

1986—Subsec. (a)(2). Pub. L. 99-661 substituted “five years” for “10 years”.

#### 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 Air Force, see Ex. Ord. No. 12909, Apr. 22, 1994, 59 F.R. 21909, listed in a table under section 3345 of Title 5, Government Organization and Employees.

#### RATING CHAINS FOR SYSTEM PROGRAM MANAGERS

Pub. L. 112-239, div. A, title III, §323, Jan. 2, 2013, 126 Stat. 1696, provided that: “The Secretary of the Air Force, in managing system program management responsibilities for sustainment programs not assigned to a program executive officer or a direct reporting program manager, shall comply with the Department of Defense Instructions regarding assignment of program responsibility.”

### § 9014. Office of the Secretary of the Air Force

(a) There is in the Department of the Air Force an Office of the Secretary of the Air Force. The function of the Office is to assist the Secretary of the Air Force in carrying out his responsibilities.

(b) The Office of the Secretary of the Air Force is composed of the following:

(1) The Under Secretary of the Air Force.

(2) The Assistant Secretaries of the Air Force.

(3) The General Counsel of the Department of the Air Force.

(4) The Inspector General of the Department of the Air Force.

(5) The Chief of Legislative Liaison.

(6) The Air Reserve Forces Policy Committee.

(7) Such other offices and officials as may be established by law or as the Secretary of the Air Force may establish or designate.

(c)(1) The Office of the Secretary of the Air Force shall have sole responsibility within the Office of the Secretary, the Air Staff, and the Office of the Chief of Space Operations for the following functions:

(A) Acquisition.

(B) Auditing.

(C) Comptroller (including financial management).

(D) Information management.

(E) Inspector General.

(F) Legislative affairs.

(G) Public affairs.

(2) The Secretary of the Air Force shall establish or designate a single office or other entity within the Office of the Secretary of the Air Force to conduct each function specified in paragraph (1). No office or other entity may be established or designated within the Air Staff or the Office of the Chief of Space Operations to conduct any of the functions specified in paragraph (1).

(3) The Secretary shall prescribe the relationship of each office or other entity established or

designated under paragraph (2) to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief’s duties and responsibilities.

(4) The vesting in the Office of the Secretary of the Air Force of the responsibility for the conduct of a function specified in paragraph (1) does not preclude other elements of the executive part of the Department of the Air Force (including the Air Staff and the Office of the Chief of Space Operations) from providing advice or assistance to the Chief of Staff and the Chief of Space Operations or otherwise participating in that function within the executive part of the Department under the direction of the office assigned responsibility for that function in the Office of the Secretary of the Air Force.

(5) The head of the office or other entity established or designated by the Secretary to conduct the auditing function shall have at least five years of professional experience in accounting or auditing. The position shall be considered to be a career reserved position as defined in section 3132(a)(8) of title 5.

(d)(1) Subject to paragraph (2), the Office of the Secretary of the Air Force shall have sole responsibility within the Office of the Secretary, the Air Staff, and the Office of the Chief of Space Operations for the function of research and development.

(2) The Secretary of the Air Force may assign to the Air Staff and the Office of the Chief of Space Operations responsibility for those aspects of the function of research and development that relate to military requirements and test and evaluation.

(3) The Secretary shall establish or designate a single office or other entity within the Office of the Secretary of the Air Force to conduct the function specified in paragraph (1).

(4) The Secretary shall prescribe the relationship of the office or other entity established or designated under paragraph (3) to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief’s duties and responsibilities.

(e) The Secretary of the Air Force shall ensure that the Office of the Secretary of the Air Force, the Air Staff, and the Office of the Chief of Space Operations do not duplicate specific functions for which the Secretary has assigned responsibility to any of the others.

(f)(1) The total number of members of the armed forces and civilian employees of the Department of the Air Force assigned or detailed to permanent duty in the Office of the Secretary of the Air Force and on the Air Staff may not exceed 2,750.

(2) Not more than 1,650 officers of the Air Force on the active-duty list may be assigned or detailed to permanent duty in the Office of the Secretary of the Air Force and on the Air Staff.

(3) The total number of general officers assigned or detailed to permanent duty in the Office of the Secretary of the Air Force and on the Air Staff may not exceed 60.

(4) The limitations in paragraphs (1), (2), and (3) do not apply in time of war.

(5) Each limitation in paragraphs (1) and (2) may be exceeded by a number equal to 15 percent of such limitation in time of national emergency.

(Added Pub. L. 99-433, title V, §521(a)(3), Oct. 1, 1986, 100 Stat. 1057, §8014; amended Pub. L. 100-180, div. A, title XIII, §1314(b)(7), Dec. 4, 1987, 101 Stat. 1175; Pub. L. 100-456, div. A, title III, §325(c), Sept. 29, 1988, 102 Stat. 1955; Pub. L. 101-189, div. A, title VI, §652(a)(4), Nov. 29, 1989, 103 Stat. 1461; Pub. L. 107-107, div. A, title X, §1048(a)(29), Dec. 28, 2001, 115 Stat. 1225; Pub. L. 107-314, div. A, title V, §504(e)(2), Dec. 2, 2002, 116 Stat. 2533; Pub. L. 114-328, div. A, title IX, §903(e), Dec. 23, 2016, 130 Stat. 2344; renumbered §9014, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833; Pub. L. 116-92, div. A, title IX, §901(a)(5), Dec. 20, 2019, 133 Stat. 1542; Pub. L. 116-283, div. A, title IX, §923(b)(2), Jan. 1, 2021, 134 Stat. 3807.)

