

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3010	5:171a(c)(7) (1st sentence, as applicable to Department of Army).	July 26, 1947, ch. 343, §202(c)(7) (1st sentence, as applicable, to Department of Army); added Aug. 6, 1958, Pub. L. 85-599, §3(a) (1st sentence of 8th par., as applicable to Department of Army), 72 Stat. 516.

The word “operates” is substituted for the words “shall function”.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3011 of this title as this section.

1986—Pub. L. 99-433 renumbered section 3010 of this title as this section.

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.

§ 7012. Department of the Army: seal

The Secretary of the Army shall have a seal for the Department of the Army. The design of the seal must be approved by the President. Judicial notice shall be taken of the seal.

(Aug. 10, 1956, ch. 1041, 70A Stat. 157, §3011; renumbered §3012, Pub. L. 99-433, title V, §501(a)(2), Oct. 1, 1986, 100 Stat. 1034; renumbered §7012, Pub. L. 115-232, div. A, title VIII, §808(a), 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>
3011	5:181-1(d).	July 26, 1947, ch. 343, §205(d), 61 Stat. 501.

The words “of office” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3012 of this title as this section.

1986—Pub. L. 99-433 renumbered section 3011 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.

§ 7013. Secretary of the Army

(a)(1) There is a Secretary of the Army, appointed from civilian life by the President, by and with the advice and consent of the Senate. The Secretary shall, to the greatest extent practicable, be appointed from among persons most highly qualified for the position by reason of background and experience, including persons

with appropriate management or leadership experience. The Secretary is the head of the Department of the Army.

(2) A person may not be appointed as Secretary of the Army within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

(b) Subject to the authority, direction, and control of the Secretary of Defense and subject to the provisions of chapter 6 of this title, the Secretary of the Army is responsible for, and has the authority necessary to conduct, all affairs of the Department of the Army, including the following functions:

- (1) Recruiting.
- (2) Organizing.
- (3) Supplying.
- (4) Equipping (including research and development).
- (5) Training.
- (6) Servicing.
- (7) Mobilizing.
- (8) Demobilizing.
- (9) Administering (including the morale and welfare of personnel).
- (10) Maintaining.

(11) The construction, outfitting, and repair of military equipment.

(12) The construction, maintenance, and repair of buildings, structures, and utilities and the acquisition of real property and interests in real property necessary to carry out the responsibilities specified in this section.

(c) Subject to the authority, direction, and control of the Secretary of Defense, the Secretary of the Army is also responsible to the Secretary of Defense for—

- (1) the functioning and efficiency of the Department of the Army;
- (2) the formulation of policies and programs by the Department of the Army that are fully consistent with national security objectives and policies established by the President or the Secretary of Defense;

(3) the effective and timely implementation of policy, program, and budget decisions and instructions of the President or the Secretary of Defense relating to the functions of the Department of the Army;

(4) carrying out the functions of the Department of the Army so as to fulfill the current and future operational requirements of the unified and specified combatant commands;

(5) effective cooperation and coordination between the Department of the Army and the other military departments and agencies of the Department of Defense to provide for more effective, efficient, and economical administration and to eliminate duplication;

(6) the presentation and justification of the positions of the Department of the Army on the plans, programs, and policies of the Department of Defense; and

(7) the effective supervision and control of the intelligence activities of the Department of the Army.

(d) The Secretary of the Army is also responsible for such other activities as may be prescribed by law or by the President or Secretary of Defense.

(e) After first informing the Secretary of Defense, the Secretary of the Army may make such recommendations to Congress relating to the Department of Defense as he considers appropriate.

(f) The Secretary of the Army may assign such of his functions, powers, and duties as he considers appropriate to the Under Secretary of the Army and to the Assistant Secretaries of the Army. Officers of the Army shall, as directed by the Secretary, report on any matter to the Secretary, the Under Secretary, or any Assistant Secretary.

