

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8015 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.

## 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.

**§ 9016. Assistant Secretaries of the Air Force**

(a) There are five Assistant Secretaries of the Air Force. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b)(1) The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of the Air Force may prescribe.

(2) One of the Assistant Secretaries shall be the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Air Force.

(3)(A) One of the Assistant Secretaries shall be the Assistant Secretary of the Air Force for Financial Management.

(B) The Assistant Secretary shall be appointed from among persons who have significant budget, financial management, or audit experience in complex organizations.

(C) The principal responsibility of the Assistant Secretary shall be the exercise of the comptroller functions of the Department of the Air Force, including financial management functions. The Assistant Secretary shall be responsible for all financial management activities and operations of the Department of the Air Force and shall advise the Secretary of the Air Force on financial management.

(4)(A) One of the Assistant Secretaries shall be the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics. The principal duty of the Assistant Secretary shall be the overall supervision of acquisition, technology, and logistics matters of the Department of the Air Force.

(B) The Assistant Secretary shall have a Principal Military Deputy, who shall be an officer of the Air Force 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 Air Force for 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 for the Department of the Air Force.

(6)(A) One of the Assistant Secretaries is the Assistant Secretary of the Air Force for Space Acquisition and Integration.

(B) Subject to the authority, direction, and control of the Secretary of the Air Force, the Assistant Secretary shall do as follows:

(i) Be responsible for all architecture and integration of the Air Force for space systems and programs, including in support of the Chief of Space Operations under section 9082 of this title.

(ii) Act as the chair of the Space Force Acquisition Council under section 9021 of this title.

(iii) Advise the service acquisition executive of the Air Force with responsibility for space systems and programs (including for all major defense acquisition programs under chapter 144 of this title for space) on the acquisition of such systems and programs by the Air Force.

(iv) Oversee and direct each of the following:

(I) The Space Rapid Capabilities Office under section 2273a of this title.

(II) The Space and Missile Systems Center.

(III) The Space Development Agency with respect to acquisition decisions.

(v) Advise and synchronize acquisition projects for all space systems and programs of the Air Force, including projects for space systems and programs responsibility for which is transferred to the Assistant Secretary pursuant to section 956(b)(3) of the United States Space Force Act.

(vi) Effective as of October 1, 2022, in accordance with section 957 of that Act, serve as the Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs.

(Added Pub. L. 99-433, title V, §521(a)(3), Oct. 1, 1986, 100 Stat. 1058, §8016; amended Pub. L. 100-456, div. A, title VII, §702(c)[(1)], (d), Sept. 29, 1988, 102 Stat. 1995, 1996; Pub. L. 110-181, div. A, title IX, §908(c), Jan. 28, 2008, 122 Stat. 278; Pub. L. 114-328, div. A, title V, §502(ii), title VIII, §802(c), title IX, §934(a), Dec. 23, 2016, 130 Stat. 2105, 2249, 2365; Pub. L. 115-91, div. A, title IX, §921(c), Dec. 12, 2017, 131 Stat. 1524; renumbered §9016, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833; Pub. L. 116-92, div. A, title VIII, §861(j)(16), title IX, §§911(c), 956(b)(1), Dec. 20, 2019, 133 Stat. 1520, 1559, 1565; Pub. L. 116-283, div. A, title XVI, §1601(c), Jan. 1, 2021, 134 Stat. 4042.)

## REFERENCES IN TEXT

Section 956(b)(3) of the United States Space Force Act and section 957 of that Act, referred to in subsec. (b)(6)(B)(v), (vi), are sections 956(b)(3) and 957, respectively, of subtitle D of title IX of div. A of Pub. L. 116-92, which are set out as notes under this section.

## PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 3013 of this title prior to enactment of Pub. L. 99-433.

## AMENDMENTS

2021—Subsec. (b)(6)(B)(iv)(III). Pub. L. 116-283 inserted “with respect to acquisition decisions” before period at end.

2019—Subsec. (a). Pub. L. 116-92, §956(b)(1)(A), substituted “five” for “four”.

Subsec. (b)(4)(B). Pub. L. 116-92, §861(j)(16), substituted “under section 1731 of this title” for “under section 1733 of this title”.

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

Subsec. (b)(6). Pub. L. 116-92, §956(b)(1)(B), added par. (6).

2018—Pub. L. 115-232 renumbered section 8016 of this title as this section.

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)(A). Pub. L. 114-328, §934(a), substituted “Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics” for “Assistant Secretary of the Air Force for Acquisition” and inserted “, technology, and logistics” after “acquisition”.

