while not serving on active duty may, under regulations prescribed by the Secretary of the Army, be assigned to the branches of the Army provided for in this Act, or to such other branches or groups, and to such organizations as the Secretary of the Army may deem to be appropriate.

(f) Under regulations prescribed by the Secretary of the Army, officers of the Army assigned to technical, scientific, or other professional duties shall possess qualifications suitable for the performance of those duties; and, when the duties involve the performance of professional work, the same as or similar to that usually performed in civil life by members of a learned profession, such as engineering, law, medicine, or theology, they shall, unless the exigencies of the situation prevent, possess, by education, training, or experience, qualifications equal or similar to those usually required of members of that profession.

ARMY MEDICAL SERVICE

SEC. 307. There shall be in the Army an Army Medical Service, which shall consist of the Surgeon General and the Assistant Surgeons General authorized by sections 206 and 208, respectively, of this Act, the Medical Corps, the Dental Corps, the Veterinary Corps, the Medical Service Corps, the Army Nurse Corps, and the Women's Medical Specialist Corps. Each such corps shall consist of Regular Army officers appointed and commissioned therein and such other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to any corps of the Army Medical Service any officer who has been appointed and commissioned in some other corps of the Army Medical Service, or in some other special branch, or in the Regular Army without specification of branch. The Medical Service Corps, the Army Nurse Corps, and the Women's Medical Specialist Corps shall include the Chiefs and Assistant Chiefs, and shall include the sections, as now prescribed by law.

JUDGE ADVOCATE GENERAL'S CORPS

SEC. 308. There shall be in the Army a Judge Advocate General's Corps, which shall consist of the Judge Advocate General and the Assistant Judge Advocate General authorized by sections 206 and 208, respectively, of this Act, three officers with the rank of brigadier general, Regular Army officers appointed and commissioned therein, and such other members of the Army as may be assigned thereto by the Secretary of the Army; but the Secretary shall not assign to the Judge Advocate General's Corps any officer who has been appointed and commissioned in some other special branch or in the Regular Army without specification of branch. The authorized number of commissioned officers of the Regular Army on the active list in the Judge Advocate General's Corps shall be prescribed by the Secretary of the Army, but such authorized number shall not be less than $1\frac{1}{2}$ per centum of the authorized number of commissioned officers on the active list of the Regular Army. The Judge Advocates' promotion list prescribed in section 247, Public Law 759, Eightieth Congress, shall include only commissioned officers of the Regular Army on the active list in the Judge Advocate General's Corps.

CHAPLAINS

SEC. 309. There shall be chaplains in the Army. The chaplains shall include the Chief of Chaplains authorized by section 206 of this Act, Regular Army officers appointed and commissioned as chaplains, and other officers of the Army appointed and commissioned as chaplains in the Army, or in any component thereof, as now or hereafter provided by law.

WOMEN'S ARMY CORPS

SEC. 310. There shall be in the Army a Women's Army Corps as now authorized by law.

TITLE IV—REPEALS, AMENDMENTS, AND SAVING PROVISIONS

REPEALS

SEC. 401. The following laws and parts of laws are hereby repealed, and all other laws and parts of laws inconsistent with the provisions of this Act are hereby repealed: *Provided*, That any such laws and parts of laws shall remain in effect to the extent, but only to the extent, that they are applicable to the Department of the Air Force, the United States Air Force, or any officers or agencies thereof, by virtue of the National Security Act of 1947 (61 Stat. 495), as amended, or action taken under the authority of that Act:

(a) Sections 1, 2, 3, 5a, 5b, 6, 7, 8, 9, 9a, 10, 12, 12a, 13, 15, 17, 18, 19, 20, 25, and 30 of the National Defense Act, as amended;

(b) All of section 5 of the National Defense Act, as amended, except that part which was inserted by section 2 of the Act of June 15, 1933 (ch. 87, 48 Stat. 153; 10 U. S. C. 38);