(g) The Secretary of the Army may—

(1) assign, detail, and prescribe the duties of members of the Army and civilian personnel of the Department of the Army;

(2) change the title of any officer or activity of the Department of the Army not prescribed by law; and

(3) prescribe regulations to carry out his functions, powers, and duties under this title.

(Added Pub. L. 99-433, title V, § 501(a)(5), Oct. 1, 1986, 100 Stat. 1035, § 3013; amended Pub. L. 99-661, div. A, title V, § 534, Nov. 14, 1986, 100 Stat. 3873; Pub. L. 108-136, div. A, title IX, § 901, Nov. 24, 2003, 117 Stat. 1558; Pub. L. 114-328, div. A, title IX, § 931(a), Dec. 23, 2016, 130 Stat. 2362; renumbered § 7013, Pub. L. 115-232, div. A, title VIII, § 808(a), Aug. 13, 2018, 132 Stat. 1838; Pub. L. 117-81, div. A, title IX, § 901(c), Dec. 27, 2021, 135 Stat. 1868.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a)(2). Pub. L. 117-81 substituted “seven” for “five”.

2018—Pub. L. 115-232 renumbered section 3013 of this title as this section.

2016—Subsec. (a)(1). Pub. L. 114-328 inserted “The Secretary shall, to the greatest extent practicable, be appointed from among persons most highly qualified for the position by reason of background and experience, including persons with appropriate management or leadership experience.” after first sentence.

2003—Subsec. (c)(4). Pub. L. 108-136 struck out “(to the maximum extent practicable)” after “fulfill”.

1986—Subsec. (a)(2). Pub. L. 99-661 substituted “five years” for “10 years”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-81 applicable with respect to appointments made on or after Dec. 27, 2021, see section 901(g) of Pub. L. 117-81, set out as a note under section 113 of this title.

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.

STRATEGY FOR ARMY TACTICAL WHEELED VEHICLE PROGRAM

Pub. L. 118-31, div. A, title I, § 112, Dec. 22, 2023, 137 Stat. 166, provided that:

“(a) STRATEGY REQUIRED.—In the budget justification materials submitted in support of the budget of the Department of Defense (as submitted with the budget of the President under section 1105(a) of title 31, United

States Code) for each of fiscal years 2025, 2030, and 2035, the Secretary of the Army shall include a report on the strategy of the Army for tactical wheeled vehicles.

“(b) REQUIREMENTS FOR STRATEGY.—Each strategy required by subsection (a) shall—

“(1) align with the applicable national defense strategy under section 113(g) of title 10, United States Code, and applicable policies;

“(2) be designed so that the force of tactical wheeled vehicles provided under the strategy supports the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

“(3) define capabilities and capacity requirements across the entire fleet of tactical wheeled vehicles, including—

“(A) light, medium, and heavy tactical wheeled vehicles; and

“(B) associated trailer and support equipment.

“(c) STRATEGY ELEMENTS.—Each strategy required by subsection (a) shall include the following:

“(1) A detailed program for the construction of light, medium, and heavy tactical wheeled vehicles for the Army over the period of five fiscal years following the date of the strategy.

“(2) A description of the necessary force structure and capabilities of tactical wheeled vehicles to meet the requirements of the national security strategy described in subsection (b)(2).

“(3) The estimated levels of annual funding, by vehicle class, in both graphical and tabular form, necessary to carry out the program described in paragraph (1), together with a discussion of the procurement strategies on which such estimated levels of annual funding are based.

“(4) The estimated total cost of construction for each vehicle class used to determine the estimated levels of annual funding described in paragraph (3).

“(d) CONSIDERATIONS.—In developing each strategy required by subsection (a), the Secretary of the Army shall consider the following objectives and factors:

“(1) Objectives relating to protection, fleet operations, mission command, mobility, and the industrial base.

“(2) Technological advances that are expected to increase efficiency of and reduce demand for tactical wheeled vehicles.

“(3) Technological advances that allow for the operation of tactical wheeled vehicles in a variety of climate and geographic conditions.

