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- 8013. Secretary of the Air Force.
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AMENDMENTS

- 2006—Pub. L. 109-163, div. A, title IX, §904(e)(2), Jan. 6, 2006, 119 Stat. 3402, added item 8024.
- 2002—Pub. L. 107-314, div. A, title V, §504(e)(1)(B), Dec. 2, 2002, 116 Stat. 2532, added item 8023.
- 1988—Pub. L. 100-456, div. A, title VII, §702(c)(3), Sept. 29, 1988, 102 Stat. 1996, added item 8022.
- 1986—Pub. L. 99-433, title V, §521(b), Oct. 1, 1986, 100 Stat. 1060, amended analysis generally, substituting items 8011 to 8021 for former items 8010 to 8019.
- 1967—Pub. L. 90-168, §2(20), Dec. 1, 1967, 81 Stat. 525, added item 8019.
- 1964—Pub. L. 88-426, title III, §§305(40)(B), 306(j)(8), Aug. 14, 1964, 78 Stat. 427, 432, struck out “; compensation” from item 8012, and struck out item 8018 “Compensation of General Counsel”.
- 1962—Pub. L. 87-651, title II, §213(b), Sept. 7, 1962, 76 Stat. 524, added item 8010.
- 1958—Pub. L. 85-861, §1(154)(B), Sept. 2, 1958, 72 Stat. 1513, added item 8018.

[§ 8010. Renumbered § 8011]

§ 8011. Organization

The Department of the Air Force is separately organized under the Secretary of the Air Force. It operates under the authority, direction, and control of the Secretary of Defense.

(Added Pub. L. 87-651, title II, §213(a), Sept. 7, 1962, 76 Stat. 524, §8010; renumbered §8011, Pub. L. 99-433, title V, §521(a)(1), Oct. 1, 1986, 100 Stat. 1055.)

HISTORICAL AND REVISION NOTES
1962 AMENDMENT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8010	5:171a(c)(7) (1st sentence, as applicable to Department of Air Force).	July 26, 1947, ch. 343, §202(c)(7) (1st sentence as applicable to Department of Air Force); added Aug. 6, 1958, Pub. L. 85-599, §3(a) (1st sentence of 8th par., as applicable to Department of Air Force), 72 Stat. 516.

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

PRIOR PROVISIONS

A prior section 8011 was renumbered section 8012 of this title.

§ 8012. Department of the Air Force: seal

The Secretary of the Air Force shall have a seal for the Department of the Air Force. 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. 488, §8011; renumbered §8012, Pub. L. 99-433, title V, §521(a)(1), Oct. 1, 1986, 100 Stat. 1055.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8011	5:626(g).	July 26, 1947, ch. 343, §207(g), 61 Stat 503.

The words “of office” are omitted as surplusage. The words “a design” are substituted for the words “such device”.

PRIOR PROVISIONS

A prior section 8012 was renumbered section 8013 of this title and subsequently repealed.

EX. ORD. NO. 9902. SEAL FOR THE DEPARTMENT OF THE AIR FORCE

Ex. Ord. No. 9902, Nov. 1, 1947, 12 F.R. 7153, provided: WHEREAS section 207(g) of the National Security Act of 1947, approved July 26, 1947 (Public Law 253, 80th Congress 1st Session) provides, in part, that the Secretary of the Air Force shall cause a seal of office to be made for the Department of the Air Force of such device as the President shall approve; and

WHEREAS the Secretary of the Air Force has caused to be made and has recommended that I approve a seal the design of which accompanies and is hereby made a part of this order, and which is described in heraldic terms as follows:

SHIELD: Per fess nebuly abased azure and argent, in chief a thunderbolt or inflamed proper.

CREST: On a wreath argent and azure an American bald eagle, wings displayed and partially elevated proper in front of a cloud argent.

Encircling the shield and crest an arc of thirteen stars and below the shield the inscription “MCMXLVII”.

On a band encircling the whole the inscriptions “Department of the Air Force” and “United States of America.”

When illustrating the seal in color the background shall be ultramarine blue, the shield a light blue and white, and the thunderbolt in gold with flames in natural color. The twists of the wreath shall be alternated white and blue, and the eagle shall be in natural color in front of a white cloud. The thirteen stars shall be white, and the Roman numerals shall be gold. The encircling band shall be white edged in gold with black letters.

AND WHEREAS it appears that such seal is of suitable design and is appropriate for establishment as the official seal of the Department of the Air Force:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the said section 207(g) of the National Security Act of 1947, I hereby approve such seal as the official seal of the Department of the Air Force.

HARRY S. TRUMAN.

§ 8013. Secretary of the Air Force

(a)(1) There is a Secretary of the Air Force, 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 Air Force.

(2) A person may not be appointed as Secretary of the Air Force within five 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 Air Force is responsible for, and has the authority necessary to conduct, all affairs of the Department of the Air Force, 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 Air Force is also responsible to the Secretary of Defense for—

- (1) the functioning and efficiency of the Department of the Air Force;
- (2) the formulation of policies and programs by the Department of the Air Force 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 Air Force;
- (4) carrying out the functions of the Department of the Air Force 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 Air Force 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 Air Force 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 Air Force.

(d) The Secretary of the Air Force 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 Air Force may make such recommendations to Congress relating to the Department of Defense as he considers appropriate.

(f) The Secretary of the Air Force may assign such of his functions, powers, and duties as he considers appropriate to the Under Secretary of the Air Force and to the Assistant Secretaries of

the Air Force. Officers of the Air Force 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 Air Force may—

- (1) assign, detail, and prescribe the duties of members of the Air Force and civilian personnel of the Department of the Air Force;
- (2) change the title of any officer or activity of the Department of the Air Force 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, §521(a)(3), Oct. 1, 1986, 100 Stat. 1055; 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(c), Dec. 23, 2016, 130 Stat. 2363.)

PRIOR PROVISIONS

A prior section 8013, acts Aug. 10, 1956, ch. 1041, 70A Stat. 488, §8012; Sept. 2, 1958, Pub. L. 85-861, §1(152), 72 Stat. 1513; Sept. 7, 1962, Pub. L. 87-651, title II, §211, 76 Stat. 524; Aug. 14, 1964, Pub. L. 88-426, title III, §305(7), 306(j)(7), 78 Stat. 423, 432; renumbered §8013, Oct. 1, 1986, Pub. L. 99-433, title V, §521(a)(1), 100 Stat. 1055, related to Secretary of the Air Force, powers and duties, and delegations, prior to repeal by Pub. L. 99-433, §521(a)(3).

Another prior section 8013 was renumbered section 8014 of this title and subsequently repealed.

AMENDMENTS

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”.

ORDER OF SUCCESSION

For order of succession in event of death, permanent disability, or resignation of Secretary of the Air Force, see Ex. Ord. No. 12909, Apr. 22, 1994, 59 F.R. 21909, listed in a table under section 3345 of Title 5.

RATING CHAINS FOR SYSTEM PROGRAM MANAGERS

Pub. L. 112-239, div. A, title III, §323, Jan. 2, 2013, 126 Stat. 1696, provided that: “The Secretary of the Air Force, in managing system program management responsibilities for sustainment programs not assigned to a program executive officer or a direct reporting program manager, shall comply with the Department of Defense Instructions regarding assignment of program responsibility.”

§ 8014. Office of the Secretary of the Air Force

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

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

- (1) The Under Secretary of the Air Force.
- (2) The Assistant Secretaries of the Air Force.
- (3) The General Counsel of the Department of the Air Force.
- (4) The Inspector General of the Air Force.