

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

control of the Secretary of the Air Force, the Chief of Staff of the Air Force shall be responsible for overseeing the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

(b) DEPUTY CHIEF OF STAFF.—Not later than March 1, 2016, the Chief of Staff shall designate a Deputy Chief of Staff to carry out the following duties:

(1) Provide direction, guidance, integration, and advocacy regarding the nuclear deterrence mission of the Air Force.

(2) Conduct monitoring and oversight activities regarding the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

(3) Conduct periodic comprehensive assessments of all aspects of the nuclear deterrence mission of the Air Force and provide such assessments to the Secretary of the Air Force and the Chief of Staff of the Air Force.

(Added Pub. L. 114-92, div. A, title XVI, §1652(a)(1), Nov. 25, 2015, 129 Stat. 1121, §8040; renumbered §9040, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8040 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.

CHAPTER 907—THE AIR FORCE

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PRIOR PROVISIONS

A prior chapter 907, consisting of sections 9411 to 9417, related to schools and camps, prior to renumbering as chapter 957 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(4), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 807 of this title as this chapter and items 8061, 8062, 8067, 8069, 8074, 8075, 8081, and 8084 as 9061, 9062, 9067, 9069, 9074, 9075, 9081, and 9084, respectively.

2016—Pub. L. 114-328, div. A, title V, §502(nn)(3), Dec. 23, 2016, 130 Stat. 2106, substituted “Air Force nurses: Chief; appointment” for “Air Force nurses: Chief and assistant chief; appointment; grade” in item 8069.

2001—Pub. L. 107-107, div. A, title IX, §912(b), Dec. 28, 2001, 115 Stat. 1196, added item 8084.

1997—Pub. L. 105-85, div. A, title X, §1073(a)(66), Nov. 18, 1997, 111 Stat. 1904, substituted “nurses” for “Nurse Corps” in item 8069.

1996—Pub. L. 104-201, div. A, title V, §502(c)(2), Sept. 23, 1996, 110 Stat. 2511, added item 8069.

1994—Pub. L. 103-337, div. A, title XVI, §1674(b)(1), Oct. 5, 1994, 108 Stat. 3016, struck out items 8076 “Air

Force Reserve: composition”, 8077 “Air National Guard of United States: composition”, 8078 “Air National Guard: when a component of Air Force”, 8079 “Air National Guard of United States: status when not in Federal service”, and 8080 “Air National Guard of the United States: authority of officers with respect to Federal status”.

1986—Pub. L. 99-433, title V, §522(g)(4), Oct. 1, 1986, 100 Stat. 1063, struck out item 8072 “Judge Advocate General, Deputy Judge Advocate General: appointment; duties”. See section 8037 of this title.

1980—Pub. L. 96-513, title V, §504(3), Dec. 12, 1980, 94 Stat. 2915, struck out item 8066 “Generals and lieutenant generals”.

Pub. L. 96-343, §12(b)(2), Sept. 8, 1980, 94 Stat. 1131, substituted “General, Deputy Judge Advocate General:” for “General:” in item 8072.

1978—Pub. L. 95-485, title VIII, §805(c)(2), Oct. 20, 1978, 92 Stat. 1622, added item 8081.

1967—Pub. L. 90-130, §1(25), Nov. 8, 1967, 81 Stat. 382, struck out item 8071 “Temporary grade of colonel in the Air Force: appointment of women.”

1960—Pub. L. 86-603, §1(3)(B), July 7, 1960, 74 Stat. 358, added item 8080.

§ 9061. Regulations

The President may prescribe regulations for the government of the Air Force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 493, §8061; renumbered §9061, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 8061 | 10:16. | July 15, 1870, ch. 294, §20, 16 Stat. 319; Mar. 1, 1875, ch. 115, 18 Stat. 337. |

The word “prescribe” is substituted for the words “make and publish”. 10:16 (last 35 words) is omitted as surplusage.

PRIOR PROVISIONS

A prior section 9061 was renumbered section 9381 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8061 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.

§ 9062. Policy; composition; aircraft authorization

(a) It is the intent of Congress to provide an Air Force that is capable, in conjunction with the other armed forces, of—

(1) preserving the peace and security, and providing for the defense, of the United States, the Commonwealths and possessions, and any areas occupied by the United States;

(2) supporting the national policies;

(3) implementing the national objectives; and

(4) overcoming any nations responsible for aggressive acts that imperil the peace and security of the United States.

(b) There is a United States Air Force within the Department of the Air Force.