“(4) Existing commercial technologies such as vehicle electrification, autonomous capabilities, and predictive maintenance, among others.

“(5) The capabilities of autonomous equivalents to tactical wheeled vehicles.

“(e) BRIEFING REQUIREMENTS.—Not later than 15 days after each budget submission described in subsection (a), in conjunction with the submission of each strategy required by such subsection, the Secretary of the Army shall provide to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a briefing that addresses the investment needed for each platform of tactical wheeled vehicle of the Army across the period covered by the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code (as of the date of the briefing).”

INCREASED FITNESS STANDARDS FOR ARMY CLOSE COMBAT FORCE MILITARY OCCUPATIONAL SPECIALTIES

Pub. L. 118-31, div. A, title V, § 577, Dec. 22, 2023, 137 Stat. 278, provided that:

“(a) IMPLEMENTATION.—Not later than 18 months after the date of the enactment of this Act [Dec. 22, 2023], the Secretary of the Army shall implement increased minimum fitness standards as part of the Army Combat Fitness Test for all soldiers of the following

military occupational specialties or areas of concentration:

- “(1) 11A.
- “(2) 11B.
- “(3) 11C.
- “(4) 11Z.
- “(5) 12A.
- “(6) 12B.
- “(7) 13A.
- “(8) 13F.
- “(9) 18A.
- “(10) 18B.
- “(11) 18C.
- “(12) 18D.
- “(13) 18E.
- “(14) 18F.
- “(15) 18Z.
- “(16) 19A.
- “(17) 19C.
- “(18) 19D.
- “(19) 19K.
- “(20) 19Z.

“(b) BRIEFING.—Not later than 365 days after the date of the enactment of this Act [Dec. 22, 2023], the Secretary of the Army provide [sic] a briefing to the Committees on Armed Services of the Senate and House of Representatives describing the methodology used to establish standards under subsection (a).”

PILOT PROGRAMS FOR TACTICAL VEHICLE SAFETY DATA COLLECTION

Pub. L. 117–263, div. A, title III, § 389, Dec. 23, 2022, 136 Stat. 2547, provided that:

“(a) IN GENERAL.—Not later than October 1, 2023, the Secretary of the Army and the Secretary of the Navy shall each initiate a pilot program to evaluate the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles in the Army and the Marine Corps, respectively.

“(b) DURATION.—Each pilot program initiated under subsection (a) shall be carried out for a period of not less than two years.

“(c) REQUIREMENTS.—In carrying out a pilot program under this section, the Secretary of the Army and the Secretary of the Navy each shall—

“(1) select not fewer than one military installation in the United States under the jurisdiction of the Secretary that contains the necessary forces, equipment, and maneuver training ranges to collect data on drivers and military tactical vehicles during training and routine operation at which to carry out the pilot program;

“(2) install data recorders on a sufficient number of each type of military tactical vehicle specified in subsection (d) to gain statistically significant results;

“(3) select a data recorder capable of collecting and exporting telemetry data, event data, and driver identification data during operation and accidents;

“(4) establish and maintain a data repository for operation and event data captured by the data recorder; and

“(5) establish processes to leverage operation and event data to improve individual vehicle operator performance, identify installation hazards that threaten safe vehicle operation, and identify vehicle-type specific operating conditions that increase the risk of accidents or mishaps.

“(d) MILITARY TACTICAL VEHICLES SPECIFIED.—Military tactical vehicles specified in this subsection are the following:

- “(1) High Mobility Multipurpose Wheeled Vehicles.
- “(2) Family of Medium Tactical Vehicles.
- “(3) Medium Tactical Vehicle Replacements.
- “(4) Heavy Expanded Mobility Tactical Trucks.
- “(5) Light Armored Vehicles.
- “(6) Stryker armored combat vehicles.
- “(7) Such other military tactical vehicles as the Secretary of the Army or the Secretary of the Navy considers appropriate.

