

“(A) the schedule under which the aircraft will be returned to the reserve component;

“(B) a description of the condition, including the estimated remaining service life, in which any such aircraft will be returned to the reserve component; and

“(C) a description of the allocation of resources, including the designation of responsibility for funding aircraft operation and maintenance and a detailed description of budgetary responsibilities, for the period for which the aircraft is transferred to the regular component.

“(3) The designation of responsibility for funding maintenance requirements or modifications to the aircraft generated as a result of the transfer, including any such requirements and modifications required during the period for which the aircraft is transferred to the regular component.

“(4) Any location from which the aircraft will be transferred.

“(5) The effects on manpower that such a transfer may have at any facility identified under paragraph (4).

“(6) The effects on the skills and proficiencies of the reserve component personnel affected by the transfer.

“(7) Any other items the Director of the Air National Guard or the Chief of Air Force Reserve determines are necessary in order to execute such a transfer.

“(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary—

“(1) ensures that the Air Force has complied with Department of Defense regulations applicable to the transfer; and

“(2) for a transfer described in subsection (c)(1), submits to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft.

“(c) COVERED AIRCRAFT TRANSFERS.—

“(1) COVERED TRANSFERS.—An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

“(A) the permanent assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft; or

“(B) possession of an aircraft for a period in excess of 90 days.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to the following:

“(A) A routine temporary transfer of possession of an aircraft from a reserve component that is made solely for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

“(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary of Defense pursuant to Department of Defense regulations.

“(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component of the Air Force to the reserve component that does not degrade the capability of, or reduce the total number of, aircraft assigned to the reserve component.

“(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force for which an agreement under subsection (a) is not required by reason of subsection (c)(2)(A), possession of the aircraft shall be

transferred back to the reserve component upon completion of the work described in subsection (c)(2)(A).”

CONSOLIDATION OF AIR FORCE AND AIR NATIONAL GUARD AIRCRAFT MAINTENANCE

Pub. L. 110-417, [div. A], title III, §324, Oct. 14, 2008, 122 Stat. 4416, as amended by Pub. L. 111-383, div. A, title X, §1075(e)(4), Jan. 7, 2011, 124 Stat. 4374, provided that:

“(a) RESTRICTION ON IMPLEMENTATION OF CONSOLIDATION.—The Secretary of the Air Force shall not implement the consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard or the consolidation of aircraft repair facilities and personnel of the Air National Guard with aircraft repair facilities and personnel of the active Air Force unless and until the Secretary of the Air Force submits the reports required by (b) and (c), the Chief of the National Guard Bureau submits the assessment required by subsection (d), and the Secretary of Defense submits the certification required by subsection (e).

“(b) REPORT ON CRITERIA.—Not later than 30 days after the date of the enactment of this Act [Oct. 14, 2008], the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report stating all the criteria being used by the Department of the Air Force and the Rand Corporation to evaluate the feasibility of consolidating Air Force maintenance functions into organizations that would integrate active, Guard, and Reserve components into a total-force approach. The report shall include the assumptions that were provided to or developed by the Rand Corporation for its study of the feasibility of the consolidation proposal.

“(c) REPORT ON FEASIBILITY STUDY.—At least 90 days before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings of the Rand Corporation feasibility study and the Rand Corporation’s recommendations, the Air Force’s assessment of the findings and recommendations, any plans developed for implementation of the consolidation, and a delineation of all infrastructure costs anticipated as a result of implementation.

“(d) ASSESSMENT BY CHIEF OF THE NATIONAL GUARD BUREAU.—Not later than 30 days after the date on which the report required by subsection (c) is submitted, the Chief of the National Guard Bureau shall submit to the Committees on Armed Services of the Senate and House of Representatives a written assessment of—

“(1) the proposed actions to consolidate aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary of the Air Force; and

“(2) the information included in the report required by subsection (c).

“(e) CERTIFICATION BY THE SECRETARY OF DEFENSE.—After the Secretary of the Air Force submits the reports required by subsections (b) and (c), and before any consolidation of aircraft repair facilities and personnel of the active Air Force with aircraft repair facilities and personnel of the Air National Guard by the Secretary of the Air Force, the Secretary of Defense shall certify that such consolidation is in the national interest and will not adversely affect recruitment, retention, or execution of the Air National Guard mission in the individual States.”

