

§ 8062. Policy; composition; aircraft authorization

(a) It is the intent of Congress to provide an Air Force that is capable, in conjunction with the other armed forces, of—

- (1) preserving the peace and security, and providing for the defense, of the United States, the Commonwealths and possessions, and any areas occupied by the United States;
- (2) supporting the national policies;
- (3) implementing the national objectives; and
- (4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.

(b) There is a United States Air Force within the Department of the Air Force.

(c) In general, the Air Force includes aviation forces both combat and service not otherwise assigned. It shall be organized, trained, and equipped primarily for prompt and sustained offensive and defensive air operations. It is responsible for the preparation of the air forces necessary for the effective prosecution of war except as otherwise assigned and, in accordance with integrated joint mobilization plans, for the expansion of the peacetime components of the Air Force to meet the needs of war.

(d) The Air Force consists of—

(1) the Regular Air Force, the Air National Guard of the United States, the Air National Guard while in the service of the United States, and the Air Force Reserve;

(2) all persons appointed or enlisted in, or conscripted into, the Air Force without component; and

(3) all Air Force units and other Air Force organizations, with their installations and supporting and auxiliary combat, training, administrative, and logistic elements; and all members of the Air Force, including those not assigned to units; necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency.

(e) Subject to subsection (f) of this section, chapter 831 of this title, and the strength authorized by law pursuant to section 115 of this title, the authorized strength of the Air Force is 70 Regular Air Force groups and such separate Regular Air Force squadrons, reserve groups, and supporting and auxiliary regular and reserve units as required.

(f) There are authorized for the Air Force 24,000 serviceable aircraft or 225,000 airframe tons of serviceable aircraft, whichever the Secretary of the Air Force considers appropriate to carry out this section. This subsection does not apply to guided missiles.

(g)(1) Effective October 1, 2011, the Secretary of the Air Force shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 301 aircraft. Effective on the date that is 45 days after the date on which the report under section 141(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 is submitted to the congressional defense committees, the Secretary shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 275 aircraft.

(2) In this subsection:

(A) The term “strategic airlift aircraft” means an aircraft—

- (i) that has a cargo capacity of at least 150,000 pounds; and
- (ii) that is capable of transporting outsized cargo an unrefueled range of at least 2,400 nautical miles.

(B) The term “outsized cargo” means any single item of equipment that exceeds 1,090 inches in length, 117 inches in width, or 105 inches in height.

(h)(1) Beginning October 1, 2011, the Secretary of the Air Force may not retire more than six B-1 aircraft.

(2) The Secretary shall maintain in a common capability configuration not less than 36 B-1 aircraft as combat-coded aircraft.

(3) In this subsection, the term “combat-coded aircraft” means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.

(Aug. 10, 1956, ch. 1041, 70A Stat. 493; Pub. L. 96-513, title V, §504(4), Dec. 12, 1980, 94 Stat. 2916; Pub. L. 99-433, title I, §110(g)(10), Oct. 1, 1986, 100 Stat. 1004; Pub. L. 100-26, §7(g)(3), Apr. 21, 1987, 101 Stat. 282; Pub. L. 100-180, div. A, title XIII, §1314(b)(9), Dec. 4, 1987, 101 Stat. 1176; Pub. L. 109-163, div. A, title X, §1057(a)(6), Jan. 6, 2006, 119 Stat. 3441; Pub. L. 109-364, div. A, title I, §132, Oct. 17, 2006, 120 Stat. 2112; Pub. L. 111-84, div. A, title I, §139, Oct. 28, 2009, 123 Stat. 2223; Pub. L. 112-81, div. A, title I, §131, Dec. 31, 2011, 125 Stat. 1320; Pub. L. 112-239, div. A, title I, §§141(a), 142(a), Jan. 2, 2013, 126 Stat. 1659, 1662.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8062(a)	10:20.	July 26, 1947, ch. 343, §208(a), (f), 61 Stat. 503; Aug. 10, 1949, ch. 412, §12(d), 63 Stat. 591.
8062(b)	5:626c(a).	
8062(c)	5:626c(f).	
8062(d)	10:20r(a).	
	10:1831.	
	50:1091.	July 10, 1950, ch. 454, §§2, 201, 203, 64 Stat. 321, 323, 324.
8062(e)	10:20r(b).	Sept. 19, 1951, ch. 407, §301, 65 Stat. 329.
8062(f)	10:20t.	July 9, 1952, ch. 608, §601, 66 Stat. 501.

In subsection (a), 10:20 (1st 19 words) is omitted as surplusage. The words “any areas occupied by the United States” are substituted for the words “occupied areas wherever located”.

Subsection (b) is substituted for 5:626c(a) (1st sentence). 5:626c(a) (last sentence) is omitted as executed.

In subsection (d), the words “consists of” are substituted for the word “includes”.

In subsection (d)(1), 10:20r(a) is omitted as superseded by 10:1831. The words “all persons serving in the Air Force under call or * * * under any provision of law, including members of the Air 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” are omitted as covered by the words “the Air National Guard while in the service of the United States”. 50:1091 (last sentence) is omitted, since the components listed include their members.