Subsec. (b)(4)(B). Pub. L. 114-328, §802(c), inserted at end “In the event of a vacancy in the position of Assistant Secretary of the Air Force for 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(ii), substituted “an officer” for “a lieutenant general”.

2008—Subsec. (b)(4). Pub. L. 110-181 added par. (4).

1988—Subsec. (a). Pub. L. 100-456, §702(d), substituted “four” for “three”.

Subsec. (b)(3). Pub. L. 100-456, §702(c)[(1)], added par. (3).

## CHANGE OF NAME

Pub. L. 114-328, div. A, title IX, §934(b), Dec. 23, 2016, 130 Stat. 2365, provided that: “Any reference to the Assistant Secretary of the Air Force for Acquisition in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.”

## 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 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 3016 of this title.

## EFFECTIVE DATE OF 1988 AMENDMENT

Pub. L. 100-456, div. A, title VII, §702(e)(2), Sept. 29, 1988, 102 Stat. 1996, provided that: “The amendments made by subsections (c) and (d) [enacting section 8022 of this title and amending this section] shall take effect on July 1, 1989, except that such amendments shall take effect on such earlier date, but not before January 21, 1989, as may be prescribed by the President in advance by Executive order.”

## ASSISTANT SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION

Pub. L. 116-92, div. A, title IX, §956(a), Dec. 20, 2019, 133 Stat. 1565, provided that:

“(a) REDESIGNATION OF PRINCIPAL ASSISTANT FOR SPACE AS ASSISTANT SECRETARY FOR SPACE ACQUISITION AND INTEGRATION.—

“(1) IN GENERAL.—The Principal Assistant to the Secretary of the Air Force for Space is hereby redesignated as the Assistant Secretary of the Air Force for Space Acquisition and Integration.

“(2) REFERENCES.—Any reference to the Principal Assistant to the Secretary of the Air Force for Space in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Secretary of the Air Force for Space Acquisition and Integration.”

## TRANSFER OF ACQUISITION PROJECTS FOR SPACE SYSTEMS AND PROGRAMS

Pub. L. 116-92, div. A, title IX, §956(b)(3), Dec. 20, 2019, 133 Stat. 1566, provided that: “Effective October 1, 2022, the Secretary of the Air Force shall transfer to the Assistant Secretary of the Air Force for Space Acquisition and Integration under paragraph (6) of section 9016(b) of title 10, United States Code (as added by this subsection), responsibility for architecture and integration of any acquisition projects for space systems and programs of the Air Force that are under the oversight or direction of the Assistant Secretary of the Air Force for Acquisition as of September 30, 2022.”

## SERVICE ACQUISITION EXECUTIVE OF THE DEPARTMENT OF THE AIR FORCE FOR SPACE SYSTEMS AND PROGRAMS

Pub. L. 116-92, div. A, title IX, §957, Dec. 20, 2019, 133 Stat. 1566, as amended by Pub. L. 116-283, div. A, title XVI, §1605, Jan. 1, 2021, 134 Stat. 4044, provided that:

“(a) IN GENERAL.—Effective October 1, 2022, there shall be within the Department of the Air Force a Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs.

“(b) SERVICE.—

“(1) IN GENERAL.—Effective as of October 1, 2022, and subject to paragraph (2), the individual serving as Assistant Secretary of the Air Force for Space Acquisition and Integration under paragraph (6) of section 9016(b) of title 10, United States Code (as added by section 1832(b) [probably should be “section 956(b)”] of this Act), shall also serve as the Service Acquisition Executive for Space Systems and Programs.

“(2) INCUMBENT.—The individual serving as Assistant Secretary of the Air Force for Space Acquisition and Integration as of October 1, 2022, may also serve as the Service Acquisition Executive for Space Systems and Programs pursuant to paragraph (1) only if appointed as the Service Acquisition Executive for Space Systems and Programs by the President, by and with the advice and consent of the Senate, pursuant to a nomination submitted to the Senate on or after that date.

“(c) AUTHORITIES AND RESPONSIBILITIES.—

“(1) IN GENERAL.—The Service Acquisition Executive for Space Systems and Programs shall have within the Department of the Air Force all the authorities and responsibilities of a service acquisition executive under section 1704 of title 10, United States Code, and other applicable law, for the Department of the Air Force with respect to space systems and programs.

“(2) SEPARATE SAE WITHIN THE AIR FORCE.—The Service Acquisition Executive for Space Systems and Programs shall be in addition to the service acquisition executive in the Department of the Air Force for all acquisition matters of the Department of the Air Force other than with respect to space systems and programs.

