

Office of Small and Disadvantaged Business Utilization of the Department of the Air Force were redesignated the Director of Small Business Programs of the Department of the Air Force and the Office of Small Business Programs of the Department of the Air Force, respectively, by Pub. L. 109-163 which also provided that references to the former were deemed to refer to the latter. See section 904(a) of Pub. L. 109-163, set out as a note under section 144 of this title.

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.

§ 9025. Office of Expanded Competition

(a) ESTABLISHMENT.—There is in the Office of the Secretary of the Air Force an office to be known as the Office of Expanded Competition (in this section referred to as the “Office”).

(b) DIRECTOR.—The head of the Office shall be the Director. The Director shall be appointed by the Secretary of the Air Force from among employees of the Department of Defense with requisite subject matter expertise who—

(1) are in a Senior Executive Service position (as defined in section 3132 of title 5) at the time of appointment; or

(2) are not in a Senior Executive Service position at the time of appointment, but meet the Executive Core Qualifications (ECQs) for such a position.

(c) DUTIES.—The duties of the Office are as follows:

(1) In consultation with other components of the Department of Defense and the Federal Government, conduct coordinated and integrated assessments of adversarial capital flows into industries or businesses of interest to the Department of Defense.

(2) Identify and prioritize promising critical technologies and assets for the Joint Force in need of capital assistance, including critical technologies and assets available from foreign entities.

(3) Fund investments in such technologies and assets, including supply chain technologies not always supported through direct investment.

(4) Support the coordination and outreach efforts of technology scouting and acquisition elements within the Department of Defense to enable investment decision-making by those elements that counteract entities employing adversarial capital flows against industries or businesses described in paragraph (1), including the employment of relevant authorities vested in other components of the Department and the Federal Government.

(5) Identify, accelerate, and sustain the establishment, research, development, construction, procurement, leasing, consolidation, alteration, improvement, modernization, and repair of tangible and intangible assets vital to the national security of the United States.

(6) Help the Department of Defense provide capital assistance to entities, including foreign entities, engaged in investments that facilitate the efforts of the Department.

(7) Experiment, prototype, test, or validate Government-developed or commercially devel-

oped analytical tools, processes, and tradecraft to improve the due diligence and investment analysis processes for the Department of Defense, including the employment of relevant delegated authorities vested in other components of the Department and the Federal Government.

(8) Assist the Secretary of Defense in developing access and placement using commercial means.

(9) Otherwise engage with, coordinate, and collaborate with other components of the Department of Defense and the Federal Government to maximize efficiencies and promote whole-of-government solutions to protect the national security of the United States.

(d) DEFINITIONS.—In this section:

(1) The term “adversarial capital flow” means an investment by—

(A) the government of a country that is an adversary of the United States; or

(B) an entity organized under the laws of, or otherwise subject to the jurisdiction of, such a country.

(2) The term “capital assistance” means a loan, loan guarantee, or technical assistance.

(Added Pub. L. 118-159, div. A, title IX, §924(a), Dec. 23, 2024, 138 Stat. 2039.)

CHAPTER 905—THE AIR STAFF

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Editorial Notes

PRIOR PROVISIONS

A prior chapter 905, consisting of sections 9381 to 9383, related to the Aviation Leadership Program, prior to repeal by Pub. L. 114-328, div. A, title XII, §1241(i)(2), Dec. 23, 2016, 130 Stat. 2508.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(4), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 805 of this title as this chapter and items 8031 to 8040 as 9031 to 9040, respectively.

2016—Pub. L. 114-328, div. A, title VII, §702(b)(3)(B), Dec. 23, 2016, 130 Stat. 2196, substituted “Surgeon General: appointment; duties” for “Surgeon General: appointment; grade” in item 8036.

2015—Pub. L. 114-92, div. A, title XVI, §1652(a)(2), Nov. 25, 2015, 129 Stat. 1122, added item 8040.

2013—Pub. L. 112-239, div. A, title V, §508(b), Jan. 2, 2013, 126 Stat. 1717, added item 8039.

1986—Pub. L. 99-433, title V, §522(g)(1), Oct. 1, 1986, 100 Stat. 1063, amended analysis generally, substituting items 8031 to 8038 for former items 8031 to 8036.

1965—Pub. L. 89-288, §5(b), Oct. 22, 1965, 79 Stat. 1050, added item 8036.

§ 9031. The Air Staff: function; composition

(a) There is in the executive part of the Department of the Air Force an Air Staff. The