

such position (or equivalent position) at least three years, including any service in such position (or its equivalent) before such date, shall be retired in the highest grade in which the officer served on active duty satisfactorily, as determined by the Secretary of the Navy.”

#### § 5047. Legislative Assistant to the Commandant

There is in the Marine Corps a Legislative Assistant to the Commandant.

(Added Pub. L. 107-314, div. A, title V, §504(d)(3)(A), Dec. 2, 2002, 116 Stat. 2532; amended Pub. L. 114-328, div. A, title V, §502(y), Dec. 23, 2016, 130 Stat. 2104.)

#### AMENDMENTS

2016—Pub. L. 114-328 struck out second sentence which read as follows: “An officer assigned to that position shall be in a grade above colonel.”

### CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY

Sec.

5061.	Department of the Navy: composition.
5062.	United States Navy: composition; functions.
5063.	United States Marine Corps: composition; functions.

#### AMENDMENTS

1986—Pub. L. 99-433, title V, §511(b)(1), Oct. 1, 1986, 100 Stat. 1042, inserted heading for new chapter 507 relating to composition of the Department of the Navy, and items 5061 to 5063. The heading for former chapter 507, relating to Office of the Comptroller of the Navy, and former items 5061 to 5064 were struck out as part of the repeal of former chapter 507 by Pub. L. 99-433, title V, §511(a), Oct. 1, 1986, 100 Stat. 1042.

#### § 5061. Department of the Navy: composition

The Department of the Navy is composed of the following:

- (1) The Office of the Secretary of the Navy.
- (2) The Office of the Chief of Naval Operations.
- (3) The Headquarters, Marine Corps.
- (4) The entire operating forces, including naval aviation, of the Navy and of the Marine Corps, and the reserve components of those operating forces.
- (5) All field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Secretary of the Navy.
- (6) The Coast Guard when it is operating as a service in the Navy.

(Added Pub. L. 99-433, title V, §511(b)(1), Oct. 1, 1986, 100 Stat. 1043.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 5011 of this title prior to enactment of Pub. L. 99-433.

A prior section 5061, act Aug. 10, 1956, ch. 1041, 70A Stat. 280, related to appointment and functions of Comptroller of the Navy, prior to repeal by Pub. L. 99-433, §511(a).

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections

468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 5062. United States Navy: composition; functions

(a) The Navy, within the Department of the Navy, includes, in general, naval combat and service forces and such aviation as may be organic therein. The Navy shall be organized, trained, and equipped primarily for prompt and sustained combat incident to operations at sea. It is responsible for the preparation of naval 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 Navy to meet the needs of war.

(b) The naval combat forces of the Navy shall include not less than 11 operational aircraft carriers. For purposes of this subsection, an operational aircraft carrier includes an aircraft carrier that is temporarily unavailable for worldwide deployment due to routine or scheduled maintenance or repair.

(c) All naval aviation shall be integrated with the naval service as part thereof within the Department of the Navy. Naval aviation consists of combat and service and training forces, and includes land-based naval aviation, air transport essential for naval operations, all air weapons and air techniques involved in the operations and activities of the Navy, and the entire remainder of the aeronautical organization of the Navy, together with the personnel necessary therefor.

(d) The Navy shall develop aircraft, weapons, tactics, technique, organization, and equipment of naval combat and service elements. Matters of joint concern as to these functions shall be coordinated between the Army, the Air Force, and the Navy.

(e) The Secretary of the Navy shall ensure that—

(1) the Navy maintains a minimum of 9 carrier air wings until the earlier of—

(A) the date on which additional operationally deployable aircraft carriers can fully support a 10th carrier air wing; or

(B) October 1, 2025;

(2) after the earlier of the two dates referred to in subparagraphs (A) and (B) of paragraph (1), the Navy maintains a minimum of 10 carrier air wings; and

(3) for each such carrier air wing, the Navy maintains a dedicated and fully staffed headquarters.

(Aug. 10, 1956, ch. 1041, 70A Stat. 277, §5012; renumbered §5062 and amended Pub. L. 99-433, title V, §511(b)(3), (4), Oct. 1, 1986, 100 Stat. 1043; Pub. L. 109-163, div. A, title I, §126(a), Jan. 6, 2006, 119 Stat. 3159; Pub. L. 109-364, div. A, title X, §1011(a), Oct. 17, 2006, 120 Stat. 2374; Pub. L. 114-328, div. A, title X, §1042(a), Dec. 23, 2016, 130 Stat. 2393.)