

HISTORICAL AND REVISION NOTES—CONTINUED

Revised section	Source (U.S. Code)	Source (Statutes at Large)
5132(d) .....	5 U.S.C. 431.	R.S. 430.

In subsection (a) the phrase “Except as otherwise provided by law” is added to preserve provisions directing that the Chief of Naval Operations and other statutory offices and boards share in the business of the executive part of the Department of the Navy. The words “The Bureau of Aeronautics shall be charged with matters pertaining to naval aeronautics” in 5 U.S.C. 455 are omitted as implied in the name of the bureau and covered by the authority granted to the Secretary to distribute the business of the Department.

In subsection (b) the words “and shall have full force and effect as such” are omitted as surplusage.

In subsection (c) the words “Under the Secretary” are inserted to make the provisions of 5 U.S.C. 413 and 5 U.S.C. 430, the latter of which is here codified, harmonious and to give meaning to each provision.

PRIOR PROVISIONS

A prior section 8072 was renumbered section 9037 of this title.

A prior section 8074 was renumbered section 9074 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 5132 of this title as this section.

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.

TRANSFER OF FUNCTIONS

Transfer of functions of bureaus and reorganization, see note set out under section 5111 of this title.

§ 8075. Bureau Chiefs: succession to duties

(a) When there is a vacancy in the office of chief of a bureau, or during the absence or disability of the chief of a bureau, the deputy chief of that bureau, unless otherwise directed by the President, shall perform the duties of the chief until a successor is appointed or the absence or disability ceases.

(b) When subsection (a) cannot be complied with because of the absence or disability of the deputy chief of the bureau, the heads of the major divisions of the bureau, in the order directed by the Secretary of the Navy, shall perform the duties of the chief, unless otherwise directed by the President.

(Aug. 10, 1956, ch. 1041, 70A Stat. 286, §5135; renumbered §8075, Pub. L. 115–232, div. A, title VIII, §807(a)(2), Aug. 13, 2018, 132 Stat. 1834.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
5135(a) .....	5 U.S.C. 445 (less 1st 43 words).	Aug. 29, 1916, ch. 417, 39 Stat. 558 (3d par., 45th through 95th words).
	5 U.S.C. 446 (last 49 words).	Mar. 3, 1893, ch. 212, 27 Stat. 717 (1st par., last 53 words); May 13, 1942, ch. 303, §1, 56 Stat. 276.
	5 U.S.C. 447 (25th through 74th words).	May 4, 1898, ch. 234, §1, 30 Stat. 373 (12th par., 41st through 92d words).

HISTORICAL AND REVISION NOTES—CONTINUED

Revised section	Source (U.S. Code)	Source (Statutes at Large)
5135(b) .....	5 U.S.C. 448a.	June 20, 1940, ch. 400, §1(f), 54 Stat. 493.
	5 U.S.C. 449 (last 51 words).	July 26, 1894, ch. 165, §1, 28 Stat. 132 (3d par., last 56 words); July 11, 1919, ch. 9, 41 Stat. 147 (1st proviso).
	5 U.S.C. 452 (less 1st 35 words).	July 12, 1921, ch. 44, §8 (3d par., less 1st 35 words), 42 Stat. 140.
	5 U.S.C. 432a (less applicability to JAG).	Feb. 3, 1942, ch. 35, §1 (less applicability to JAG), 56 Stat. 47.

In subsection (a) all the provisions covering succession in case of the absence of the chiefs of the various bureaus are integrated and uniformly stated.

That part of 5 U.S.C. 448a, enacted in the Act of June 20, 1940, ch. 400, §1(f), 54 Stat. 493, relating to the succession by heads of major divisions of the Bureau of Ships is superseded by the Act of Feb. 3, 1942, ch. 35, §1 (5 U.S.C. 432a).

PRIOR PROVISIONS

A prior section 8075 was renumbered section 9075 of this title.

A prior section 8076, act Aug. 10, 1956, ch. 1041, 70A Stat. 496, related to composition of Air Force Reserve, prior to repeal by Pub. L. 103–337, div. A, title XVI, §§1661(a)(3)(A), 1691, Oct. 5, 1994, 108 Stat. 2980, 3026, effective Dec. 1, 1994. See section 10110 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 5135 of this title as this section.

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.

TRANSFER OF FUNCTIONS

Transfer of functions of Offices of Bureau Chiefs, see note set out under section 5111 of this title.

§ 8077. Surgeon General: appointment; duties

(a) APPOINTMENT.—The Surgeon General of the Navy shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years, from officers on the active-duty list of the Navy in any corps of the Navy Medical Department.

(b) DUTIES.—(1) The Surgeon General serves as the Chief of the Bureau of Medicine and Surgery and serves as the principal advisor to the Secretary of the Navy and the Chief of Naval Operations on all health and medical matters of the Navy and the Marine Corps, including strategic planning and policy development relating to such matters.

(2) The Surgeon General serves as the chief medical advisor of the Navy and the Marine Corps to the Director of the Defense Health Agency on matters pertaining to military health readiness requirements and safety of members of the Navy and the Marine Corps.

(3) The Surgeon General, acting under the authority, direction, and control of the Secretary of the Navy, shall recruit, organize, train, and equip, medical personnel of the Navy and the Marine Corps.

(Aug. 10, 1956, ch. 1041, 70A Stat. 286, §5137; Pub. L. 89–288, §4, Oct. 22, 1965, 79 Stat. 1050; Pub. L.