

tirement age of an officer so appointed is that of a permanent professor of the Academy.”

1986—Subsec. (b). Pub. L. 99-661 amended subsec. (b) generally, substituting “while serving in such position” for “while serving as such” and “if appointed to that grade by the President, by and with the advice and consent of the Senate. However, the retirement age of an officer so appointed” for “except that his retirement age”.

1958—Subsec. (b). Pub. L. 85-861 substituted “the grade of brigadier general” for “the regular grade of brigadier general”.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-136 applicable with respect to any Dean of the Faculty of the United States Air Force Academy selected on or after Nov. 24, 2003, see section 529(d) of Pub. L. 108-136, set out as a note under section 9331 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-661 applicable with respect to appointments or details made on or after Nov. 14, 1986, see section 508(f) of Pub. L. 99-661, set out as an Effective Date note under section 12210 of this title.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85-861 effective Aug. 10, 1956, see section 33(g) of Pub. L. 85-861, set out as a note under section 101 of this title.

§ 9336. Permanent professors; director of admissions

(a) A permanent professor of the Academy who is the head of a department of instruction, or who has served as such a professor for more than six years, has the grade of colonel. However, a permanent professor appointed from the Regular Air Force has the grade of colonel after the date when he completes six years of service as a professor, or after the date on which he would have been promoted had he been selected for promotion from among officers in the promotion zone, whichever is earlier. All other permanent professors have the grade of lieutenant colonel.

(b) A person appointed as director of admissions of the Academy has the regular grade of lieutenant colonel, and, after he has served six years as director of admissions, has the regular grade of colonel. However, a person appointed from the Regular Air Force has the regular grade of colonel after the date when he completes six years of service as director of admissions, or after the date on which he would have been promoted had he been selected for promotion from among officers in the promotion zone, whichever is earlier.

(Aug. 10, 1956, ch. 1041, 70A Stat. 562; Pub. L. 85-600, §1(22), Aug. 6, 1958, 72 Stat. 524; Pub. L. 85-861, §33(a)(46)(B), Sept. 2, 1958, 72 Stat. 1567; Pub. L. 96-513, title II, §218(b), title V, §504(24), Dec. 12, 1980, 94 Stat. 2886, 2917; Pub. L. 98-525, title V, §533(d)(2), Oct. 19, 1984, 98 Stat. 2528; Pub. L. 101-189, div. A, title V, §515(a)(4), (b)(1), Nov. 29, 1989, 103 Stat. 1441; Pub. L. 108-136, div. A, title V, §529(c)(2), Nov. 24, 2003, 117 Stat. 1472.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9336	10:1079a(a).	Aug. 7, 1947, ch. 512, §520(a) 61 Stat. 912.

The word “grade” is substituted for the word “rank”. The words “pay, and allowances” are omitted, since they are determined by the grade held. 10:1079a(a) (last proviso), and the words “Hereafter each of”, “who have been or may hereafter be”, and “and appointed in” are omitted as surplusage.

1958 ACT

The word “regular” is deleted [in sections 9335 and 9336] to make clear that a Dean or professor of the United States Air Force Academy holds only the office of “Dean” or “professor” and not the office of “brigadier general” or “colonel”, as the case may be, even though he is entitled to the pay and allowances of that grade.

AMENDMENTS

2003—Subsec. (a). Pub. L. 108-136 struck out “, other than the Dean of the Faculty,” after “Academy”.

1989—Pub. L. 101-189, §515(b), substituted “director of admissions” for “registrar” in section catchline.

Subsec. (b). Pub. L. 101-189, §515(a)(4), substituted “director of admissions” for “registrar” in three places.

1984—Subsecs. (a), (b). Pub. L. 98-525 substituted “on which he would have been promoted had he been selected for promotion from among officers in the promotion zone,” for “when a regular officer, junior to him on the promotion list or active-duty list on which his name was carried before his appointment as a professor, is promoted to the regular grade of colonel.”

1980—Subsecs. (a), (b). Pub. L. 96-513, §504(24), substituted “after the date when a regular officer, junior to him on the promotion list or active-duty list on which his name was carried” for “after the date when a promotion-list officer, junior to him on the promotion list on which his name was carried”.

Subsec. (c). Pub. L. 96-513, §218(b), struck out subsec. (c) which provided that, unless he is serving in a higher grade, an officer detailed to perform the duties of registrar has, while performing those duties, the temporary grade of lieutenant colonel and, after performing those duties for a period of six years, has the temporary grade of colonel.

1958—Pub. L. 85-600, §1(22)(C), inserted “; registrar” in section catchline.

Subsec. (a). Pub. L. 85-861 substituted “has the grade of colonel” for “has the regular grade of colonel” in two places, and “have the grade of lieutenant colonel” for “have the regular grade of lieutenant colonel”.

Pub. L. 85-600, §1(22)(A), designated existing provisions as subsec. (a).

Subsecs. (b), (c). Pub. L. 85-600, §1(22)(B), added subsecs. (b) and (c).

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-136 applicable with respect to any Dean of the Faculty of the United States Air Force Academy selected on or after Nov. 24, 2003, see section 529(d) of Pub. L. 108-136, set out as a note under section 9331 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by section 218(b) of Pub. L. 96-513 effective Sept. 15, 1981, but the authority to prescribe regulations under the amendment by Pub. L. 96-513 effective on Dec. 12, 1980, see section 701 of Pub. L. 96-513.

