

Development, and Acquisition, the Principal Military Deputy may serve as Acting Assistant Secretary for a period of not more than one year.

(Added Pub. L. 99-433, title V, §511(c)(4), Oct. 1, 1986, 100 Stat. 1047, §5016; amended Pub. L. 100-456, div. A, title VII, §702(b)[(1)], Sept. 29, 1988, 102 Stat. 1994; Pub. L. 110-181, div. A, title IX, §908(b), Jan. 28, 2008, 122 Stat. 278; Pub. L. 114-328, div. A, title V, §502(t), title VIII, §802(b), Dec. 23, 2016, 130 Stat. 2104, 2249; Pub. L. 115-91, div. A, title IX, §921(b), Dec. 12, 2017, 131 Stat. 1524; renumbered §8016 and amended Pub. L. 115-232, div. A, title VIII, §807(a)(1), title IX, §915, Aug. 13, 2018, 132 Stat. 1834, 1924.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 5034 of this title prior to enactment of Pub. L. 99-433.

A prior section 8016 was renumbered section 9016 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232, §807(a)(1), renumbered section 5016 of this title as this section.

Subsec. (b)(4)(A). Pub. L. 115-232, §915, substituted “acquisition, and sustainment (including maintenance matters” for “and acquisition matters”.

2017—Subsec. (b)(3). Pub. L. 115-91 designated first sentence as subpar. (A), designated second and third sentences as subpar. (C) and, in subpar. (C), substituted “The principal responsibility of the Assistant Secretary shall be” for “The Assistant Secretary shall have as his principal responsibility”, and added subpar. (B).

2016—Subsec. (b)(4)(B). Pub. L. 114-328, §802(b), inserted at end “In the event of a vacancy in the position of Assistant Secretary of the Navy for Research, Development, and Acquisition, the Principal Military Deputy may serve as Acting Assistant Secretary for a period of not more than one year.”

Pub. L. 114-328, §502(t), substituted “an officer of the Navy or the Marine Corps” for “a vice admiral of the Navy or a lieutenant general of the Marine Corps”.

2008—Subsec. (b)(4). Pub. L. 110-181 added par. (4).

1988—Subsec. (b)(3). Pub. L. 100-456 added par. (3).

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 807(a)(1) of Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

#### EFFECTIVE DATE OF 2017 AMENDMENT

For applicability of appointment qualifications imposed by section 921 of Pub. L. 115-91 to certain appointments made on or after Dec. 12, 2017, see section 921(d) of Pub. L. 115-91, set out as a note under section 7016 of this title.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-456 effective Jan. 20, 1989, see section 702(e)(1) of Pub. L. 100-456, set out as a note under section 7016 of this title.

### § 8017. Secretary of the Navy: successors to duties

If the Secretary of the Navy dies, resigns, is removed from office, is absent, or is disabled, the person who is highest on the following list, and who is not absent or disabled, shall perform the duties of the Secretary until the President, under section 3347<sup>1</sup> of title 5, directs another

person to perform those duties or until the absence or disability ceases:

(1) The Under Secretary of the Navy.

(2) The Assistant Secretaries of the Navy, in the order prescribed by the Secretary of the Navy and approved by the Secretary of Defense.

(3) The General Counsel of the Department of the Navy.

(4) The Chief of Naval Operations.

(5) The Commandant of the Marine Corps.

(Added Pub. L. 99-433, title V, §511(c)(4), Oct. 1, 1986, 100 Stat. 1047, §5017; amended Pub. L. 103-337, div. A, title IX, §902(b), Oct. 5, 1994, 108 Stat. 2823; renumbered §8017, Pub. L. 115-232, div. A, title VIII, §807(a)(1), Aug. 13, 2018, 132 Stat. 1834.)

#### REFERENCES IN TEXT

Section 3347 of title 5, referred to in text, was repealed and a new section 3347 was enacted by Pub. L. 105-277, div. C, title I, §151(b), Oct. 21, 1998, 112 Stat. 2681-611, and, as so enacted, no longer contains provisions authorizing the President to direct temporary successors to duties. See section 3345 of Title 5, Government Organization and Employees.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 5036 of this title prior to enactment of Pub. L. 99-433.

A prior section 8017 was renumbered section 9017 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5017 of this title as this section.

1994—Pars. (3) to (5). Pub. L. 103-337 added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

#### ORDER OF SUCCESSION

For order of succession in event of death, permanent disability, or resignation of Secretary of the Navy, see Ex. Ord. No. 12879, Nov. 8, 1993, 58 F.R. 59929, listed in a table under section 3345 of Title 5, Government Organization and Employees.

### § 8018. Administrative Assistant

The Secretary of the Navy may appoint an Administrative Assistant in the Office of the Secretary of the Navy. The Administrative Assistant shall perform such duties as the Secretary may prescribe.

(Added Pub. L. 99-433, title V, §511(c)(4), Oct. 1, 1986, 100 Stat. 1047, §5018; renumbered §8018, Pub. L. 115-232, div. A, title VIII, §807(a)(1), Aug. 13, 2018, 132 Stat. 1834.)

#### PRIOR PROVISIONS

A prior section 8018 was renumbered section 9018 of this title.

Another prior section 8018, added Pub. L. 85-861, §1(154)(A), Sept. 2, 1958, 72 Stat. 1513, prescribed compensation of General Counsel of Department of the Air Force, prior to repeal by Pub. L. 88-426, title III,

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