- (c) Sections 219, 1104, 1105, 1108, 1112, 1132, 1157, 1164, 1165, 1166, and 1167 of the Revised Statutes, as amended ;
- (d) The Act of March 5, 1890 (ch. 26, 26 Stat. 17 ; 5 U. S. C. 182), as amended ;
- (e) Section 2 of the Act of October 1, 1890 (ch. 1266, 26 Stat. 653 ; 10 U. S. C. 212) ;
- (f) Section 3 of the Act of April 22, 1898 (ch. 187, 30 Stat. 361 ; 10 U. S. C. 3) ;
- (g) Section 31 of the Act of February 2, 1901 (ch. 192, 31 Stat. 756 ; 10 U. S. C. 641) ;
- (h) The Act of February 14, 1903 (ch. 553, 32 Stat. 830) ;
- (i) Sections 1, 3, and 4 of the Act of January 25, 1907 (ch. 397, 34 Stat. 861) ;
- (j) Section 108 of title 3 of the United States Code (ch. 644, 62 Stat. 672) ;
- (k) The Act of February 24, 1925 (ch. 307, 43 Stat. 970) ;
- (l) The Act of February 23, 1929 (ch. 298, 45 Stat. 1255 ; 10 U. S. C. 22a) ;
- (m) Section 4 of the Act of July 31, 1935 (ch. 422, 49 Stat. 506 ; 10 U. S. C. 552b) ;
- (n) The Act of April 13, 1938 (ch. 146, 52 Stat. 216) ;
- (o) Section 2 of the Act of August 30, 1935 (ch. 830, 49 Stat. 1028), as amended by section 6 of the Act of April 3, 1939 (ch. 85, 53 Stat. 557 ; 10 U. S. C. 487a) ;
- (p) All of section 1 of the Act of August 30, 1935 (ch. 830, 49 Stat. 1028), as amended by section 5 of the Act of April 3, 1939 (ch. 85, 53 Stat. 557) ; except the last proviso thereof as amended by the Act of July 25, 1939 (ch. 349, 53 Stat. 1079), the Act of December 10, 1941 (ch. 562, 55 Stat. 796), and section 2 of the Act of June 20, 1949 (Public Law 108, Eighty-first Congress) ;
- (q) Section 1 of the Act of December 16, 1940 (ch. 931, 54 Stat. 1224), as amended by the Act of December 15, 1944 (ch. 591, 58 Stat. 807), and section 2 of the Act of May 15, 1947 (ch. 60, 61 Stat. 93 ; 5 U. S. C. 181a) ;
- (r) Section 1 of the Act of July 20, 1942 (ch. 509, 56 Stat. 663 ; 10 U. S. C. 156) ;
- (s) So much of the Appropriation Act of June 20, 1874, as reads : "and hereafter it shall be unlawful to allow or pay to any of the persons designated in this Act any additional compensation from any source whatever, or to retain, detail, or employ in any branch of the War Department in the city of Washington, any person other than those herein authorized, except in the Signal Office and the Engineer Corps, and except such commissioned officers as the Secretary of War may from time to time assign to special duties" (ch. 328, 18 Stat. 101 ; 10 U. S. C. 642a) ;
- (t) The proviso only, appearing on page 238 of volume 22, chapter 389, of the Statutes at Large, being a part of the Appropriation Act of August 5, 1882 (5 U. S. C. 183) ;
- (u) The first two provisos and the sentence following the second proviso only, appearing on page 109 of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884 (10 U. S. C. 1200) ;
- (v) The proviso beginning on page 110 and ending on page 111 only, of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884 ;
- (w) The second proviso only, appearing on page 242 of volume 34, chapter 3078, of the Statutes at Large, being a part of the Army Appropriation Act of June 12, 1906 (10 U. S. C. 641) ;
- (x) The first proviso only, appearing on page 250 of volume 34, chapter 3078, of the Statutes at Large, being a part of the Army Appropriation Act of June 12, 1906 (10 U. S. C. 1240) ;
- (y) The first complete paragraph only, appearing on page 418 of volume 34, chapter 3514, of the Statutes at Large, being a part of the Appropriation Act of June 22, 1906 (5 U. S. C. 188) ;
- (z) The second and third provisos only, appearing on page 733 of volume 35, chapter 252, of the Statutes at Large, being a part of the Appropriation Act of March 3, 1909 (10 U. S. C. 1174) ;
- (aa) The fourth proviso only, appearing on page 254 of volume 36, chapter 115, of the Statutes at Large, being a part of the Army Appropriation Act of March 23, 1910 (10 U. S. C. 811) ;
- (bb) The fourth and fifth provisos only, appearing on page 1049 of volume 36, chapter 209, of the Statutes at Large, being a part of the Army Appropriation Act of March 3, 1911 (10 U. S. C. 642) ;