Amendment by section 504(24) of Pub. L. 96-513 effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85-861 effective August 10, 1956, see section 33(g) of Pub. L. 85-861, set out as a note under section 101 of this title.

SERVICE PERFORMED AS REGISTRAR PRIOR TO
AUGUST 6, 1958

Prohibition against accrual of increase in pay or allowances for service performed prior to Aug. 6, 1958, see note set out under section 4336 of this title.

§ 9337. Chaplain

There shall be a chaplain at the Academy, who must be a clergyman, appointed by the President for a term of four years. The chaplain is entitled to the same allowances for public quarters as are allowed to a captain, and to fuel and light for quarters in kind. The chaplain may be reappointed.

(Aug. 10, 1956, ch. 1041, 70A Stat. 562; Pub. L. 87-651, title I, § 117, Sept. 7, 1962, 76 Stat. 513.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9337	10:1083. 10:1137.	Feb. 18, 1896, ch. 22 (proviso), 29 Stat. 8; May 16, 1928, ch. 579, 45 Stat. 573; June 2, 1945, ch. 172, 59 Stat. 230.

The words "The chaplain may be reappointed" are substituted for the words "and said chaplain shall be eligible for reappointment for an additional term or terms". The figures "\$5,482.80" and "\$6,714" are substituted for the figures "\$4,000" and "\$5,000" to reflect increases in the rates of salary of that office effected by Federal Employees Pay Act of 1945, 59 Stat. 295, the Federal Employees Pay Act of 1946, 60 Stat. 216, the Postal Rate Revision and Federal Employees Salary Act of 1948, 62 Stat. 1260, and the Classification Act of 1949, 63 Stat. 954.

1962 ACT

The change reflects the opinion of the Assistant General Counsel, Civil Service Commission (GC:JHF:fv, May 4, 1959), that those parts of section 4337 and 9337 of title 10 that relate to the salaries of the chaplains at the United States Military Academy and the United States Air Force Academy were superseded by the Classification Act of 1949 (5 U.S.C. 1071 et seq.). While the positions of chaplain at those Academies are not specifically covered by the Act, the Act has been determined to apply to those positions in accordance with section 203 thereof (5 U.S.C. 1083).

AMENDMENTS

1962—Pub. L. 87-651 struck out provisions which prescribed salary of chaplain upon appointment and reappointment.

DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Secretary of Defense, see section 1(5) of Ex. Ord. No. 11390, Jan. 22, 1968, 33 F.R. 841, set out as a note under section 301 of Title 3, The President.

§ 9338. Civilian faculty: number; compensation

(a) The Secretary of the Air Force may employ as many civilians as professors, instructors, and lecturers at the Academy as the Secretary considers necessary.

(b) The compensation of persons employed under this section is as prescribed by the Secretary.

(c) The Secretary of the Air Force may, notwithstanding the provisions of subchapter V of chapter 55 of title 5 or section 6101 of such title, prescribe for persons employed under this section the following:

(1) The work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

(2) Any premium pay or compensatory time off for hours of work or tours of duty in excess of the regularly scheduled hours or tours of duty.

(Added Pub. L. 103-160, div. A, title V, § 533(b)(1), Nov. 30, 1993, 107 Stat. 1658; amended Pub. L. 106-65, div. A, title XI, § 1107(c), Oct. 5, 1999, 113 Stat. 778.)

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-65 added subsec. (c).

§ 9341. Faculty and other officers: leaves of absence

The Superintendent of the Academy may grant a leave of absence for the period of the suspension of the ordinary academic studies, without deduction of pay or allowances, to a professor, assistant professor, instructor, or other officer of the Academy.

(Aug. 10, 1956, ch. 1041, 70A Stat. 563.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9341	10:1144.	R.S. 1330.

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.

§ 9341a. Cadets: appointment by the President

Cadets at the Academy shall be appointed by the President alone. An appointment is conditional until the cadet is admitted.

(Added Pub. L. 97-60, title II, § 203(c)(2)(A), Oct. 14, 1981, 95 Stat. 1006.)

EFFECTIVE DATE

Section effective with respect to nominations for appointment to the first class admitted to each Academy after Oct. 14, 1981, see section 203(d) of Pub. L. 97-60, set out as a note under section 4341a of this title.

§ 9342. Cadets: appointment; numbers, territorial distribution

(a) The authorized strength of Air Force Cadets of the Academy (determined for any year as of the day before the last day of the academic year) is 4,400 or such lower number as may be prescribed by the Secretary of the Air Force under subsection (j). Subject to that limitation, Air Force Cadets are selected as follows:

(1) 65 cadets selected in order of merit as established by competitive examination from the children of members of the armed forces who were killed in action or died of, or have a service-connected disability rated at not less than 100 per centum resulting from wounds or injuries received or diseases contracted in, or preexisting injury or disease aggravated by, active service, children of members who are in a "missing status" as defined in section 551(2) of title 37, and children of civilian employees who are in "missing status" as defined in section 5561(5) of title 5. The determination of the Department of Veterans Affairs as to service connection of the cause of death or disability, and the percentage at which the disability is