

component ordered to active duty or inactive duty under the provisions of chapter 1209 of this title and any other provision of law authorizing the order to active duty of a member of a reserve component in an active status without the consent of the member.

(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to a member of the Ready Reserve when ordered to active duty shall apply to a member of the Space Force who is in a space force active status when ordered to active duty under paragraph (1).

(3) The provisions of section 12304 of this title pertaining to members in the Individual Ready Reserve mobilization category shall apply to a member of the Space Force who is designated an Individual Ready Guardian when ordered to active duty who meets the provisions of section 20102(b) of this title.

(b) MEMBERS IN A SPACE FORCE INACTIVE STATUS.—

(1) A member of the Space Force in a space force inactive status may be ordered to active duty under—

(A) the provisions of chapter 1209 of this title;

(B) any other provision of law authorizing the order to active duty of a member of a reserve component in an inactive status; and

(C) the terms of any agreement entered into by the member under section 20103 of this title.

(2) The provisions of chapter 1209 of this title, or other applicable provisions of law, pertaining to the Standby Reserve shall apply to a member of the Space Force who is in a space force inactive service when ordered to active duty.

(c) MEMBERS IN A SPACE FORCE RETIRED STATUS.—

(1) Chapters 39 and 1209 of this title include provisions authorizing the order to active duty of a member of the Space Force in a space force retired status.

(2) The provisions of sections 688, 688a, and 12407 of this title pertaining to a retired member or a member of the Retired Reserve shall apply to a member of the Space Force in a space force retired status when ordered to active duty.

(3) The provisions of section 689 of this title pertaining to a retired member ordered to active duty shall apply to a member of the Space Force in a space force retired status who is ordered to active duty.

(d) OTHER APPLICABLE PROVISIONS.—The following provisions of chapter 1209 of this title shall apply to a member of the Space Force ordered to active duty in the same manner as to a Reserve or member of the Retired Reserve ordered to active duty:

(1) Section 12305, relating to the authority of the President to suspend certain laws relating to promotion, retirement, and separation.

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

(3) Section 12313, relating to release 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 12317, relating to theological students; limitations.

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

(Added Pub. L. 118–31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 629; amended Pub. L. 118–159, div. A, title V, §521(m), Dec. 23, 2024, 138 Stat. 1882.)

### Editorial Notes

#### AMENDMENTS

2024—Subsec. (d). Pub. L. 118–159 struck out “pertaining” before “shall apply” in introductory provisions.

#### § 20107. Transfer to inactive status: initial service obligation not complete

(a) GENERAL RULE.—A member of the Space Force who has not completed the required minimum service obligation referred to in section 20003 of this title shall, if terminating space force active status, be transferred to a space force inactive status and, unless otherwise designated an Individual Ready Guardian under section 20102 of this title, shall remain subject to order to active duty without the member’s consent under section 20106 of this title.

(b) EXCEPTION.—Subsection (a) does not apply to a member who is separated from the Space Force by the Secretary of the Air Force under section 20503 of this title.

(Added Pub. L. 118–31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 630.)

#### § 20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors

For the purposes of laws providing pay and benefits for members of the armed forces and their dependents and beneficiaries:

(1) Military training, duty, or other service performed by a member of the Space Force in a space force active status not on sustained duty shall be considered military training, duty, or other service, as the case may be, as a member of a reserve component.

(2) Sustained duty performed by a member of the Space Force under section 20105 of this title shall be considered active duty as a member of a regular component.

(3) Active duty performed by a member of the Space Force in a space force active status not on sustained duty shall be considered active duty as a member of a reserve component.

(4) Inactive-duty training performed by a member of the Space Force shall be considered inactive-duty training as a member of a reserve component.

(Added Pub. L. 118–31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 631.)

§ 20109. Policy for order to active duty based upon determination by Congress

Whenever Congress determines that more units and organizations capable of conducting space operations are needed for the national security than are available among those units comprised of members of the Space Force serving on active duty, members of the Space Force not serving on active duty shall be ordered to active duty and retained as long as so needed.