“(e) CYBER RISK EXEMPTION.—The Secretary of the Army or the Secretary of the Navy, as the case may be, may exempt from a pilot program under this section a military tactical vehicle specified under subsection (d) if that Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate a certification that, with respect to inclusion of the military tactical vehicle, there is a high potential of cyber risk as a result of the absence of a cross-domain solution capable of segregating classified and unclassified data.

“(f) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2022], the Secretary of the Army and the Secretary of the Navy shall each—

“(1) develop plans for implementing the pilot programs under this section; and

“(2) provide to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a briefing on those plans and the estimated cost of implementing those plans.

“(g) REPORT REQUIRED.—Not later than December 15, 2024, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report on the respective pilot programs carried out under this section by the Secretaries, including—

“(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

“(2) adjustments made, or to be made, to the implementation plans developed under subsection (f); and

“(3) any other matters determined appropriate by the Secretaries.

“(h) ASSESSMENT REQUIRED.—Not later than December 15, 2025, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees an assessment of the pilot programs carried out under this section, including—

“(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

“(2) an assessment of the utility of establishing an enduring program to use data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

“(3) an assessment of the scope, size, and estimated cost of such an enduring program; and

“(4) such other matters as the Secretary of the Army and the Secretary of the Navy determine appropriate.”

GENDER-NEUTRAL FITNESS PHYSICAL READINESS STANDARDS FOR MILITARY OCCUPATIONAL SPECIALTIES OF THE ARMY

Pub. L. 117–263, div. A, title V, § 528, Dec. 23, 2022, 136 Stat. 2572, provided that: “Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2022], the Secretary of the Army shall—

“(1) establish gender-neutral physical readiness standards that ensure soldiers can perform the duties of their respective military occupational specialties; and

“(2) provide to the Committees on Armed Services of the Senate and House of Representatives a briefing describing the methodology used to determine the standards established under paragraph (1).”

ACCESS TO TOUR OF DUTY SYSTEM

Pub. L. 117–81, div. A, title V, § 513, Dec. 27, 2021, 135 Stat. 1683, provided that:

“(a) ACCESS.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Dec. 27, 2021], the Secretary of the Army shall ensure, subject to paragraph (2), that a member of the reserve components

of the Army may access the Tour of Duty system using a personal internet-enabled device.

“(2) EXCEPTION.—The Secretary of the Army may restrict access to the Tour of Duty system on personal internet-enabled devices if the Secretary determines such restriction is necessary to ensure the security and integrity of information systems and data of the United States.

“(b) TOUR OF DUTY SYSTEM DEFINED.—In this Act [Pub. L. 117–81, see Tables for classification], the term ‘Tour of Duty system’ means the online system of listings for opportunities to serve on active duty for members of the reserve components of the Army and through which such a member may apply for such an opportunity, known as ‘Tour of Duty’, or any successor to such system.”

PILOT PROGRAM ON USE OF RETIRED SENIOR ENLISTED MEMBERS OF THE ARMY NATIONAL GUARD AS ARMY NATIONAL GUARD RECRUITERS

Pub. L. 115–91, div. A, title V, §514, Dec. 12, 2017, 131 Stat. 1378, as amended by Pub. L. 115–232, div. A, title V, §520, Aug. 13, 2018, 132 Stat. 1754, provided for a pilot program for the Army National Guard under which retired senior enlisted members of the Army National Guard would serve as contract recruiters for the Army National Guard, with all activities under such a pilot program to terminate no later than Dec. 31, 2021.

RESTRUCTURING OF THE DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY

Pub. L. 114–328, div. A, title II, §220(a), (b), Dec. 23, 2016, 130 Stat. 2055, provided that:

“(a) IN GENERAL.—Not later than [sic] April 1, 2017, the Secretary of the Army shall restructure versions of the distributed common ground system of the Army after Increment 1—

“(1) by discontinuing development of new software code, excluding the configuration and testing of system interfaces to commercial, open source, and existing Government off the shelf (GOTS) software, of any component of the system for which there is commercial, open source, or Government off the shelf software that is capable of fulfilling at least 80 percent of the system requirements applicable to such component; and

“(2) by conducting a review of the acquisition strategy of the program to ensure that procurement of commercial software is the preferred method of meeting program requirements for major system components.

