

of the Department of the Navy and shall advise the Secretary of the Navy on financial management.

(4)(A) One of the Assistant Secretaries shall be the Assistant Secretary of the Navy for Research, Development, and Acquisition. The principal duty of the Assistant Secretary shall be the overall supervision of research, development, acquisition, and sustainment (including maintenance) matters of the Department of the Navy.

(B) The Assistant Secretary shall have a Principal Military Deputy, who shall be an officer of the Navy or the Marine Corps on active duty. The Principal Military Deputy shall be appointed from among officers who have significant experience in the areas of acquisition and program management. The position of Principal Military Deputy shall be designated as a critical acquisition position under section 1731 of this title. 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.

(5)(A) One of the Assistant Secretaries shall be the Assistant Secretary for Energy, Installations, and Environment.

(B) The principal duty of the Assistant Secretary for Energy, Installations, and Environment shall be the overall supervision of energy, installation, and environment matters of the Department of the Navy.

(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; Pub. L. 116-92, div. A, title VIII, § 861(j)(15), title IX, § 911(b), Dec. 20, 2019, 133 Stat. 1520, 1559.)

#### 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

2019—Subsec. (b)(4)(B). Pub. L. 116-92, § 861(j)(15), substituted “under section 1731 of this title” for “under section 1733 of this title”.

Subsec. (b)(5). Pub. L. 116-92, § 911(b), added par. (5).

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.

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

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, § 305(40)(A), Aug. 14, 1964, 78 Stat. 427, eff. first day of first pay period beginning on or after July 1, 1964. See section 5316 of Title 5, Government Organization and Employees.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5018 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.

### § 8019. General Counsel

(a) There is a General Counsel of the Department of the Navy, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The General Counsel shall perform such functions as the Secretary of the Navy may prescribe.

(Added Pub. L. 99-433, title V, § 511(c)(4), Oct. 1, 1986, 100 Stat. 1047, § 5019; amended Pub. L. 100-456, div. A, title VII, § 703(a), Sept. 29, 1988, 102 Stat. 1996; renumbered § 8019, Pub. L. 115-232, div. A, title VIII, § 807(a)(1), Aug. 13, 2018, 132 Stat. 1834.)

#### PRIOR PROVISIONS

A prior section 8019 was renumbered section 9019 of this title.

Another prior section 8019 was renumbered section 9038 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 5019 of this title as this section.

1988—Subsec. (a). Pub. L. 100-456 inserted “, by and with the advice and consent of the Senate” before period at end.

#### 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 1988 AMENDMENT

Amendment by Pub. L. 100-456 applicable to appointments made under this section on and after Sept. 29, 1988, see section 703(c) of Pub. L. 100-456, set out as a note under section 7019 of this title.

### § 8020. Naval Inspector General: detail; duties

(a) There is in the Office of the Secretary of the Navy the Office of the Naval Inspector General. The Naval Inspector General shall be detailed from officers on the active-duty list in the line of the Navy serving in grades above captain.

(b) The Naval Inspector General, when directed, shall inquire into and report upon any matter that affects the discipline or military efficiency of the Department of the Navy. He shall make such inspections, investigations, and reports as the Secretary of the Navy or the Chief of Naval Operations directs.

(c) The Naval Inspector General shall cooperate fully with the Inspector General of the Department of Defense in connection with the performance of any duty or function by the Inspector General of the Department of Defense under the Inspector General Act of 1978 (5 U.S.C. App. 3) regarding the Department of the Navy.

(d) The Naval Inspector General shall periodically propose programs of inspections to the Secretary of the Navy and shall recommend additional inspections and investigations as may appear appropriate.

(Aug. 10, 1956, ch. 1041, 70A Stat. 283, § 5088; Pub. L. 96-513, title V, § 503(7), Dec. 12, 1980, 94 Stat. 2911; renumbered § 5020 and amended Pub. L. 99-433, title V, § 511(c)(5), Oct. 1, 1986, 100 Stat. 1047; renumbered § 8020, Pub. L. 115-232, div. A, title VIII, § 807(a)(1), Aug. 13, 2018, 132 Stat. 1834.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i>                                     | <i>Source (Statutes at Large)</i>   |
|------------------------|---|---|
| 5088(a), (b), (c).     | 5 U.S.C. 423f.  | Mar. 5, 1948, ch. 98, § 6, 62 Stat. 68.   |
| 5088(d) .....          | 5 U.S.C. 423k (as applicable to the Naval Inspector General). | Mar. 5, 1948, ch. 98, § 11, 62 Stat. 69 (as applicable to the Naval Inspector General). |

In subsection (a) the words “In addition to the divisions herein created” are omitted as surplusage. The word “detailed” is added in order to show that the position of the Inspector General is not an appointive office.

In subsection (c) the words “from time to time” are omitted as surplusage.

Subsection (d) is worded to make clear that the Naval Inspector General may be designated, under 34 U.S.C. 211d, as an officer who performs unusual or special duty, and, if so designated, is entitled to the grade, pay, and retirement privilege accompanying the special designation. The words “under section 5231 of this title” are substituted for the words “grade, rank, pay, and allowances provided under any provision of law heretofore or hereafter enacted which authorizes such