

§ 20502. Retention boards

(a) **CONVENING OF BOARDS TO CONSIDER OFFICERS REQUIRED TO SHOW CAUSE.**—The Secretary of the Air Force shall convene retention boards at such times and places as the Secretary may prescribe to receive evidence and make findings and recommendations as to whether an officer who is required under section 20501 of this title to show cause for retention in a space force active status should be retained in a space force active status. Each retention board shall be composed of not less than three officers having the qualifications prescribed by section 20506 of this title.

(b) **FAIR AND IMPARTIAL HEARING.**—A retention board shall give a fair and impartial hearing to each officer required under section 20501 of this title to show cause for retention in a space force active status.

(c) **EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS FAILED TO ESTABLISH THAT THE OFFICER SHOULD BE RETAINED.**—

(1) If a retention board determines that the officer has failed to establish that the officer should be retained in a space force active status, the board shall recommend to the Secretary of the Air Force one of the following:

(A) That the officer be transferred to an inactive status.

(B) That the officer, if qualified under any provision of law, be retired.

(C) That the officer be discharged from the Space Force.

(2) Under regulations prescribed by the Secretary of the Air Force, an officer as to whom a retention board makes a recommendation under paragraph (1) that the officer not be retained in a space force active status may be required to take leave pending the completion of the officer's case under this chapter. The officer may be required to begin such leave at any time following the officer's receipt of the report of the retention board, including the board's recommendation for removal from a space force active status, and the expiration of any period allowed for submission by the officer of a rebuttal to that report. The leave may be continued until the date on which action by the Secretary of the Air Force on the officer's case is completed or may be terminated at any earlier time.

(d) **EFFECT OF BOARD DETERMINATION THAT AN OFFICER HAS ESTABLISHED THAT THE OFFICER SHOULD BE RETAINED.**—

(1) If a retention board determines that the officer has established that the officer should be retained in a space force active status, the officer's case is closed.

(2) An officer who is required to show cause for retention in a space force active status under subsection (a) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a space force active status may not again be required to show cause for retention in a space force active status under such subsection within the one-year period beginning on the date of that determination.

(3)(A) Subject to subparagraph (B), an officer who is required to show cause for retention in

a space force active status under subsection (b) of section 20501 of this title and who is determined under paragraph (1) to have established that the officer should be retained in a space force active status may again be required to show cause for retention at any time.

(B) An officer who has been required to show cause for retention in a space force active status under subsection (b) of section 20501 of this title and who is thereafter retained in an active status may not again be required to show cause for retention in a space force active status under such subsection solely because of conduct which was the subject of the previous proceedings, unless the findings or recommendations of the retention board that considered the officer's previous case are determined to have been obtained by fraud or collusion.

(4) In the case of an officer described in paragraph (2) or paragraph (3)(A), the retention board may recommend that the officer be required to complete additional training, professional education, or such other developmental programs as may be available to correct any identified deficiencies and improve the officer's performance within the Space Force.

(Added Pub. L. 118-31, div. A, title XVII, § 1719, Dec. 22, 2023, 137 Stat. 659; amended Pub. L. 118-159, div. A, title V, § 521(x), Dec. 23, 2024, 138 Stat. 1883.)

Editorial Notes**AMENDMENTS**

2024—Subsec. (c). Pub. L. 118-159, § 521(x)(1), substituted “That an Officer Has Failed to Establish That the Officer Should Be Retained” for “Than an Officer Has Failed to Establish That the Officer Should Be Retained” in heading and realigned margins.

Subsec. (d). Pub. L. 118-159, § 521(x)(2), substituted “That” for “Than” in heading.

§ 20503. Removal of officer: action by Secretary upon recommendation of retention board

The Secretary of the Air Force may remove an officer from space force active status if the removal of such officer from space force active status is recommended by a retention board convened under section 20502 of this title.

(Added Pub. L. 118-31, div. A, title XVII, § 1719, Dec. 22, 2023, 137 Stat. 661.)

§ 20504. Rights and procedures

(a) **IN GENERAL.**—Under regulations prescribed by the Secretary of the Air Force, each officer required under section 20501 of this title to show cause for retention in a space force active status—

(1) shall be notified in writing, at least 30 days before the hearing of the officer's case by a retention board, of the reasons for which the officer is being required to show cause for retention in a space force active status;

(2) shall be allowed a reasonable time, as determined by the board, to prepare the officer's showing of cause for retention in a space force active status;

(3) shall be allowed to appear either in person or through electronic means and to be rep-

resented by counsel at proceedings before the board; and

(4) shall be allowed full access to, and shall be furnished copies of, records relevant to the officer's case, except that the board shall withhold any record that the Secretary determines should be withheld in the interest of national security.