In subsection (d)(2), the words “or inducted” are omitted as covered by the word “conscripted”.

In subsection (e), the words “Effective on July 10, 1950” are omitted as executed. The words “the limitations imposed by” are omitted as surplusage. The words “not to exceed” are omitted as surplusage, since

the revised section states the authorized number and any number over that would not be authorized. The words “and chapter 31 of this title” are substituted for the reference to 10:20s to make it clear that the authority for a 70 group Air Force is subject to all provisions which prescribe the authorized personnel strength of the Air Force.

In subsection (f), the word “considers” is substituted for the words “may determine is more”. The words “aggregate” and “amount” are omitted as surplusage. The words “carry out this section” are substituted for the words “fulfill the requirements of the Air Force of the United States for aircraft necessary to carry out the purposes of this chapter, section 481 of this title, and sections 235, 235a, 628, and 628a of title 5”, since the purposes to which the reference is made are stated in the revised section. The last sentence is substituted for 10:20t (proviso).

REFERENCES IN TEXT

Section 141(c)(3) of the National Defense Authorization Act for Fiscal Year 2013, referred to in subsec. (g)(1), is section 141(c)(3) of Pub. L. 112-239, div. A, title I, Jan. 2, 2013, 126 Stat. 1661.

AMENDMENTS

2013—Subsec. (g)(1). Pub. L. 112-239, §141(a), inserted at end “Effective on the date that is 45 days after the date on which the report under section 141(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 is submitted to the congressional defense committees, the Secretary shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 275 aircraft.”

Subsec. (h). Pub. L. 112-239, §142(a), added subsec. (h).
2011—Subsec. (g)(1). Pub. L. 112-81 substituted “October 1, 2011” for “October 1, 2009” and “301 aircraft” for “316 aircraft”.

2009—Subsec. (g)(1). Pub. L. 111-84 substituted “2009” for “2008” and “316” for “299”.

2006—Subsec. (a)(1). Pub. L. 109-163 substituted “Commonwealths and possessions” for “Territories, Commonwealths, and possessions”.

Subsec. (g). Pub. L. 109-364 added subsec. (g).
1987—Subsec. (e). Pub. L. 100-26 and Pub. L. 100-180 amended subsec. (e) identically, substituting “section 115” for “section 114”.

1986—Subsec. (e). Pub. L. 99-433 substituted “section 114” for “section 138”.

1980—Subsec. (e). Pub. L. 96-513 substituted “, chapter 831 of this title, and the strength authorized by law pursuant to section 138” for “and chapter 831”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by 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.

REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY

Pub. L. 111-383, div. A, title III, §345, Jan. 7, 2011, 124 Stat. 4191, provided that:

“(a) REQUIREMENTS.—In proposing the transfer of ownership of any aircraft from ownership by a reserve component of the Air Force to ownership by a regular component of the Air Force, including such a transfer to be made on a temporary basis, the Secretary of the Air Force shall ensure that a written agreement regarding such transfer of ownership has been entered into between the Director of the Air National Guard, the Commander of the Air Force Reserve Command, and the Chief of Staff of the Air Force. Any such agreement shall specify each of the following:

“(1) The number of and type of aircraft to be transferred.

“(2) In the case of any aircraft transferred on a temporary basis—

“(A) the schedule under which the aircraft will be returned to the ownership of the reserve component;

“(B) a description of the condition, including the estimated remaining service life, in which any such aircraft will be returned to the reserve component; and

“(C) a description of the allocation of resources, including the designation of responsibility for funding aircraft operation and maintenance and a detailed description of budgetary responsibilities, for the period for which the ownership of the aircraft is transferred to the regular component.

“(3) The designation of responsibility for funding depot maintenance requirements or modifications to the aircraft generated as a result of the transfer, including any such requirements and modifications required during the period for which the ownership of the aircraft is transferred to the regular component.

“(4) Any location from which the aircraft will be transferred.

“(5) The effects on manpower that such a transfer may have at any facility identified under paragraph (4).

“(6) The effects on the skills and proficiencies of the reserve component personnel affected by the transfer.

“(7) Any other items the Director of the Air National Guard or the Commander of the Air Force Reserve Command determines are necessary in order to execute such a transfer.

“(b) SUBMITTAL OF AGREEMENTS TO CONGRESS.—The Secretary of the Air Force may not take any action to transfer the ownership of an aircraft as described in subsection (a) until the Secretary submits to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] an agreement entered into pursuant to such subsection regarding the transfer of ownership of the aircraft.”

CONSOLIDATION OF AIR FORCE AND AIR NATIONAL GUARD AIRCRAFT MAINTENANCE

Pub. L. 110-417, [div. A], title III, §324, Oct. 14, 2008, 122 Stat. 4416, as amended by Pub. L. 111-383, div. A, title X, §1075(e)(4), Jan. 7, 2011, 124 Stat. 4374, provided that:

“(a) RESTRICTION ON IMPLEMENTATION OF CONSOLIDATION.—The Secretary of the Air Force shall not implement the consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard or the consolidation of aircraft repair facilities and personnel of the Air National Guard with aircraft repair facilities and personnel of the active Air Force unless and until the Secretary of the Air Force submits the reports required by (b) and (c), the Chief of the National Guard Bureau submits the assessment required by subsection (d), and the Secretary of Defense submits the certification required by subsection (e).