(Added Pub. L. 118-31, div. A, title XVII, §1715, Dec. 22, 2023, 137 Stat. 631.)

CHAPTER 2005—OFFICERS

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AMENDMENTS

Pub. L. 118-31, div. A, title XVII, §1716(a), (c), Dec. 22, 2023, 137 Stat. 631, 634, 638, 649, 653, added items for subchapters I to V. Amendments were made pursuant to operation of section 102 of this title. Amendment by section 1716(c) adding subchapters II to V to chapter "205" of this title was executed by adding items for subchapters II to V to the analysis for this chapter, which is chapter 2005, to reflect the probable intent of Congress.

SUBCHAPTER I—ORIGINAL APPOINTMENTS

Sec. 20201. Original appointments: how made.
20202. Original appointments: qualifications.
20203. Original appointments: service credit.

Editorial Notes

AMENDMENTS

Pub. L. 118-31, div. A, title XVII, §1716(a), Dec. 22, 2023, 137 Stat. 631, 632, added items 20201 to 20203. Amendment was made pursuant to operation of section 102 of this title.

§ 20201. Original appointments: how made

(a) IN GENERAL.—The provisions of section 531 of this title shall apply to original appointments of commissioned officers in the Space Force.

(b) GRADE UPON APPOINTMENT.—(1) The grade of a person receiving an appointment under this section who at the time of appointment is credited with service under section 20203 of this title shall be determined under regulations prescribed by the Secretary of the Defense based upon the amount of service credited.

(2) The grade of a person receiving an appointment under this section who at the time of the appointment is a commissioned officer of a reserve component shall be determined under section 20203(e) of this title.

(Added Pub. L. 118-31, div. A, title XVII, §1716(a), Dec. 22, 2023, 137 Stat. 631.)

§ 20202. Original appointments: qualifications

(a) IN GENERAL.—An original appointment as a commissioned officer in the Space Force may be given only to a person who—

- (1) is a citizen of the United States;
(2) is at least 18 years of age; and
(3) has such other physical, mental, moral, professional, and age qualifications as the Secretary of the Air Force may prescribe by regulation.

(b) EXCEPTION.—A person who is otherwise qualified, but who has a physical condition that the Secretary of the Air Force determines will not interfere with the performance of the duties to which that person may be assigned, may be appointed as an officer in the Space Force.

(Added Pub. L. 118-31, div. A, title XVII, §1716(a), Dec. 22, 2023, 137 Stat. 632.)

§ 20203. Original appointments: service credit

(a) IN GENERAL.—The provisions of section 533 of this title shall apply to the crediting of prior active commissioned service for original appointments of commissioned officers.

(b) CREDIT FOR PRIOR SERVICE.—(1) For the purpose of determining the grade and rank within grade of a person receiving an original appointment in a commissioned grade in the Space Force, such person shall be credited at the time of such appointment with any commissioned service (other than service as a commissioned warrant officer) that the person performed before such appointment—

- (A) as a Space Force officer on active duty or in a space force active status; or
(B) as a regular officer, or as a reserve officer in an active status, in any uniformed service.

(2) The regulations prescribed by the Secretary of Defense under section 533 of this title shall apply to the Space Force to authorize the Secretary of the Air Force to limit the amount of prior active commissioned service with which a person receiving an original appointment may be credited under paragraph (1).

(b) CREDIT FOR EDUCATION, TRAINING, AND EXPERIENCE.—(1) Under regulations prescribed by the Secretary of the Air Force, the Secretary shall credit a person who is receiving an original appointment in a commissioned grade in the Space Force and who has advanced education, training, or special experience with constructive service for such education, training, or experience in a particular officer career field as designated by the Secretary of the Air Force, if such education, training, or experience is directly related to the operational needs of the Space Force.

(2)(A) The Secretary may credit a person with constructive service under this subsection for each instance of relevant advanced education or training or special experience regardless of whether two or more such instances are concurrent.

(B) The Secretary may not credit more than 20 persons with an amount of constructive credit under this paragraph in any year.

(3) The amount of constructive service credited an officer under this subsection may not ex-