(b) SUMMARY OF RECORDS WITHHELD IN INTEREST OF NATIONAL SECURITY.—When a record is withheld under subsection (a)(4), the officer whose case is under consideration shall, to the extent that the interest of national security permits, be furnished a summary of the record so withheld.

(Added Pub. L. 118-31, div. A, title XVII, §1719, Dec. 22, 2023, 137 Stat. 661.)

§ 20505. Officer considered for removal: voluntary retirement or discharge

(a) IN GENERAL.—At any time during proceedings under this chapter with respect to the removal of an officer from a space force active status, the Secretary of the Air Force may grant a request by the officer—

(1) for voluntary retirement, if the officer is qualified for retirement; or

(2) for discharge in accordance with subsection (b)(2).

(b) RETIREMENT OR DISCHARGE.—An officer removed from a space force active status under section 20503 of this title shall—

(1) if eligible for voluntary retirement under any provision of law on the date of such removal, be retired in the grade and with the retired pay for which the officer would be eligible if retired under such provision; and

(2) if ineligible for voluntary retirement under any provision of law on the date of such removal—

(A) be honorably discharged in the grade then held, in the case of an officer whose case was brought under subsection (a) of section 20501 of this title; or

(B) be discharged in the grade then held, in the case of an officer whose case was brought under subsection (b) of section 20501 of this title.

(c) SEPARATION PAY FOR DISCHARGED OFFICER.—An officer who is discharged under subsection (b)(2) is entitled, if eligible therefor, to separation pay under section 1174(a)(2) of this title.

(Added Pub. L. 118-31, div. A, title XVII, §1719, Dec. 22, 2023, 137 Stat. 661.)

§ 20506. Officers eligible to serve on retention boards

(a) IN GENERAL.—The provisions of section 1187 of this title apply to the membership of boards convened under this chapter in the same manner as to the membership of boards convened under chapter 60 of this title.

(b) RETIRED AIR FORCE OFFICERS.—

(1) AUTHORITY.—In applying subsection (b) of section 1187 of this title to a board convened under this chapter, the Secretary of the Air Force may appoint retired officers of the Air

Force, in addition to retired officers of the Space Force, to complete the membership of the board.

(2) LIMITATION.—A retired officer of the Air Force may be appointed to a board under paragraph (1) only if the officer served in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

(Added Pub. L. 118-31, div. A, title XVII, §1719, Dec. 22, 2023, 137 Stat. 662.)

CHAPTER 2013—VOLUNTARY RETIREMENT FOR LENGTH OF SERVICE

Sec. 20601.	Officers: voluntary retirement for length of service.
20602.	Officers: computation of years of service for voluntary retirement.
20603.	Enlisted members: voluntary retirement for length of service.
20604.	Enlisted members: computation of years of service for voluntary retirement.
20605.	Applicability of other provisions of law relating to retirement.

§ 20601. Officers: voluntary retirement for length of service

(a) TWENTY YEARS OR MORE.—The Secretary of the Air Force may, upon the officer's request, retire a commissioned officer of the Space Force who has at least 20 years of service computed under section 20602 of this title, at least 10 years of which have been active service as a commissioned officer.

(b) THIRTY YEARS OR MORE.—A commissioned officer of the Space Force who has at least 30 years of service computed under section 20602 of this title may be retired upon the officer's request, in the discretion of the President.

(c) FORTY YEARS OR MORE.—Except as provided in section 20503 of this title, a commissioned officer of the Space Force who has at least 40 years of service computed under section 20602 of this title shall be retired upon the officer's request.

(Added Pub. L. 118-31, div. A, title XVII, §1719A(a), Dec. 22, 2023, 137 Stat. 662.)

§ 20602. Officers: computation of years of service for voluntary retirement

(a) YEARS OF ACTIVE SERVICE.—For the purpose of determining whether an officer of the Space Force may be retired under section 20601 of this title, the officer's years of service are computed by adding all active service in the armed forces.

(b) REFERENCE TO SECTION EXCLUDING SERVICE DURING CERTAIN PERIODS.—Section 972(b) of this title excludes from computation of an officer's years of service for purposes of this section any time identified with respect to that officer under that section.

(Added Pub. L. 118-31, div. A, title XVII, §1719A(a), Dec. 22, 2023, 137 Stat. 663.)