

(b) Under the authority, direction, and control of the Secretary of the Air Force, the Air Staff shall—

(1) subject to subsections (c) and (d) of section 8014 of this title, prepare for such employment of the Air Force, and for such recruiting, organizing, supplying, equipping (including those aspects of research and development assigned by the Secretary of the Air Force), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Air Force, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

(2) investigate and report upon the efficiency of the Air Force and its preparation to support military operations by combatant commands;

(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

(4) as directed by the Secretary or the Chief of Staff, coordinate the action of organizations of the Air Force; and

(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 490; Pub. L. 85-599, §4(h), Aug. 6, 1958, 72 Stat. 517; Pub. L. 99-433, title V, §522(b), Oct. 1, 1986, 100 Stat. 1060.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8032(a) .....	10:1815(a).	Sept. 19, 1951, ch. 407,
8032(b) .....	10:1815(b).	§ 205, 65 Stat. 329.

In subsection (a), the word “furnish” is substituted for the word “render”.

In subsection (b)(1), the words “power, duty, or function of” are substituted for the words “power vested in, duty imposed upon, or function assigned to”.

In subsection (b)(2), the words “all questions affecting” and “state of” are omitted as surplusage.

AMENDMENTS

1986—Pub. L. 99-433, §522(b)(3), substituted “The Air Staff: general duties” for “General duties” in section catchline.

Subsec. (a). Pub. L. 99-433, §522(b)(1), inserted “of the Air Force” after “Chief of Staff”.

Subsec. (b). Pub. L. 99-433, §522(b)(2), substituted “Under the authority, direction, and control of the Secretary of the Air Force, the Air Staff” for “The Air Staff” before par. (1), inserted “subject to subsections (c) and (d) of section 8014 of this title,” and substituted “(including those aspects of research and development assigned by the Secretary of the Air Force), training, servicing, mobilizing, demobilizing, administering, and maintaining” for “, training, serving, mobilizing, and demobilizing” in par. (1), substituted “to support military operations by combatant commands” for “for military operations” in par. (2), and amended par. (4) generally. Prior to amendment, par. (4) read as follows: “act as agent of the Secretary and the Chief of Staff in coordinating the action of all organizations of the Department of the Air Force; and”.

1958—Subsec. (b)(1). Pub. L. 85-599 substituted “prepare for such employment of the Air Force” for “prepare such plans for the national security, for employment of the Air Force for that purpose, both separately and in conjunction with the land and naval forces”.

§ 8033. Chief of Staff

(a)(1) There is a Chief of Staff of the Air Force, appointed for a period of four years by the Presi-

dent, by and with the advice and consent of the Senate, from the general officers of the Air Force. He serves at the pleasure of the President. In time of war or during a national emergency declared by Congress, he may be reappointed for a term of not more than four years.

(2) The President may appoint an officer as Chief of Staff only if—

(A) the officer has had significant experience in joint duty assignments; and

(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(f)<sup>1</sup> of this title) as a general officer.

(3) The President may waive paragraph (2) in the case of an officer if the President determines such action is necessary in the national interest.

(b) The Chief of Staff, while so serving, has the grade of general without vacating his permanent grade.

(c) Except as otherwise prescribed by law and subject to section 8013(f) of this title, the Chief of Staff performs his duties under the authority, direction, and control of the Secretary of the Air Force and is directly responsible to the Secretary.

(d) Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff shall—

(1) preside over the Air Staff;

(2) transmit the plans and recommendations of the Air Staff to the Secretary and advise the Secretary with regard to such plans and recommendations;

(3) after approval of the plans or recommendations of the Air Staff by the Secretary, act as the agent of the Secretary in carrying them into effect;

(4) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Air Force as the Secretary determines;

(5) perform the duties prescribed for him by sections 171 and 2547 of this title and other provisions of law, including pursuant to section 8040 of this title; and

(6) perform such other military duties, not otherwise assigned by law, as are assigned to him by the President, the Secretary of Defense, or the Secretary of the Air Force.

(e)(1) The Chief of Staff shall also perform the duties prescribed for him as a member of the Joint Chiefs of Staff under section 151 of this title.

