

bered §9038, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8038 of this title as this section.

2017—Subsec. (f). Pub. L. 115-91 struck out par. (1) designation before “The Chief” and struck out par. (2) which read as follows: “The Secretary of Defense shall transmit the annual report of the Chief of Air Force Reserve under paragraph (1) to Congress, together with such comments on the report as the Secretary considers appropriate. The report shall be transmitted at the same time each year that the annual report of the Secretary under section 113 of this title is submitted to Congress.”

2016—Subsec. (c). Pub. L. 114-328, in heading, struck out “; Grade” after “Reappointment”, and in text, struck out par. (1) designation before “The Chief of Air Force Reserve” and struck out par. (2) which read as follows: “The Chief of Air Force Reserve, while so serving, holds the grade of lieutenant general.”

2004—Subsec. (b)(4). Pub. L. 108-375 substituted “December 31, 2006” for “December 31, 2004”.

2002—Subsec. (b)(4). Pub. L. 107-314 substituted “December 31, 2004” for “October 1, 2003”.

2000—Subsec. (b). Pub. L. 106-398 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The President, by and with the advice and consent of the Senate, shall appoint the Chief of Air Force Reserve from officers of the Air Force Reserve not on active duty, or on active duty under section 10211 of this title, who—

“(1) have had at least 10 years of commissioned service in the Air Force;

“(2) are in grade of brigadier general and above; and

“(3) have been recommended by the Secretary of the Air Force.”

Subsec. (c). Pub. L. 106-398 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The Chief of Air Force Reserve holds office for four years, but may be removed for cause at any time. He is eligible to succeed himself. If he holds a lower reserve grade, he shall be appointed in the grade of major general for service in the Air Force Reserve. However, if selected in accordance with section 12505 of this title, he may be appointed in the grade of lieutenant general.”

1999—Subsec. (c). Pub. L. 106-65 inserted at end “However, if selected in accordance with section 12505 of this title, he may be appointed in the grade of lieutenant general.”

1997—Subsec. (e). Pub. L. 105-85 struck out “(1)” before “The Chief of Air Force”.

1996—Subsecs. (d) to (f). Pub. L. 104-201 added subsecs. (d) to (f).

1994—Subsec. (b). Pub. L. 103-337 substituted “10211” for “265”.

1986—Pub. L. 99-433, §521(a)(2), renumbered section 8019 of this title as this section.

Subsec. (a). Pub. L. 99-433, §522(g)(3), struck out the comma after “Chief of Staff”.

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.

EFFECTIVE DATE OF 1999 AMENDMENT; APPLICABILITY TO INCUMBENTS

Amendment by Pub. L. 106-65 effective 60 days after Oct. 5, 1999, with special provision for an officer who is a covered position incumbent who is appointed under that amendment to the grade of lieutenant general or vice admiral, see section 554(g), (h) of Pub. L. 106-65, set out as a note under section 7038 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L.

103-337, set out as an Effective Date note under section 10001 of this title.

EFFECTIVE DATE

Section effective on first day of first calendar month following date of enactment of Pub. L. 90-168, which was approved Dec. 1, 1967, see section 7 of Pub. L. 90-168, set out as an Effective Date of 1967 Amendment note under section 138 of this title.

§9039. Chief of Chaplains: appointment; duties

(a) CHIEF OF CHAPLAINS.—(1) There is a Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 9067(h) of this title as chaplains who—

(A) are serving on active duty; and

(B) have served on active duty as a chaplain for at least eight years.

(2) An officer appointed as the Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.

(3) The Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and by law.

(b) SELECTION BOARD.—Under regulations approved by the Secretary of Defense, the Secretary of the Air Force, in selecting an officer for recommendation to the President for appointment as the Chief of Chaplains, shall ensure that the officer selected is recommended by a board of officers that, insofar as practicable, is subject to the procedures applicable to the selection boards convened under chapter 36 of this title.

(c) GRADE OF CHIEF OF CHAPLAINS.—The Chief of Chaplains, while so serving, holds the grade of major general.

(Added Pub. L. 112-239, div. A, title V, §508(a), Jan. 2, 2013, 126 Stat. 1716, §8039; amended Pub. L. 114-328, div. A, title V, §502(mm), Dec. 23, 2016, 130 Stat. 2106; renumbered §9039 and amended Pub. L. 115-232, div. A, title V, §510(c), title VIII, §§806(c), 809(a), Aug. 13, 2018, 132 Stat. 1751, 1833, 1840.)

AMENDMENTS

2018—Pub. L. 115-232, §806(c), renumbered section 8039 of this title as this section.

Subsec. (a)(1). Pub. L. 115-232, §809(a), substituted “section 9067(h)” for “section 8067(h)” in introductory provisions.

Subsec. (c). Pub. L. 115-232, §510(c), added subsec. (c).

2016—Subsec. (a)(1). Pub. L. 114-328, §502(mm)(1), redesignated subpars. (B) and (C) as (A) and (B), respectively, and struck out former subpar. (A) which read as follows: “are serving in the grade of colonel or above;”.

Subsec. (c). Pub. L. 114-328, §502(mm)(2), struck out subsec. (c). Text read as follows: “An officer appointed as Chief of Chaplains who holds a lower regular grade may be appointed in the regular grade of major general.”

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by sections 806(c) and 809(a) 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.

§9040. Oversight of nuclear deterrence mission

(a) OVERSIGHT OF NUCLEAR DETERRENCE MISSION.—Subject to the authority, direction, and