

Air Force shall designate the grades and military skills or specialties of members to be eligible for placement in such mobilization category.

(5) **BENEFITS.**—A member in such mobilization category shall be eligible for benefits (other than pay and training) on the same basis as are available to members of the Individual Ready Reserve who are in the special mobilization category under section 10144(b) of this title, as determined by the Secretary of Defense.

(Added Pub. L. 118-31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 627.)

§ 20103. Members not on sustained duty: agreements concerning conditions of service

(a) **AGREEMENTS.**—The Secretary of the Air Force may enter into a written agreement with a member of the Space Force not on sustained duty—

(1) requiring the member to serve on active duty for a definite period of time;

(2) specifying the conditions of the member's service on active duty; and

(3) for a member serving in a space force inactive status, specifying the conditions for the member's continued service as well as order to active duty with and without the consent of the member.

(b) **CONDITIONS OF SERVICE.**—An agreement under subsection (a) shall specify the conditions of service. The Secretary of the Air Force shall prescribe regulations establishing—

(1) what conditions of service may be specified in the agreement;

(2) the obligations of the parties; and

(3) the consequences of failure to comply with the terms of the agreement.

(c) **AUTHORITY FOR RETENTION ON ACTIVE DUTY DURING WAR OR NATIONAL EMERGENCY.**—If the period of service on active duty of a member under an agreement under subsection (a) expires during a war or during a national emergency declared by Congress or the President, the member concerned may be kept on active duty, without the consent of the member, as otherwise prescribed by law.

(Added Pub. L. 118-31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 628.)

§ 20104. Orders to active duty: with consent of member

(a) **AUTHORITY.**—A member of the Space Force who is serving in a space force active status and is not on sustained duty, or who is serving in a space force inactive status, may, with the consent of the member, be ordered to active duty, or retained on active duty, under the following sections of chapter 1209 of this title in the same manner as applies to a member of a reserve component ordered to active duty, or retained on active duty, under that section with the consent of the member:

(1) Section 12301(d), relating to orders to active duty at any time with the consent of the member.

(2) Section 12301(h), relating to orders to active duty in connection with medical or health care matters.

(3) Section 12322, relating to active duty for health care.

(4) Section 12323, relating to active duty pending line of duty determination required for response to sexual assault.

(b) **APPLICABLE PROVISIONS OF LAW.**—The following sections of chapter 1209 of this title pertaining to a member of a reserve component ordered to active duty with the consent of the member apply to a member of the Space Force who is ordered to active duty under this section in the same manner as to such a reserve component member:

(1) Section 12308, relating to retention after becoming qualified for retired pay.

(2) Section 12309, relating to use of Reserve officers in expansion of armed forces.

(3) Section 12313, relating to release of reserve members from active duty.

(4) Section 12314, relating to kinds of duty.

(5) Section 12315, relating to duty with or without pay.

(6) Section 12316, relating to payment of certain Reserves while on duty.

(7) Section 12318, relating to duties and funding of reserve members on active duty.

(8) Section 12320, relating to grade in which ordered to active duty.

(9) Section 12321, relating to a limitation on number of reserve members assigned to Reserve Officer Training Corps units.

(Added Pub. L. 118-31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 628.)

§ 20105. Sustained duty

(a) **ENLISTED MEMBERS.**—An authority designated by the Secretary of the Air Force may order an enlisted member of the Space Force in a space force active status to sustained duty, or retain an enlisted member on sustained duty, with the consent of that member, as specified in the terms of the member's enlistment or reenlistment agreement.

(b) **OFFICERS.**—

(1) An authority designated by the Secretary of the Air Force may order a Space Force officer in a space force active status to sustained duty—

(A) with the consent of the officer; or

(B) to fulfill the terms of an active-duty service commitment incurred by the officer under any provision of law.

(2) An officer ordered to sustained duty under paragraph (1) may not be released from sustained duty without the officer's consent except as provided in chapter 2009 or 2011 of this title.

(Added Pub. L. 118-31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 629.)

§ 20106. Orders to active duty: without consent of member

(a) **MEMBERS IN A SPACE FORCE ACTIVE STATUS.**—

(1) A member of the Space Force in a space force active status who is not on sustained duty, may, without the consent of the member, be ordered to active duty or inactive duty in the same manner as a member of a reserve