

Provisions similar to those in this section were contained in section 688(b) and (d) of this title prior to repeal by Pub. L. 104-201, § 521(a).

#### AMENDMENTS

2002—Subsecs. (a), (b), (c)(1), (d). Pub. L. 107-314 inserted “or 688a” after “section 688”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Sept. 30, 1997, see section 521(b) of Pub. L. 104-201, set out as a note under section 688 of this title.

##### APPLICABILITY

Pub. L. 107-314, div. A, title V, § 503(b)(2), Dec. 2, 2002, 116 Stat. 2531, provided that: “The provisions of section 689(d) of title 10, United States Code, shall apply with respect to an officer ordered to active duty under section 501 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 589) before the date of the enactment of this Act [Dec. 2, 2002] in the same manner as such provisions apply to an officer ordered to active duty under section 688 of such title.”

#### § 690. Retired members ordered to active duty: limitation on number

(a) GENERAL AND FLAG OFFICERS.—Not more than 15 retired general officers of the Army, Air Force, Marine Corps, or Space Force, and not more than 15 retired flag officers of the Navy, may be on active duty at any one time. For the purposes of this subsection a retired officer ordered to active duty for a period of 60 days or less is not counted.

(b) LIMITATION BY SERVICE.—(1) Not more than 25 officers of any one armed force may be serving on active duty concurrently pursuant to orders to active duty issued under section 688 of this title.

(2) In the administration of paragraph (1), the following officers shall not be counted:

(A) A chaplain who is assigned to duty as a chaplain for the period of active duty to which ordered.

(B) A health care professional (as characterized by the Secretary concerned) who is assigned to duty as a health care professional for the period of the active duty to which ordered.

(C) Any officer assigned to duty with the American Battle Monuments Commission for the period of active duty to which ordered.

(D) Any member of the Retiree Council of the Army, Navy, or Air Force for the period on active duty to attend the annual meeting of the Retiree Council.

(E) An officer who is assigned to duty as a defense attaché or service attaché for the period of active duty to which ordered.

(c) WAIVER FOR PERIODS OF WAR OR NATIONAL EMERGENCY.—Subsection (a) does not apply in time of war or of national emergency declared by Congress or the President after November 30, 1980. Subsection (b) does not apply in time of war or of national emergency declared by Congress or the President.

(Added Pub. L. 104-201, div. A, title V, § 521(a), Sept. 23, 1996, 110 Stat. 2516; amended Pub. L. 106-65, div. A, title V, § 507, Oct. 5, 1999, 113 Stat. 591; Pub. L. 107-107, div. A, title V, § 509(b), Dec. 28, 2001, 115 Stat. 1091; Pub. L. 118-31, div. A, title XVII, § 1741(b)(1), Dec. 22, 2023, 137 Stat. 680.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 690 was renumbered section 12321 of this title.

Provisions similar to those in subsecs. (a) and (c) of this section were contained in section 688(c) of this title prior to repeal by Pub. L. 104-201, § 521(a).

##### AMENDMENTS

2023—Subsec. (a). Pub. L. 118-31 substituted “Marine Corps, or Space Force,” for “or Marine Corps.”.

2001—Subsec. (b)(2)(E). Pub. L. 107-107 added subpar. (E).

1999—Subsec. (b)(2)(D). Pub. L. 106-65 added subpar. (D).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-107 applicable with respect to officers serving on active duty as a defense attaché or service attaché on or after Dec. 28, 2001, see section 509(c) of Pub. L. 107-107, set out as a note under section 688 of this title.

##### EFFECTIVE DATE

Section effective Sept. 30, 1997, see section 521(b) of Pub. L. 104-201, set out as a note under section 688 of this title.

#### [§ 691. Repealed. Pub. L. 117-263, div. A, title IV, § 402(a)(1), Dec. 23, 2022, 136 Stat. 2551]

Section, added Pub. L. 104-106, div. A, title IV, § 401(b)(1), Feb. 10, 1996, 110 Stat. 285; amended Pub. L. 104-201, div. A, title IV, § 402, Sept. 23, 1996, 110 Stat. 2503; Pub. L. 105-85, div. A, title IV, § 402, Nov. 18, 1997, 111 Stat. 1719; Pub. L. 105-261, div. A, title IV, § 402(a), (b), Oct. 17, 1998, 112 Stat. 1995, 1996; Pub. L. 106-65, div. A, title IV, § 402(a), title X, § 1066(b)(1), Oct. 5, 1999, 113 Stat. 585, 772; Pub. L. 106-398, § 1 [div. A], title IV, § 402(a), 403, Oct. 30, 2000, 114 Stat. 1654, 1654A-92; Pub. L. 107-107, div. A, title IV, § 402, Dec. 28, 2001, 115 Stat. 1069; Pub. L. 107-314, div. A, title IV, § 402, Dec. 2, 2002, 116 Stat. 2524; Pub. L. 108-136, div. A, title IV, § 402, Nov. 24, 2003, 117 Stat. 1450; Pub. L. 108-375, div. A, title IV, § 402, Oct. 28, 2004, 118 Stat. 1862; Pub. L. 109-163, div. A, title IV, § 402, Jan. 6, 2006, 119 Stat. 3219; Pub. L. 109-364, div. A, title IV, § 402, Oct. 17, 2006, 120 Stat. 2169; Pub. L. 110-181, div. A, title IV, § 402, Jan. 28, 2008, 122 Stat. 86; Pub. L. 110-417, [div. A], title IV, § 402, Oct. 14, 2008, 122 Stat. 4428; Pub. L. 111-84, div. A, title IV, § 402, Oct. 28, 2009, 123 Stat. 2265; Pub. L. 111-383, div. A, title IV, § 402, Jan. 7, 2011, 124 Stat. 4202; Pub. L. 112-81, div. A, title IV, § 402, Dec. 31, 2011, 125 Stat. 1382; Pub. L. 112-239, div. A, title IV, § 402, Jan. 2, 2013, 126 Stat. 1708; Pub. L. 113-66, div. A, title IV, § 402(a), Dec. 26, 2013, 127 Stat. 744; Pub. L. 113-291, div. A, title IV, § 402, Dec. 19, 2014, 128 Stat. 3349; Pub. L. 114-92, div. A, title IV, § 402, Nov. 25, 2015, 129 Stat. 801; Pub. L. 114-328, div. A, title IV, § 402, Dec. 23, 2016, 130 Stat. 2091; Pub. L. 115-91, div. A, title IV, § 402, Dec. 12, 2017, 131 Stat. 1368; Pub. L. 115-232, div. A, title IV, § 402, Aug. 13, 2018, 132 Stat. 1735; Pub. L. 116-92, div. A, title IV, § 402, Dec. 20, 2019, 133 Stat. 1334; Pub. L. 116-283, div. A, title IV, § 402(a), Jan. 1, 2021, 134 Stat. 3555; Pub. L. 117-81, div. A, title IV, § 402, Dec. 27, 2021, 135 Stat. 1673, related to permanent end strength levels to support the National Defense Strategy.

#### CHAPTER 40—LEAVE

Sec.	
701.	Entitlement and accumulation.
702.	Cadets and midshipmen.
703.	Reenlistment leave.
704.	Use of leave; regulations.
704a.	Administration of leave: prohibition on authorizing, granting, or assigning leave not expressly authorized by law.