

(2) if eligible for retirement under another other provision of law, be retired under that law on the first day of the first month following the month in which the officer completes the term of continued service.

(h) TREATMENT OF DISCHARGE OR RETIREMENT.—The discharge or retirement of an officer pursuant to this section shall be considered to be an involuntary discharge or retirement for purposes of any other provision of law.

(Added Pub. L. 115-232, div. A, title V, §507(a)(1), Aug. 13, 2018, 132 Stat. 1747.)

§ 649i. Continuation on active duty: officers in certain military specialties and career tracks

In addition to continuation on active duty provided for in section 649h of this title, an officer to whom section 637a of this title applies may be continued on active duty in accordance with the provisions of such section 637a.

(Added Pub. L. 115-232, div. A, title V, §507(a)(1), Aug. 13, 2018, 132 Stat. 1748.)

§ 649j. Other administrative authorities

The following provisions of this title shall apply to officers in competitive categories of officers designated for purposes of this subchapter:

- (1) Section 638b, relating to voluntary retirement incentives.
- (2) Section 639, relating to continuation on active duty to complete disciplinary action.
- (3) Section 640, relating to deferment of retirement or separation for medical reasons.

(Added Pub. L. 115-232, div. A, title V, §507(a)(1), Aug. 13, 2018, 132 Stat. 1748; amended Pub. L. 116-92, div. A, title XVII, §1731(a)(18), Dec. 20, 2019, 133 Stat. 1813.)

Editorial Notes

AMENDMENTS

2019—Pub. L. 116-92 struck out “(a) IN GENERAL.—” before “The” in introductory provisions.

§ 649k. Regulations

The Secretary of Defense shall prescribe regulations regarding the administration of this subchapter. The elements of such regulations shall include mechanisms to clarify the manner in which provisions of other subchapters of this chapter shall be used in the administration of this subchapter in accordance with the provisions of this subchapter.

(Added Pub. L. 115-232, div. A, title V, §507(a)(1), Aug. 13, 2018, 132 Stat. 1748.)

CHAPTER 37—GENERAL SERVICE REQUIREMENTS

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655. | Members: required service.
Notice to Congress of proposed changes in units, assignments, etc. to which female members may be assigned.
Minimum service requirement for certain flight crew positions.
Minimum service requirement for certain cyberspace occupational specialties.
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657. | Diversity in military leadership: plan; mentoring and career counseling program.
Prohibition on service in the armed forces by individuals convicted of certain sexual offenses. |
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Editorial Notes

AMENDMENTS

2023—Pub. L. 118-31, div. A, title V, §509(b), Dec. 22, 2023, 137 Stat. 243, added item 654. Amendment was made pursuant to operation of section 102 of this title.

2021—Pub. L. 116-283, div. A, title V, §571(a)(3)(B), Jan. 1, 2021, 134 Stat. 3643, added item 656 and struck out former item 656 “Diversity in military leadership: plan”.

2013—Pub. L. 113-66, div. A, title XVII, §1711(a)(2), Dec. 26, 2013, 127 Stat. 963, added item 657.

Pub. L. 112-239, div. A, title V, §519(a)(2), Jan. 2, 2013, 126 Stat. 1721, added item 656.

2010—Pub. L. 111-321, §2(f)(1)(B), Dec. 22, 2010, 124 Stat. 3516, struck out item 654 “Policy concerning homosexuality in the armed forces”.

2006—Pub. L. 109-163, div. A, title V, §541(a)(2), Jan. 6, 2006, 119 Stat. 3252, added item 652.

1996—Pub. L. 104-106, div. A, title V, §569(d)(2), Feb. 10, 1996, 110 Stat. 352, added item 655.

1994—Pub. L. 103-337, div. A, title XVI, §1671(b)(6), Oct. 5, 1994, 108 Stat. 3013, struck out item 652 “Ready Reserves: requirement of notification of change of status”.

1993—Pub. L. 103-160, div. A, title V, §571(a)(2), Nov. 30, 1993, 107 Stat. 1673, added item 654.

1989—Pub. L. 101-189, div. A, title VI, §634(a)(2), Nov. 29, 1989, 103 Stat. 1454, added item 653.

1978—Pub. L. 95-485, title IV, §405(d)(2), Oct. 20, 1978, 92 Stat. 1616, added item 652.

1958—Pub. L. 85-861, §33(a)(4)(A), Sept. 2, 1958, 72 Stat. 1564, substituted “GENERAL SERVICE REQUIREMENTS” for “SERVICE REQUIREMENTS FOR RESERVES” in chapter heading.

Statutory Notes and Related Subsidiaries

PROHIBITION AGAINST MEMBERS OF THE ARMED FORCES PARTICIPATING IN CRIMINAL STREET GANGS

Pub. L. 110-181, div. A, title V, §544, Jan. 28, 2008, 122 Stat. 116, provided that: “The Secretary of Defense shall prescribe regulations to prohibit the active participation by members of the Armed Forces in a criminal street gang.”

Executive Documents

EX. ORD. NO. 14004. ENABLING ALL QUALIFIED AMERICANS TO SERVE THEIR COUNTRY IN UNIFORM

Ex. Ord. No. 14004, Jan. 25, 2021, 86 F.R. 7471, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Policy.* All Americans who are qualified to serve in the Armed Forces of the United States (“Armed Forces”) should be able to serve. The All-Volunteer Force thrives when it is composed of diverse Americans who can meet the rigorous standards for military service, and an inclusive military strengthens our national security.

It is my conviction as Commander in Chief of the Armed Forces that gender identity should not be a bar to military service. Moreover, there is substantial evidence that allowing transgender individuals to serve in the military does not have any meaningful negative impact on the Armed Forces. To that end, in 2016, a meticulous, comprehensive study requested by the Department of Defense found that enabling transgender individuals to serve openly in the United States military would have only a minimal impact on military readi-