“(b) LIMITATION.—The Secretary of the Army shall not award any contract for the development of new component software capability for the distributed common ground system of the Army if such a capability is already a commercial item or open source, except for configuration of capabilities that are incidental to and necessary for the proper functioning of the system.”

CONSOLIDATION OF ARMY MARKETING AND PILOT PROGRAM ON CONSOLIDATED ARMY RECRUITING

Pub. L. 114–328, div. A, title V, §527, Dec. 23, 2016, 130 Stat. 2117, provided that:

“(a) CONSOLIDATION OF ARMY MARKETING.—Not later than October 1, 2017, the Secretary of the Army shall consolidate into a single organization within the Department of the Army all functions relating to the marketing of the Army and each of the components of the Army in order to assure unity of effort and cost effectiveness in the marketing of the Army and each of the components of the Army.

“(b) PILOT PROGRAM ON CONSOLIDATED ARMY RECRUITING.—

“(1) PILOT PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2016], the Secretary of the Army shall carry out a pilot program to consolidate the recruiting efforts of the Regular Army, Army Reserve, and Army National Guard under which a recruiter in one of the compo-

nents participating in the pilot program may recruit individuals to enlist in any of the components regardless of the funding source of the recruiting activity.

“(2) CREDIT TOWARD ENLISTMENT GOALS.—Under the pilot program, a recruiter shall receive credit toward periodic enlistment goals for each enlistment regardless of the component in which the individual enlists.

“(3) DURATION.—The Secretary shall carry out the pilot program for a period of not less than three years.

“(c) BRIEFING AND REPORTS.—

“(1) BRIEFING ON CONSOLIDATION PLAN.—Not later than March 1, 2017, the Secretary of the Army shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the Secretary’s plan to carry out the Army marketing consolidation required by subsection (a).

“(2) INTERIM REPORT ON PILOT PROGRAM.—

“(A) IN GENERAL.—Not later than one year after the date on which the pilot program under subsection (b) commences, the Secretary shall submit to the congressional committees specified in paragraph (1) a report on the pilot program.

“(B) ELEMENTS.—The report under subparagraph (A) shall include each of the following:

“(i) An analysis of the effects that consolidated recruiting efforts has [sic] on the overall ability of recruiters to attract and place qualified candidates.

“(ii) A determination of the extent to which consolidating recruiting efforts affects efficiency and recruiting costs.

“(iii) An analysis of any challenges associated with a recruiter working to recruit individuals to enlist in a component in which the recruiter has not served.

“(iv) An analysis of the satisfaction of recruiters and the component recruiting commands with the pilot program.

“(3) FINAL REPORT ON PILOT PROGRAM.—Not later than 180 days after the date on which the pilot program is completed, the Secretary shall submit to the congressional committees specified in paragraph (1) a final report on the pilot program. The final report shall include any recommendations of the Secretary with respect to extending or making permanent the pilot program and a description of any related legislative actions that the Secretary considers appropriate.”

GLOBAL CULTURAL KNOWLEDGE NETWORK

Pub. L. 114–328, div. A, title X, §1087, Dec. 23, 2016, 130 Stat. 2425, provided that:

“(a) PROGRAM AUTHORIZED.—The Secretary of the Army shall carry out a program to support the socio-cultural understanding needs of the Department of the Army, to be known as the Global Cultural Knowledge Network.

“(b) GOALS.—The Global Cultural Knowledge Network shall support the following goals:

“(1) Provide socio-cultural analysis support to any unit deployed, or preparing to deploy, to an exercise or operation in the assigned region of responsibility of the unit being supported.