(cc) So much of the Army Appropriation Act of March 4, 1915, as reads: "In addition to detailing for duty at said disciplinary barracks such number of enlisted men of the Staff Corps and departments as he may deem necessary, the Secretary of War shall assign a sufficient number of enlisted men of the line of the Army for duty as guards at said disciplinary barracks and as noncommissioned officers of the disciplinary organizations hereinafter authorized. Said guards, and also the enlisted men assigned for duty as noncommissioned officers of disciplinary organizations, shall be detached from the line of the Army, or enlisted for the purpose;" (ch. 143, 38 Stat. 1085; 10 U. S. C. 1454);

(dd) The fifth proviso only, appearing on page 1279 of volume 41, chapter 124, of the Statutes at Large, being a part of the Appropriation Act of March 3, 1921 (10 U. S. C. 273).

AMENDMENTS—TRANSFERS OF DUTIES AND POWERS

SEC. 402. Wherever by the following Acts or parts of Acts, as amended, certain duties and powers are imposed upon or vested in the Quartermaster Corps, the Ordnance Department, the Finance Department, the Medical Department, the Adjutant General's Department, or the Chiefs or other officers of such branches of the Army, such Acts and parts of Acts are hereby amended so that hereafter such powers and duties shall be vested in and performed by whatever branch, office, or officers of the Army the Secretary of the Army may from time to time designate:

(a) Sections 1135, 1141, 1143, 1144, 1145, and 3715 of the Revised Statutes of the United States;

(b) The first proviso on page 111 of volume 23, chapter 217, of the Statutes at Large, being a part of the Army Appropriation Act of July 5, 1884 (10 U. S. C. 73);

(c) The last proviso on page 178 of volume 27, chapter 195, of the Statutes at Large, being a part of the Army Appropriation Act of July 16, 1892 (10 U. S. C. 1335);

(d) Only that part of the Appropriation Act of June 4, 1897, included in the paragraph commencing with the words: "Soldiers' Home, District of Columbia:" appearing on page 54 of volume 30, chapter 2, of the Statutes at Large (24 U. S. C. 58);

(e) The proviso on page 216 of volume 31 of chapter 586 of the Statutes at Large, being a part of the Army Appropriation Act of May 26, 1900;

(f) The proviso on pages 832 and 833 of volume 33, chapter 1307, of the Statutes at Large, being a part of the Army Appropriation Act of March 2, 1905 (10 U. S. C. 177);

(g) Section 14 of the Act of May 28, 1908 (ch. 215, 35 Stat. 443; 50 U. S. C. 64);

(h) The second complete paragraph on page 751 of volume 35, chapter 252, of the Statutes at Large, being part of the Army Appropriation Act of March 3, 1909 (34 U. S. C. 540; 50 U. S. C. 70);

(i) Section 47 of the Act of March 4, 1909 (ch. 319, 35 Stat. 1075);

(j) The first proviso on page 362 of volume 38, chapter 72, of the Statutes at Large, being a part of the Army Appropriation Act of April 27, 1914;

(k) The first proviso on page 1079 of volume 38, chapter 143, of the Statutes at Large, being a part of the Army Appropriation Act of March 4, 1915 (10 U. S. C. 1234; 34 U. S. C. 539);

(l) Paragraph 3 of section 2 of the Army Appropriation Act of March 4, 1915 (ch. 143, 38 Stat. 1085; 10 U. S. C. 1453);

(m) The first proviso on page 635 of volume 39, chapter 418, of the Statutes at Large, being a part of the Army Appropriation Act of August 29, 1916 (31 U. S. C. 488);

(n) The Act of October 30, 1941 (ch. 465, 55 Stat. 758; 10 U. S. C. 1304).

INTRUSTING OF PUBLIC MONEY

SEC. 403. Under such regulations as may be prescribed by the Secretary of the Army, officers of the Army accountable for public moneys may intrust moneys to other officers of the Army for the purpose of having them make disbursements

as their agents, and the officer to whom the moneys are intrusted, as well as the officer who intrusts the moneys to him, shall be held pecuniarily responsible therefor to the United States.