(2) To the extent that such action does not impair the independence of the Chief of Staff in the performance of his duties as a member of the Joint Chiefs of Staff, the Chief of Staff shall inform the Secretary regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

(3) Subject to the authority, direction, and control of the Secretary of Defense, the Chief of Staff shall keep the Secretary of the Air Force fully informed of significant military operations

<sup>1</sup> See References in Text note below.

affecting the duties and responsibilities of the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 492, §8034; Pub. L. 85-599, §4(d), (e), Aug. 6, 1958, 72 Stat. 517; Pub. L. 87-651, title I, §114, Sept. 7, 1962, 76 Stat. 513; Pub. L. 90-22, title IV, §403, June 5, 1967, 81 Stat. 53; Pub. L. 96-513, title V, §504(2), Dec. 12, 1980, 94 Stat. 2915; Pub. L. 97-22, §10(b)(9), July 10, 1981, 95 Stat. 137; renumbered §8033 and amended Pub. L. 99-433, title V, §522(c), Oct. 1, 1986, 100 Stat. 1061; Pub. L. 100-456, div. A, title V, §519(a)(3), Sept. 29, 1988, 102 Stat. 1972; Pub. L. 114-92, div. A, title VIII, §802(d)(4)(D), title XVI, §1652(a)(3), Nov. 25, 2015, 129 Stat. 880, 1122.)

HISTORICAL AND REVISION NOTES  
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8034(a) .....	10:1812 (1st sentence).	Sept. 19, 1951, ch. 407,
8034(b) .....	10:1812 (less 1st sentence).	§§202, 204, 65 Stat. 328.
8034(c) .....	10:1814(a) (1st 10 words). 10:1814(b) (2d sentence). 10:1814(c).	June 3, 1916, ch. 134, §5 (last par.); added June 15, 1933, ch. 87, §2 (last par.), 48 Stat. 154.
8034(d) .....	10:38 (last par.). 10:1814(a) (less 1st 10 words). 10:1814(b) (less 2d sentence).	

In subsection (a), the words “not for” are substituted for the words “no person shall serve as Chief of Staff for a term of”.

In subsection (b), the words “so serving” are substituted for the words “holding office as such”. The words “regular or reserve” are substituted for the word “permanent”, since there are no other “permanent” grades in the Air Force. The words “in the Air Force” are omitted as surplusage. The words “and shall take rank as prescribed by law” are omitted as superseded by section 743 of this title. The words “He shall receive the compensation prescribed by law” are omitted as covered by the Career Compensation Act of 1949, 63 Stat. 802 (37 U.S.C. 231 et seq.).

In subsection (c), the provisions of 10:1814 relating to the direction of the Secretary of the Air Force over the Chief of Staff are combined. The words “and subsection (c) of this section” and “state of” are omitted as surplusage.

In subsection (d), 10:38 (last par.) is omitted as covered by 10:1814(a). The words “and other provisions of law” are substituted for the words “and by other laws”.

1962 ACT

The changes correct references to section 202(j) of the National Security Act of 1947, which is now set out as section 124 of title 10.

REFERENCES IN TEXT

Section 664(f) of this title, referred to in subsec. (a)(2)(B), was redesignated as section 664(d) of this title by Pub. L. 114-328, div. A, title V, §510(g)(1), Dec. 23, 2016, 130 Stat. 2111.

PRIOR PROVISIONS

A prior section 8033 was renumbered section 10305 of this title.

AMENDMENTS

2015—Subsec. (d)(5). Pub. L. 114-92, §1652(a)(3), inserted “, including pursuant to section 8040 of this title” after “other provisions of law”.

Pub. L. 114-92, §802(d)(4)(D), substituted “sections 171 and 2547” for “section 171”.

1988—Subsec. (a)(2)(B). Pub. L. 100-456 substituted “full tour of duty in a joint duty assignment (as defined in section 664(f) of this title)” for “joint duty assignment”.

1986—Pub. L. 99-433 renumbered section 8034 of this title as this section, substituted “Chief of Staff” for “Chief of Staff: appointment; duties” in section catchline, and amended text generally. Prior to amendment, text read as follows:

“(a) The Chief of Staff shall be appointed for a period of four years by the President, by and with the advice and consent of the Senate, from the general officers of the Air Force. He serves during the pleasure of the President. In time of war or national emergency declared by the Congress after December 31, 1968, he may be reappointed for a term of not more than four years.