“(3) GUIDANCE ON RELATIONSHIP AMONG SAES.—Not later than October 1, 2022, and from time to time thereafter, the Secretary of the Air Force shall issue guidance for the Department of the Air Force on the authorities and responsibilities of the Service Acquisition Executive for Space Systems and Programs and the authorities and responsibilities of the service acquisition executive of the Department of the Air Force for all acquisition matters of the Department other than with respect to space systems and programs.

“(4) COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.—

“(A) AUTHORITY.—Beginning on the date specified in subparagraph (B), the Service Acquisition Executive for Space Systems and Programs shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.

“(B) DATE SPECIFIED.—The date specified in this subparagraph is the date that is 120 days after the date on which the Service Acquisition Executive for Space Systems and Programs submits to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a plan for delegating the authority under subparagraph (A) to a subordinate acquisition command within the Space Force.

“(C) RESPONSIBILITY DURING INTERIM PERIOD.—During the period preceding the date specified in subparagraph (B), the Chief of Space Operations shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.”

§ 9017. Secretary of the Air Force: successors to duties

If the Secretary of the Air Force 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 Air Force.
- (2) The Assistant Secretaries of the Air Force, in the order prescribed by the Secretary of the Air Force and approved by the Secretary of Defense.
- (3) The General Counsel of the Department of the Air Force.
- (4) The Chief of Staff.
- (5) The Chief of Space Operations.

(Aug. 10, 1956, ch. 1041, 70A Stat. 489, §8017; Pub. L. 89-718, §23, Nov. 2, 1966, 80 Stat. 1118; Pub. L. 90-235, §4(a)(9), Jan. 2, 1968, 81 Stat. 760; Pub. L. 99-433, title V, §521(a)(4), Oct. 1, 1986, 100 Stat. 1058; Pub. L. 103-337, div. A, title IX, §902(c), Oct. 5, 1994, 108 Stat. 2823; renumbered §9017, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833; Pub. L. 116-283, div. A, title IX, §923(b)(3), Jan. 1, 2021, 134 Stat. 3808.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8017(a) .....	5:626-1(b).	Sept. 19, 1951, ch. 407,
8017(b) .....	5:626-1(c).	§102 (less (a)), 65 Stat. 327.

In subsection (a), the word “person” is substituted for the words “officer of the United States”. The words “until a successor is appointed” are omitted as surplusage.

Subsection (b) is substituted for 5:626-1(c) and states the effect of section 8544(b) of this title.

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.

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

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.

AMENDMENTS

2021—Par. (5). Pub. L. 116-283 added par. (5).

2018—Pub. L. 115-232 renumbered section 8017 of this title as this section.

1994—Pars. (3), (4). Pub. L. 103-337 added par. (3) and redesignated former par. (3) as (4).

1986—Pub. L. 99-433 struck out subsec. (a) designation, substituted in par. (2) “, in the order prescribed by the Secretary of the Air Force and approved by the Secretary of Defense” for “in order of their length of service as such”, and struck out subsec. (b) which read as follows: “Performance of the duties of the Secretary by the Chief of Staff or any officer of the Air Force designated under section 3347 of title 5 shall not be considered as the holding of a civil office within the meaning of section 973(b) of this title.”

1968—Subsec. (b). Pub. L. 90-235 substituted “section 973(b) of this title” for “section 8544(b) of this title”.

1966—Pub. L. 89-718 substituted “section 3347 of title 5” for “section 6 of title 5” wherever appearing.

EFFECTIVE DATE OF 2018 AMENDMENT

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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.

§ 9018. Administrative Assistant

The Secretary of the Air Force may appoint an Administrative Assistant in the Office of the Secretary of the Air Force. The Administrative Assistant shall perform such duties as the Secretary may prescribe.

(Added Pub. L. 99-433, title V, §521(a)(5), Oct. 1, 1986, 100 Stat. 1059, §8018; renumbered §9018, Pub. L. 115-232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8018 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.

§ 9019. General Counsel

(a) There is a General Counsel of the Department of the Air Force, 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 Air Force may prescribe.

(Added Pub. L. 99-433, title V, §521(a)(5), Oct. 1, 1986, 100 Stat. 1059, §8019; amended Pub. L. 100-456, div. A, title VII, §703(a), Sept. 29, 1988, 102 Stat. 1996; renumbered §9019, Pub. L. 115-232,