“(2) Make recommendations or support policy or doctrine development to increase the social science expertise of military and civilian personnel of the Department of the Army.

“(3) Provide reimbursable support to other military departments or Federal agencies if requested through an operational needs request process.

“(c) ELEMENTS OF THE PROGRAM.—The Global Cultural Knowledge Network shall include the following elements:

“(1) A center in the continental United States (referred to in this section as a ‘reach-back center’) to support requests for information, research, and analysis.

“(2) Outreach to academic institutions and other Federal agencies involved in social science research

to increase the network of resources for the reach-back center.

“(3) Training with operational units during annual training exercises or during pre-deployment training.

“(4) The training, contracting, and human resources capacity to rapidly respond to contingencies in which social science expertise is requested by operational commanders through an operational needs request process.

“(d) DIRECTIVE REQUIRED.—The Secretary of the Army shall issue a directive within one year after the date of the enactment of this Act [Dec. 23, 2016] for the governance of the Global Cultural Knowledge Network, including oversight and process controls for auditing the activities of personnel of the Network, the employment of the Global Cultural Knowledge Network by operational forces, and processes for requesting support by operational Army units and other Department of Defense and Federal entities.

“(e) PROHIBITION ON DEPLOYMENTS UNDER GLOBAL CULTURAL KNOWLEDGE NETWORK.—

“(1) PROHIBITION.—The Secretary of the Army may not deploy social scientists of the Global Cultural Knowledge Network in a conflict zone.

“(2) WAIVER.—The Secretary of the Army may waive the prohibition in paragraph (1) if the Secretary submits, at least 10 days before the deployment, to the Committees on Armed Services of the House of Representatives and the Senate—

“(A) notice of the waiver; and

“(B) a certification that there is a compelling national security interest for the deployment or there will be a benefit to the safety and welfare of members of the Armed Forces from the deployment.

“(3) ELEMENTS OF WAIVER NOTICE.—A waiver notice under this subsection also shall include the following:

“(A) The operational unit, or units, requesting support, including the location or locations where the social scientists are to be deployed.

“(B) The number of Global Cultural Knowledge Network personnel to be deployed and the anticipated duration of such deployments.

“(C) The anticipated resource needs for such deployment.”

PILOT PROGRAM FOR THE HUMAN TERRAIN SYSTEM

Pub. L. 113–291, div. A, title X, §1075, Dec. 19, 2014, 128 Stat. 3519, authorized the Secretary of the Army to carry out a pilot program under which the Secretary utilized Human Terrain System assets in the United States Pacific Command (now United States Indo-Pacific Command) area of responsibility to support phase 0 shaping operations and the theater security cooperation plans of the Commander of the United States Pacific Command and required initial and final reports to the congressional defense committees, with such authority terminating on Sept. 30, 2016.

EXPANSION OF FIRST SERGEANTS BARRACKS INITIATIVE

Pub. L. 111–84, div. B, title XXVIII, §2807, Oct. 28, 2009, 123 Stat. 2663, provided that:

“(a) EXPANSION OF INITIATIVE.—Not later than September 30, 2011, the Secretary of the Army shall expand the First Sergeants Barracks Initiative (FSBI) to include all Army installations in order to improve the quality of life and living environments for single soldiers.

“(b) PROGRESS REPORTS.—Not later than February 15, 2010, and February 15, 2011, the Secretary of the Army shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report describing the progress made in expanding the First Sergeants Barracks Initiative to all Army installations.”

SELECTION OF MILITARY INSTALLATIONS TO SERVE AS LOCATIONS OF BRIGADE COMBAT TEAMS

Pub. L. 111–84, div. B, title XXVIII, §2825, Oct. 28, 2009, 123 Stat. 2668, provided that: “In selecting the military

installations at which brigade combat teams will be stationed, the Secretary of the Army shall take into consideration the availability and proximity of training spaces for the units and the capacity of the installations to support the units.”