“(b) The Chief of Staff, while so serving, has the grade of general without vacating his regular or reserve grade.

“(c) Except as otherwise prescribed by law and subject to section 8012(c) and (d) of this title, the Chief of Staff performs his duties under the direction of the Secretary of the Air Force, and is directly responsible to the Secretary for the efficiency of the Air Force, its preparedness for military operations, and plans therefor.

“(d) The Chief of Staff shall—

“(1) preside over the Air Staff;

“(2) send the plans and recommendations of the Air Staff to the Secretary, and advise him with regard thereto;

“(3) after approval of the plans or recommendations of the Air Staff by the Secretary, act as the agent of the Secretary in carrying them into effect;

“(4) exercise supervision over such of the members and organizations of the Air Force as the Secretary of the Air Force determines. Such supervision shall be exercised in a manner consistent with the full operational command vested in unified or specified combatant commanders under section 124 of this title.

“(5) perform the duties prescribed for him by sections 141 and 171 of this title and other provisions of law; and

“(6) perform such other military duties, not otherwise assigned by law, as are assigned to him by the President.”

1981—Subsec. (b). Pub. L. 97-22 struck out the comma after “his regular or reserve grade”.

1980—Subsec. (b). Pub. L. 96-513 struck out “and is counted as one of the officers authorized to serve in a grade above lieutenant general under section 8066 of this title” after “without vacating his regular or reserve grade”.

1967—Subsec. (a). Pub. L. 90-22 changed the requirement that the Chief of Staff be reappointed only with the advice and consent of the Senate by providing for his reappointment for a term of not more than four years by the President without such advice and consent in a time of war or national emergency as declared by the Congress.

1962—Subsec. (d)(4). Pub. L. 87-651 substituted “under section 124 of this title” for “pursuant to section 202(j) of the National Security Act of 1947, as amended”.

1958—Subsec. (d)(4) to (7). Pub. L. 85-599 redesignated pars. (5) to (7) as (4) to (6), respectively, and in par. (4), as redesignated, required the Chief of Staff to exercise supervision only as the Secretary of the Air Force determines and in a manner consistent with the full operational command vested in unified or specified combatant commanders. Former par. (4), which related to command over the air defense, strategic, tactical, and other major commands, was struck out.

EFFECTIVE DATE OF 1981 AMENDMENT

Pub. L. 97-22, §10(b), July 10, 1981, 95 Stat. 137, provided that the amendment made by that section is effective Sept. 15, 1981.

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.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-22 effective Jan. 1, 1969, see section 405 of Pub. L. 90-22, set out as a note under section 3034 of this title.

WAIVER OF QUALIFICATIONS FOR APPOINTMENT AS SERVICE CHIEF

For provisions giving President temporary authority to waive requirements in subsec. (a)(2) of this section, see section 532(c) of Pub. L. 99-433, formerly set out as a note under section 3033 of this title.

§ 8034. Vice Chief of Staff

(a) There is a Vice Chief of Staff of the Air Force, appointed by the President, by and with the advice and consent of the Senate, from the general officers of the Air Force.

(b) The Vice Chief of Staff of the Air Force, while so serving, has the grade of general without vacating his permanent grade.

(c) The Vice Chief of Staff has such authority and duties with respect to the Department of the Air Force as the Chief of Staff, with the approval of the Secretary of the Air Force, may delegate to or prescribe for him. Orders issued by the Vice Chief of Staff in performing such duties have the same effect as those issued by the Chief of Staff.

(d) When there is a vacancy in the office of Chief of Staff or during the absence or disability of the Chief of Staff—

(1) the Vice Chief of Staff shall perform the duties of the Chief of Staff until a successor is appointed or the absence or disability ceases; or

(2) if there is a vacancy in the office of the Vice Chief of Staff or the Vice Chief of Staff is absent or disabled, unless the President directs otherwise, the most senior officer of the Air Force in the Air Staff who is not absent or disabled and who is not restricted in performance of duty shall perform the duties of the Chief of Staff until a successor to the Chief of Staff or the Vice Chief of Staff is appointed or until the absence or disability of the Chief of Staff or Vice Chief of Staff ceases, whichever occurs first.