#### AMENDMENTS

2021—Subsec. (b)(4). Pub. L. 116-283, §923(b)(2)(A), added par. (4) and struck out former par. (4) which read as follows: “The Inspector General of the Air Force.”

Subsec. (c)(1). Pub. L. 116-283, §923(b)(2)(B)(i), substituted “, the Air Staff, and the Office of the Chief of Space Operations” for “and the Air Staff”.

Subsec. (c)(2). Pub. L. 116-283, §923(b)(2)(B)(ii), inserted “or the Office of the Chief of Space Operations” after “the Air Staff”.

Subsec. (c)(3). Pub. L. 116-283, §923(b)(2)(B)(iii), substituted “to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief’s duties and responsibilities.” for “to the Chief of Staff and to the Air Staff and shall ensure that each such office or entity provides the Chief of Staff such staff support as the Chief of Staff considers necessary to perform his duties and responsibilities.”

Subsec. (c)(4). Pub. L. 116-283, §923(b)(2)(B)(iv), inserted “and the Office of the Chief of Space Operations” after “the Air Staff” and “and the Chief of Space Operations” after “Chief of Staff”.

Subsec. (d)(1). Pub. L. 116-283, §923(b)(2)(C)(i), substituted “, the Air Staff, and the Office of the Chief of Space Operations” for “and the Air Staff”.

Subsec. (d)(2). Pub. L. 116-283, §923(b)(2)(C)(ii), inserted “and the Office of the Chief of Space Operations” after “the Air Staff”.

Subsec. (d)(4). Pub. L. 116-283, §923(b)(2)(C)(iii), substituted “to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief’s duties and responsibilities.” for “to the Chief of Staff of the Air Force and to the Air Staff and shall ensure that each such office or entity provides the Chief of Staff such staff support as the Chief of Staff considers necessary to perform his duties and responsibilities.”

Subsec. (e). Pub. L. 116-283, §923(b)(2)(D), substituted “, the Air Staff, and the Office of the Chief of Space Operations” for “and the Air Staff” and “to any of the others” for “to the other”.

2019—Subsec. (f)(1). Pub. L. 116-92, §901(a)(5)(A), substituted “2,750” for “2,639”.

Subsec. (f)(2). Pub. L. 116-92, §901(a)(5)(B), substituted “1,650” for “1,585”.

2018—Pub. L. 115-232 renumbered section 8014 of this title as this section.

2016—Subsec. (f)(4). Pub. L. 114-328, §903(e)(1), substituted “time of war.” for “time of war or during a national emergency declared by the President or Congress. The limitation in paragraph (2) does not apply whenever the President determines that it is in the national interest to increase the number of officers assigned or detailed to permanent duty in the Office of the Secretary of the Air Force or on the Air Staff.”

Subsec. (f)(5). Pub. L. 114-328, §903(e)(2), added par. (5). 2002—Subsec. (b)(5) to (7). Pub. L. 107-314 added par. (5) and redesignated former pars. (5) and (6) as (6) and (7), respectively.

2001—Subsec. (f)(3). Pub. L. 107-107 substituted “60” for “the number equal to 85 percent of the number of general officers assigned or detailed to such duty on the date of the enactment of this subsection”.

1989—Subsec. (f)(5). Pub. L. 101-189 struck out par. (5) which read as follows: “The limitations in paragraphs (1), (2), and (3) do not apply before October 1, 1988.”

1988—Subsec. (c)(5). Pub. L. 100-456 added par. (5). 1987—Subsec. (f)(4). Pub. L. 100-180 inserted “the President or” after “declared by”.

#### 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

Requirements of subsec. (c)(5) of this section applicable with respect to any person appointed on or after Sept. 29, 1988, as head of office or other entity designated for conducting auditing function in a military department, see section 325(d)(1) of Pub. L. 100-456, set out as a note under section 8014 of this title.

#### EFFECTIVE DATE

Subsecs. (c) and (d) of this section to be implemented not later than 180 days after Oct. 1, 1986, see section 532(a) of Pub. L. 99-433, set out as a note under section 7014 of this title.

#### EXCEPTIONS AND ADJUSTMENTS TO LIMITATIONS ON PERSONNEL

Baseline personnel limitations in this section inapplicable to certain acquisition personnel and personnel hired pursuant to a shortage category designation for fiscal year 2009 and fiscal years thereafter, and Secretary of Defense or a secretary of a military department authorized to adjust such limitations for fiscal year 2009 and fiscal years thereafter, see section 1111 of Pub. L. 110-417, set out as a note under section 143 of this title.

#### § 9015. Under Secretary of the Air Force

(a) There is an Under Secretary of the Air Force, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) The Under Secretary shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe.

(Added Pub. L. 99-433, title V, §521(a)(3), Oct. 1, 1986, 100 Stat. 1058, §8015; renumbered §9015, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 8013 of this title prior to enactment of Pub. L. 99-433.