ARMY TRAINING STRATEGY FOR BRIGADE-BASED COMBAT TEAMS AND FUNCTIONAL SUPPORTING BRIGADES

Pub. L. 109–163, div. A, title III, §353, Jan. 6, 2006, 119 Stat. 3203, provided that:

“(a) TRAINING STRATEGY.—

“(1) STRATEGY REQUIRED.—The Secretary of the Army shall develop and implement a strategy for the training of brigade-based combat teams and functional supporting brigades in order to ensure the readiness of such teams and brigades.

“(2) ELEMENTS.—The training strategy under paragraph (1) shall include the following:

“(A) A statement of the purpose of training for brigade-based combat teams and functional supporting brigades.

“(B) Performance goals for both active-component and reserve-component brigade-based combat teams and functional supporting brigades, including goals for live, virtual, and constructive training.

“(C) Metrics to quantify training performance against the performance goals specified under subparagraph (B).

“(D) A process to report the status of collective training to Army leadership for monitoring the training performance of brigade-based combat teams and functional supporting brigades.

“(E) A model to quantify, and to forecast, operation and maintenance funding required for each fiscal year to attain the performance goals specified under subparagraph (B).

“(3) TIMING OF IMPLEMENTATION.—The Secretary of the Army shall develop and implement the training strategy under paragraph (1) as soon as practicable.

“(b) REPORT.—

“(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act [Jan. 6, 2006], the Secretary of the Army shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a report on the training strategy developed under subsection (a).

“(2) ELEMENTS.—The report under paragraph (1) shall include the following:

“(A) A discussion of the training strategy developed under subsection (a), including a description of the performance goals and metrics developed under that subsection.

“(B) A discussion and description of the training ranges and other essential elements required to support the training strategy.

“(C) A list of the funding requirements, shown by fiscal year and set forth in a format consistent with the future-years defense program to accompany the budget of the President under section 221 of title 10, United States Code, necessary to meet the requirements of the training ranges and other essential elements described under subparagraph (B).

“(D) A schedule for the implementation of the training strategy.

“(c) COMPTROLLER GENERAL REVIEW OF IMPLEMENTATION.—

“(1) IN GENERAL.—The Comptroller General shall monitor the implementation of the training strategy developed under subsection (a).

“(2) REPORT.—Not later than 180 days after the date on which the Secretary of the Army submits the report under subsection (b), the Comptroller General shall submit to the congressional defense committees a report containing the assessment of the Comptroller General of the current progress of the Army in implementing the training strategy.”

ARMY TRANSFORMATION TO BRIGADE STRUCTURE

Pub. L. 108–375, div. A, title V, §595(c), Oct. 28, 2004, 118 Stat. 1937, provided that: “The Secretary of the

Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report on the status of the internal transformation of the Army from a division-orientated force to a brigade-orientated force. Such report shall be submitted not later than March 31 of each year, except that the requirement to submit such annual report shall terminate when the Secretary of the Army submits to those committees the Secretary's certification that the transformation of the Army to a brigade-orientated force has been completed. Upon the submission of such certification, the Secretary shall publish in the Federal Register notice of that certification and that the statutory requirement to submit an annual report under this subsection has terminated."

DEMONSTRATION PROJECT FOR USE OF ARMY INSTALLATIONS TO PROVIDE PRERELEASE EMPLOYMENT TRAINING TO NONVIOLENT OFFENDERS IN STATE PENAL SYSTEMS

Pub. L. 103-337, div. A, title X, §1065, Oct. 5, 1994, 108 Stat. 2849, provided that:

"(a) **DEMONSTRATION PROJECT AUTHORIZED.**—The Secretary of the Army may conduct a demonstration project to test the feasibility of using Army facilities to provide employment training to nonviolent offenders in a State penal system before their release from incarceration. The demonstration project shall be limited to not more than three military installations under the jurisdiction of the Secretary.

