

## COMMAND

### Process to Appoint a HQ USAF Section Commander

You asked whether a section commander, assigned to HAF/ES, could be appointed to handle certain administrative and disciplinary matters for Air Force personnel assigned to Headquarters U.S. Air Force (HAF). We conclude 11 WG/CC could appoint a HAF section commander if he determines it would improve the exercise of disciplinary authority over HAF personnel.

**Background.** AF/A1M confirms there is a unit called HQ USAF made up of the personnel assigned to the Air Force Secretariat and Air Staff. Officers assigned to HAF may not assume command unless specifically directed (AFI 51-604, *Appointment to and Assumption of Command* ¶4.2.1 (2006)). Currently, responsibility for HAF disciplinary and related administrative matters is set out in special order GA-07-001. Per that order, all officers and enlisted personnel in the Pentagon are attached to AFDW and subordinate units for court-martial convening authority, Article 15 actions, administrative separation and other actions requiring command authority. CSAF/VCSAF/DCSs/ACSS/Directors are authorized to act as unit commanders for personnel within their activities for all actions except the disciplinary actions described above. (This includes decisions regarding UIFs and Control Roster, per AFI 36-2907, *Unfavorable Information File (UIF) Program*, paragraphs 1.2.3, 1.2.4, 2.3.3, 2.3.4.) Currently, HAF officer Article 15s are handled by AFDW/CC and enlisted Article 15s by 11WG/CC or 11 MSS/CC.

**Appointment.** The original proposal was for AF/CVA to appoint a section commander. However, CVA does not presently have authority to appoint an officer to command. Per AFI 51-604, paragraphs 2.6.2 and 2.7, AF/CV has such authority and could delegate it to CVA. But we recommend the simpler alternative of an appointment by 11 WG/CC. AFI 51-604 paragraph 2.6.11 authorizes the “commander of a large functional unit (squadron or above), if a lieutenant colonel or higher” to appoint that unit’s section commander. Under this authority, AFDW/CC or 11 WG/CC could appoint a section commander over HAF personnel because HAF and its personnel are attached to AFDW and 11WG for UCMJ actions. This alternative would eliminate the requirement for a delegation from CV. It would also keep the UCMJ ADCON chain solely under 11 WG and AFDW, as intended by SO GA-07-001. The special (or general) court-martial convening authority could then grant or limit Article 15 authority for the section commander as appropriate, without the need for CVA involvement. For example, AFDW/CC or 11 WG/CC could withhold Article 15 authority over officers in order to preserve a broader punishment authority.

**Dual Section Commanders.** You mentioned the possibility of appointing two section commanders so the two section commanders could cover for one another if one were absent, without the necessity of new appointments, and so that the junior section commander could be responsible for junior enlisted personnel while the senior section commander was responsible for senior enlisted personnel and for officers. Currently, AFI 51-604 and AFI 38-101, *Air Force Organization* (2006) do not provide for overlapping squadron section commander authority. The only mention of multiple section commanders is the AFI 38-101, paragraph 4.3.3.5.2 authority concerning a large, geographically dispersed element. Rather than pursue an immediate

exception to AFI 38-101, we recommend you proceed with a single section commander, if any, for the present, and readdress this issue if use of a single section commander proves problematic.

**Administration.** 11 WG/JA would be the servicing legal office for HAF section commander Article 15s and administrative matters. If 11 WG/CC appoints the section commander, he would be the Article 15 appellate authority, per AFI 51-202, *Nonjudicial Punishment*, paragraph 4.2.3 (2003)—“When a section commander of a squadron imposes punishment, the ‘next superior authority’ is the squadron commander's superior commander. However, when a section commander for all other units or elements imposes punishment (i.e., Group, Wing, Numbered Air Force, Major Command, Center, Field Operating Agency, and Direct Reporting Unit), the ‘next superior authority’ is the section commander's immediate commander.” In this context the section commander’s immediate commander for ADCON purposes would be 11 WG/CC.

**Way Ahead.** If you determine appointment of a HAF section commander would improve HAF administration, HAF/ES may request the appropriate 11 WG Military Personnel Division to prepare an appointment (AF Form 35) for review by 11 WG/JA and signature by 11 WG/CC.

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