SAVING PROVISIONS—MISCELLANEOUS MATTERS

Sec. 404. (a) The Armor shall be a continuation of the Cavalry; the Artillery shall be a continuation of the Field Artillery and the Coast Artillery Corps; and the offices, positions, branches, corps, services, components, and organizations referred to in this Act shall be continuations of corresponding offices, positions, branches, corps, departments, services, components, and organizations previously authorized or existing. The reappointment, reassignment, or redetail of members of the Army or of civil officers or employees, now holding any such offices, or now appointed, assigned, or detailed to any such positions, branches, corps, departments, services, components, or organizations shall not be required.

(b) Notwithstanding the repeal or amendment of any law by this Act, no civil officer or employee now serving, and no member of the Army now in service, active, inactive, or retired, shall, in consequence of the passage of this Act, be deprived of any civil or military office, appointment, commission, warrant, or rank, held by him, or of any right to pay, allowance, promotion, retirement, or of any other right, privilege, or benefit to which he is or may be entitled under the authority of laws or regulations existing immediately prior to the effective date of this Act.

(c) Nothing in this Act shall be construed as changing the numbers of officers authorized by law in each of the several commissioned officer grades in the Army; or as changing the laws applicable to the promotion and retirement of members of the Army; or as giving to any person any right to retirement, to pay, or to allowances not heretofore authorized by law.

(d) Nothing in this Act shall be construed as changing existing laws pertaining to the Chief of the National Guard Bureau.

(e) Nothing in this Act shall be construed as reducing or eliminating the professional qualifications required by existing laws or regulations of officers of the several different branches of the Army.

(f) Nothing in this Act shall be construed as changing existing laws pertaining to the military or civil functions of the Chief of Engineers or the Corps of Engineers of the Army, or as changing the Act of June 25, 1948 (Public Law 777, Eightieth Congress), pertaining to rank, pay, and allowances of the Assistant Chief of Engineers in charge of civil works. The number of officers and enlisted men set forth in section 11 of the National Defense Act, as amended, shall be a minimum strength and not a limitation.

(g) Nothing in this Act shall be construed as changing existing laws, orders, or regulations pertaining to the Panama Canal or the Panama Railroad Company.

SAVING PROVISION—EXISTING ORDERS AND REGULATIONS

Sec. 405. Notwithstanding the repeal by this Act of any law vesting any power in or imposing any duty upon any officer, civil or military, of the Army Establishment, or in or upon any department, corps, branch, or organization of the Army; and notwithstanding the several provisions of this Act to the effect that the powers and duties of various officers, civil and military, of the Army Establishment, and of various branches and organizations of the Army, shall be such as the Secretary of the Army shall prescribe; and in order that there shall be no interruption in the performance of duties; and in order that the immediate issuance and promulgation of new orders and regulations shall not be required; it is hereby prescribed that every power vested in and every duty imposed upon any officer, civil or military, of the Army Establishment, or in or upon any department, corps, branch, or organization of the Army, by any law, regulation, or order, in force immediately prior to the effective date of this Act, shall continue to be exercised and performed by the same officer, department, corps, branch, or organization, or by his or its successor, until the Secretary of the Army shall otherwise direct in accordance with the authority conferred upon him by this Act.

ARMY MINE PLANTER SERVICE

SEC. 406. Nothing in this Act shall be construed as amending existing provisions of law concerning the Army Mine Planter Service, except that that service shall no longer be a part of the Coast Artillery; but it may hereafter be discontinued or assigned to or consolidated with such other branch of the Army, or such other service as the President may direct.

SAVING PROVISION—POWERS OF THE SECRETARY OF DEFENSE

SEC. 407. Nothing in this Act shall be construed as amending, repealing, limiting, enlarging, or in any way modifying any provision of the National Security Act of 1947, as amended.

SEPARABILITY PROVISION

SEC. 408. If any provision of this Act or the application thereof to any person or circumstances be held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Approved June 28, 1950.

OFFICIAL:

EDWARD F. WITSELL
Major General, USA
The Adjutant General

J. LAWTON COLLINS
Chief of Staff, United States Army