§ 9062a. Annual report on Air Force tactical fighter aircraft force structure.¹

(a) IN GENERAL.—Not later than April 1, 2025, and annually thereafter through 2029, the Sec-

¹ So in original. The period probably should not appear.

retary of the Air Force, in consultation with the Director of the Air National Guard and the Commander of the Air Force Reserve Command, shall—

(1) develop a 10-year tactical fighter aircraft force structure, recapitalization, training, and sustainment plan for the active and reserve components of the Air Force; and

(2) submit to the congressional defense committees a report on the plan.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall address each of the following:

(1) The appropriate mix of tactical fighter aircraft, and associated operational risk analyses, required for the Secretary of the Air Force to meet expected steady-state, global force management allocation plans and geographic combatant commander contingency operational plans tasked to the Air Force, using active and reserve component tactical fighter aircraft units.

(2) The procurement, divestment, and unit activation, deactivation, or re-missioning plans or actions the Secretary plans to implement, fiscal year-by-fiscal year, unit-by-unit, for the 10-year period beginning on the date on which the report is submitted, for each active and reserve component tactical fighter aircraft unit existing as of such date of submittal, including the rationale and justification for any such plans or actions.

(3) The actions the Secretary will take to ensure that required operational readiness rates are maintained during any planned recapitalization, modernization, or change of mission affecting tactical fighter aircraft units.

(4) Any plans of the Secretary to augment or supplant existing piloted tactical fighter aircraft capability or capacity with collaborative combat aircraft increment 1 or increment 2 capability or capacity.

(5) Any plans of the Secretary to augment or supplant existing piloted tactical fighter aircraft training events through the acquisition and fielding of common, joint, all-domain, high-fidelity synthetic simulation environments.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form with accompanying graphs, tables, and charts, but may contain a classified annex.

(d) FIGHTER AIRCRAFT DEFINED.—In this section, the term “fighter aircraft” has the meaning given that term in section 9062(i)(2) of this title.

(Added Pub. L. 118–159, div. A, title I, §142, Dec. 23, 2024, 138 Stat. 1809.)

§ 9063. Designation: officers to perform certain professional functions

(a) Medical functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary of the Air Force and who are designated as medical officers.

(b) Dental functions in the Air Force and the Space Force shall be performed by commis-

sioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as dental officers.

(c) Veterinary functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as veterinary officers.

(d) Medical service functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as medical service officers.

(e) Nursing functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as Air Force nurses.

(f) Biomedical science functions, including physician assistant functions and chiropractic functions, in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as biomedical science officers.

(g) Judge advocate functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary, and who are designated as judge advocates.

(h) Chaplain functions in the Air Force and the Space Force shall be performed by commissioned officers of the Air Force who are qualified under regulations prescribed by the Secretary and who are designated as chaplains.

(i) Other functions in the Air Force and the Space Force requiring special training or experience shall be performed by members of the Air Force or the Space Force who are qualified under regulations prescribed by the Secretary, and who are designated as being in named categories.

(Aug. 10, 1956, ch. 1041, 70A Stat. 494, §8067; Pub. L. 85–861, §1(156), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 96–513, title V, §504(5), Dec. 12, 1980, 94 Stat. 2916; Pub. L. 97–86, title IV, §403, Dec. 1, 1981, 95 Stat. 1105; Pub. L. 102–484, div. A, title V, §505(c), Oct. 23, 1992, 106 Stat. 2404; renumbered §9067, Pub. L. 115–232, div. A, title VIII, §806(c), Aug. 13, 2018, 132 Stat. 1833; renumbered §9063, Pub. L. 116–92, div. A, title IX, §952(b)(1), Dec. 20, 2019, 133 Stat. 1561; Pub. L. 116–283, div. A, title IX, §923(b)(9), Jan. 1, 2021, 134 Stat. 3809.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8067(a)	10:1837(a) (as applicable to medical officers).	Sept. 19, 1951, ch. 407, §307 (less (d)), 65 Stat. 330.
8067(b)	10:1837(a) (as applicable to dental officers).	June 24, 1952, ch. 457 (less 1st and last provisos), 66 Stat. 156.
8067(c)	10:1837(a) (as applicable to veterinary officers).	
8067(d)	10:1837(a) (as applicable to medical service officers).	
8067(e)	10:1837(a) (as applicable to nurses).	
8067(f)	10:1837(a) (as applicable to women medical specialists).	
8067(g)	10:1837(a) (as applicable to judge advocates).	