“(b) REPORT ON CRITERIA.—Not later than 30 days after the date of the enactment of this Act [Oct. 14, 2008], the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report stating all the criteria being used by the Department of the Air Force and the Rand Corporation to evaluate the feasibility of consolidating Air Force maintenance functions into organizations that would integrate active, Guard, and Reserve components into a total-force approach. The report shall include the assumptions that were provided to or developed by the Rand Corporation for its study of the feasibility of the consolidation proposal.

“(c) REPORT ON FEASIBILITY STUDY.—At least 90 days before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings of the Rand Corporation feasibility study and the Rand Corporation’s recommendations, the Air Force’s assessment of the findings and recommendations, any plans developed for

implementation of the consolidation, and a delineation of all infrastructure costs anticipated as a result of implementation.

“(d) ASSESSMENT BY CHIEF OF THE NATIONAL GUARD BUREAU.—Not later than 30 days after the date on which the report required by subsection (c) is submitted, the Chief of the National Guard Bureau shall submit to the Committees on Armed Services of the Senate and House of Representatives a written assessment of—

“(1) the proposed actions to consolidate aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary of the Air Force; and

“(2) the information included in the report required by subsection (c).

“(e) CERTIFICATION BY THE SECRETARY OF DEFENSE.—After the Secretary of the Air Force submits the reports required by subsections (b) and (c), and before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary of the Air Force, the Secretary of Defense shall certify that such consolidation is in the national interest and will not adversely affect recruitment, retention, or execution of the Air National Guard mission in the individual States.”

[§ 8066. Repealed. Pub. L. 96-513, title II, § 201, Dec. 12, 1980, 94 Stat. 2878]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 494; Sept. 2, 1958, Pub. L. 85-861, §33(a)(36), 72 Stat. 1566, authorized President, by and with consent of the Senate, to make temporary appointments in grades of general and lieutenant general from officers of Air Force on active duty in any grade above brigadier general and specified the number of positions in each such grade. See section 601 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

§ 8067. Designation: officers to perform certain professional functions

(a) Medical functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary of the Air Force and who are designated as medical officers.

(b) Dental functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as dental officers.

(c) Veterinary functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as veterinary officers.

(d) Medical service functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as medical service officers.

(e) Nursing functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as Air Force nurses.

(f) Biomedical science functions, including physician assistant functions and chiropractic functions, in the Air Force shall be performed

by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as biomedical science officers.

(g) Judge advocate functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as judge advocates.

(h) Chaplain functions in the Air Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as chaplains.

(i) Other functions in the Air Force requiring special training or experience shall be performed by members of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as being in named categories.

(Aug. 10, 1956, ch. 1041, 70A Stat. 494; Pub. L. 85-861, §1(156), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 96-513, title V, §504(5), Dec. 12, 1980, 94 Stat. 2916; Pub. L. 97-86, title IV, §403, Dec. 1, 1981, 95 Stat. 1105; Pub. L. 102-484, div. A, title V, §505(c), Oct. 23, 1992, 106 Stat. 2404.)

HISTORICAL AND REVISION NOTES
1956 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8067(a)	10:1837(a) (as applicable to medical officers).	Sept. 19, 1951, ch. 407, §307 (less (d)), 65 Stat. 330.
8067(b)	10:1837(a) (as applicable to dental officers).	June 24, 1952, ch. 457 (less 1st and last provisos), 66 Stat. 156.
8067(c)	10:1837(a) (as applicable to veterinary officers).	
8067(d)	10:1837(a) (as applicable to medical service officers).	
8067(e)	10:1837(a) (as applicable to nurses).	
8067(f)	10:1837(a) (as applicable to women medical specialists).	
8067(g)	10:1837(a) (as applicable to judge advocates).	
8067(h)	10:1837(a) (as applicable to chaplains).	
8067(i)	10:1837(a) (less categories covered by subsections (a)-(h)). 10:1837(b), (c). 10:81-2 (less 1st and last provisos).	

The references in clauses (4), (6), and (7) of 10:1837(a) are omitted, since the laws to which reference is made deal with qualifications for appointment as commissioned officers and do not specify professional qualifications prerequisite to designation to duties requiring special training or experience. The reference in clause (8) is omitted as executed.

10:1837(b) and (c) are omitted, since, except in the case of a reference to a law not presently in effect, their substance is covered by including the laws referred to in various revised sections of this title (see the distribution tables). 10:81-2 (less 1st and last provisos) is omitted as unnecessary.

In subsections (a)-(d), (g), and (h), the words “commissioned officers” are substituted for the word “members”, in 10:1837(a), since, under the laws to which reference is made, only commissioned officers may be designated to perform these functions.

In subsections (e) and (f), the words “female commissioned officers” are substituted for the word “members”, in 10:1837(a), since, under the laws to which reference is made, only female commissioned officers may be designated to perform these functions.