"(b) **SOURCES OF TRAINING.**—The Secretary may enter into a cooperative agreement with one or more private, nonprofit organizations for purposes of providing at the military installations included in the demonstration project the prerelease employment training authorized under subsection (a) or may provide such training directly at such installations by agreement with the State concerned.

"(c) **USE OF FACILITIES.**—Under a cooperative agreement entered into under subsection (b), the Secretary may lease or otherwise make available to a nonprofit organization participating in the demonstration project at a military installation included in the demonstration project any real property or facilities at the installation that the Secretary considers to be appropriate for use to provide the prerelease employment training authorized under subsection (a). Notwithstanding section 2667(b)(4) of title 10, United States Code, the use of such real property or facilities may be permitted with or without reimbursement.

"(d) **ACCEPTANCE OF SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept voluntary services provided by persons participating in the prerelease employment training authorized under subsection (a).

"(e) **LIABILITY AND INDEMNIFICATION.**—(1) The Secretary may not enter into a cooperative agreement under subsection (b) with a nonprofit organization for the participation of that organization in the demonstration project unless the agreement includes provisions that the nonprofit organization shall—

"(A) be liable for any loss or damage to Federal Government property that may result from, or in connection with, the provision of prerelease employment training by the organization under the demonstration project; and

"(B) hold harmless and indemnify the United States from and against any suit, claim, demand, action, or liability arising out of any claim for personal injury or property damage that may result from or in connection with the demonstration project.

"(2) The Secretary may not enter into an agreement under subsection (b) with the State concerned for the provision of prerelease employment training directly by the Secretary unless the agreement with the State concerned includes provisions that the State shall—

"(A) be liable for any loss or damage to Federal Government property that may result from, or in connection with, the provision of the training except

to the extent that the loss or damage results from a wrongful act or omission of Federal Government personnel; and

"(B) hold harmless and indemnify the United States from and against any suit, claim, demand, action, or liability arising out of any claim for personal injury or property damage that may result from, or in connection with, the provision of the training except to the extent that the personal injury or property damage results from a wrongful act or omission of Federal Government personnel.

"(f) **REPORT.**—Not later than two years after the date of the enactment of this Act [Oct. 5, 1994], the Secretary shall submit to Congress a report evaluating the success of the demonstration project and containing such recommendations with regard to the termination, continuation, or expansion of the demonstration project as the Secretary considers appropriate."

Executive Documents

ORDER OF SUCCESSION

For order of succession in event of death, permanent disability, or resignation of Secretary of the Army, see Ex. Ord. No. 12908, Apr. 22, 1994, 59 F.R. 21907, listed in a table under section 3345 of Title 5, Government Organization and Employees.

§ 7014. Office of the Secretary of the Army

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

(b) The Office of the Secretary of the Army is composed of the following:

- (1) The Under Secretary of the Army.
- (2) The Assistant Secretaries of the Army.
- (3) The Administrative Assistant to the Secretary of the Army.
- (4) The General Counsel of the Department of the Army.
- (5) The Inspector General of the Army.
- (6) The Chief of Legislative Liaison.
- (7) The Army Reserve Forces Policy Committee.

(8) Such other offices and officials as may be established by law or as the Secretary of the Army may establish or designate.

(c)(1) The Office of the Secretary of the Army shall have sole responsibility within the Office of the Secretary and the Army Staff for the following functions:

- (A) Acquisition.
- (B) Auditing.
- (C) Comptroller (including financial management).
- (D) Information management.
- (E) Inspector General.
- (F) Legislative affairs.
- (G) Public affairs.

(2) The Secretary of the Army shall establish or designate a single office or other entity within the Office of the Secretary of the Army to conduct each function specified in paragraph (1). No office or other entity may be established or designated within the Army Staff to conduct any of the functions specified in paragraph (1).

(3) The Secretary shall prescribe the relationship of each office or other entity established or designated under paragraph (2) to the Chief of Staff and to the Army Staff and shall ensure that each such office or entity provides the