

§ 20401. Applicability of certain provisions of law related to separation

(a) OFFICER SEPARATION.—Except as specified in this section or otherwise modified in this chapter, the provisions of chapter 59 of this title applicable to officers of a regular component shall apply to officers of the Space Force.

(b) Except as specified in this section or otherwise modified in this chapter, the provisions of sections 1169, 1170, 1171, 1173, 1174(b), and 1176(a) of chapter 59 of this title applicable to enlisted members of a regular component shall apply to enlisted members of the Space Force.

(c) The provisions of section 1172 of this title pertaining to a person enlisted under section 518 of this title shall apply to an enlisted member of the Space Force.

(d) The provisions of section 1174 of this title—

(1) pertaining to a regular officer shall apply to a Space Force officer serving on sustained duty;

(2) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

(3) pertaining to other members shall apply to members of the Space Force not serving on sustained duty.

(e) The provisions of section 1175 of this title pertaining to a voluntary appointment, enlistment, or transfer to a reserve component shall apply to the voluntary release from active duty of a member of the Space Force on sustained duty.

(f) The provisions of section 1176 of this title—

(1) pertaining to a regular enlisted member shall apply to an enlisted member of the Space Force serving on sustained duty; and

(2) pertaining to a reserve enlisted member serving in an active status shall apply to an enlisted member of the Space Force serving in a space force active status or on sustained duty.

(Added Pub. L. 118-31, div. A, title XVII, § 1718(a), Dec. 22, 2023, 137 Stat. 656; amended Pub. L. 118-159, div. A, title V, § 521(w), Dec. 23, 2024, 138 Stat. 1883.)

Editorial Notes

AMENDMENTS

2024—Subsec. (b). Pub. L. 118-159 inserted “, and” after “1174(b)”.

§ 20402. Enlisted members: standards and qualifications for retention

(a) STANDARDS AND QUALIFICATIONS FOR RETENTION.—The Secretary of the Air Force shall, by regulation, prescribe—

(1) standards and qualifications for the retention of enlisted members of the Space Force; and

(2) equitable procedures for the periodic determination of the compliance of each such member with those standards and qualifications.

(b) EFFECT OF FAILURE TO COMPLY WITH STANDARDS AND QUALIFICATIONS.—If an enlisted member serving in Space Force active status fails to comply with the standards and qualifica-

tions prescribed under subsection (a), the member shall—

(1) if qualified, be transferred to Space Force inactive status;

(2) if qualified, be retired in accordance with section 20603 of this title; or

(3) have the member’s enlistment terminated.

(Added Pub. L. 118-31, div. A, title XVII, § 1718(a), Dec. 22, 2023, 137 Stat. 656.)

§ 20403. Officers: standards and qualifications for retention

(a) STANDARDS AND QUALIFICATIONS.—To be retained in an active status, a Space Force officer must—

(1) in any applicable yearly period, attain the number of points under section 12732(a)(2) of this title that are prescribed by the Secretary of the Air Force; and

(2) conform to such other standards and qualifications as the Secretary may prescribe for officers of the Space Force.

(b) LIMITATION ON MINIMUM NUMBER OF POINTS.—The Secretary may not prescribe a minimum of more than 50 points under subsection (a).

(c) RESULT OF FAILURE TO COMPLY.—A Space Force officer who fails to attain the number of points prescribed under subsection (a)(1), or to conform to the standards and qualifications prescribed under subsection (a)(2), may be referred to a board convened under section 20501(a) of this title.

(Added Pub. L. 118-31, div. A, title XVII, § 1718(a), Dec. 22, 2023, 137 Stat. 656.)

§ 20404. Selection of officers for early retirement or discharge

(a) CONSIDERATION FOR EARLY RETIREMENT.—The Secretary of the Air Force may convene selection boards under section 20211(b) of this title to consider for early retirement officers on the Space Force officer list as follows:

(1) Officers in the grade of lieutenant colonel who have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion.

(2) Officers in the grade of colonel who have served in that grade for at least two years and whose names are not on a list of officers recommended for promotion.

(3) Officers, other than those described in paragraphs (1) and (2), holding a grade below the grade of colonel—

(A) who are eligible for retirement under section 20601 of this title or who after two additional years or less of active service would be eligible for retirement under that section; and

(B) whose names are not on a list of officers recommended for promotion.

(b) CONSIDERATION FOR DISCHARGE.—

(1) The Secretary of the Air Force may convene selection boards under section 20211 of this title to consider for discharge officers on the Space Force officer list—

(A) who have served at least one year of active status in the grade currently held;