(Aug. 10, 1956, ch. 1041, 70A Stat. 492, §8035; Pub. L. 85-599, §6(d), Aug. 6, 1958, 72 Stat. 519; renumbered §8034 and amended Pub. L. 99-433, title V, §522(d), Oct. 1, 1986, 100 Stat. 1062.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8035(a) .....	10:1813(a) (1st sentence).	Sept. 19, 1951, ch. 407, §203, 65 Stat. 328.
8035(b) .....	10:1813(a) (less 1st sentence).	
8035(c) .....	10:1813(b).	

In subsection (a), the words “of the Air Force” are omitted as surplusage.

In subsection (b), the words “if the Chief of Staff is absent or disabled or if that office is vacant” are substituted for 10:1813(a) (1st 18 words of last sentence). The words “the officer who is highest on the following list and” are inserted for clarity. The words “until his successor is appointed” are omitted as surplusage.

In subsection (c), the words “If the Vice Chief of Staff is absent or disabled or if that office is vacant” are substituted for 10:1813(b) (1st 19 words).

PRIOR PROVISIONS

A prior section 8034 was renumbered section 8033 of this title.

AMENDMENTS

1986—Pub. L. 99-433, §522(d), renumbered section 8035 of this title as this section.

Pub. L. 99-433, §522(d)(5), substituted “Vice Chief of Staff” for “Vice Chief of Staff; Deputy Chiefs of Staff; succession to duties of Chief of Staff and Vice Chief of Staff” in section catchline.

Subsecs. (a), (b). Pub. L. 99-433, §522(d)(1), substituted subsecs. (a) and (b) for former subsecs. (a) and (b) which read as follows:

“(a) The Vice Chief of Staff and the Deputy Chiefs of Staff shall be general officers detailed to those positions.

“(b) If the Chief of Staff is absent or disabled or if that office is vacant, the officer who is highest on the following list and who is not absent or disabled shall, unless otherwise directed by the President, perform the duties of the Chief of Staff until a successor is appointed or the absence or disability ceases:

“(1) The Vice Chief of Staff.

“(2) The Deputy Chiefs of Staff in order of seniority.”

Subsec. (c). Pub. L. 99-433, §522(d)(2), (3), redesignated subsec. (d) as (c) and struck out former subsec. (c) which read as follows: “If the Vice Chief of Staff is absent or disabled or if that office is vacant, the senior Deputy Chief of Staff who is not absent or disabled shall, unless otherwise directed by the Secretary of the Air Force, perform the duties of the Vice Chief of Staff until a successor is designated or the absence or disability ceases.”

Subsec. (d). Pub. L. 99-433, §522(d)(3), (4), added subsec. (d). Former subsec. (d) was redesignated (c).

1958—Subsec. (d). Pub. L. 85-599 added subsec. (d).

§ 8035. Deputy Chiefs of Staff and Assistant Chiefs of Staff

(a) The Deputy Chiefs of Staff and the Assistant Chiefs of Staff shall be general officers detailed to those positions.

(b) The Secretary of the Air Force shall prescribe the number of Deputy Chiefs of Staff and Assistant Chiefs of Staff, for a total of not more than eight positions.

(Added Pub. L. 99-433, title V, §522(e), Oct. 1, 1986, 100 Stat. 1062; Pub. L. 110-181, div. A, title IX, §902(c), Jan. 28, 2008, 122 Stat. 273.)

PRIOR PROVISIONS

A prior section 8035 was renumbered section 8034 of this title.

AMENDMENTS

2008—Subsec. (b). Pub. L. 110-181 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The number of Deputy Chiefs of Staff and Assistant Chiefs of Staff shall be prescribed by the Secretary, except that—

“(1) there may not be more than five Deputy Chiefs of Staff; and

“(2) there may not be more than three Assistant Chiefs of Staff.”

§ 8036. Surgeon General: appointment; duties

(a) APPOINTMENT.—The Surgeon General of the Air Force shall be appointed by the President, by and with the advice and consent of the Senate from officers of the Air Force who are in the Air Force medical department.

(b) DUTIES.—(1) The Surgeon General serves as the principal advisor to the Secretary of the Air