

health care screening and periodic comprehensive physical examinations in accordance with regulations prescribed by the Secretary of Defense that reflect morbidity and mortality risks associated with the military service, age, and gender of the member; and

(2) execute and submit to the Secretary concerned on an annual basis documentation of the medical and dental readiness of the member to perform military duties.

(b) A member of the Individual Ready Reserve or inactive National Guard shall be examined for physical fitness as necessary to determine the member's physical fitness for—

(1) military duty or promotion;

(2) attendance at a school of the armed forces; or

(3) other action related to career progression.

(c) Each Reserve in an active status, or on an inactive status list, who is not on active duty shall execute and submit annually to the Secretary concerned a certificate of physical condition.

(d) The kind of duty to which a Reserve ordered to active duty may be assigned shall be considered in determining physical qualifications for active duty.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2977; amended Pub. L. 107-107, div. A, title V, §516, Dec. 28, 2001, 115 Stat. 1094; Pub. L. 109-163, div. A, title VII, §732(a), (b), Jan. 6, 2006, 119 Stat. 3351, 3352.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 1004(a), (b) of this title, prior to repeal by Pub. L. 103-337, §1661(a)(4)(A).

AMENDMENTS

2006—Pub. L. 109-163, §732(b), struck out “periodic” before “physical” in section catchline.

Subsec. (a)(1). Pub. L. 109-163, §732(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “be examined as to the member's physical fitness every five years, or more often as the Secretary concerned considers necessary; and”.

Subsec. (a)(2). Pub. L. 109-163, §732(a)(2), substituted “to the Secretary concerned on an annual basis documentation of the medical and dental readiness of the member to perform military duties” for “annually to the Secretary concerned a certificate of physical condition”.

2001—Subsec. (a). Pub. L. 107-107, §516(a)(1), (2), substituted “Selected Reserve” for “Ready Reserve” in introductory provisions and redesignated concluding provisions as subsec. (c).

Subsec. (a)(1). Pub. L. 107-107, §516(b), substituted “the member's physical fitness” for “his physical fitness”.

Subsec. (b). Pub. L. 107-107, §516(a)(4), added subsec. (b). Former subsec. (b) redesignated (d).

Subsec. (c). Pub. L. 107-107, §516(a)(2), redesignated concluding provisions of subsec. (a) as (c).

Subsec. (d). Pub. L. 107-107, §516(a)(3), redesignated subsec. (b) as (d).

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 10207. Mobilization forces: maintenance

(a) Whenever units or members of the reserve components are ordered to active duty (other

than for training) during a period of partial mobilization, the Secretary concerned shall continue to maintain mobilization forces by planning and budgeting for the continued organization and training of the reserve components not mobilized, and make the fullest practicable use of the Federal facilities vacated by mobilized units, consistent with approved joint mobilization plans.

(b) In this section, the term “partial mobilization” means the mobilization resulting from action by Congress or the President, under any law, to bring units of any reserve component, and members not assigned to units organized to serve as units, to active duty for a limited expansion of the active armed forces.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2977.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 276 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(2)(A).

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 10208. Annual mobilization exercise

(a) The Secretary of Defense shall conduct at least one major mobilization exercise each year. The exercise should be as comprehensive and as realistic as possible and should include the participation of associated active component and reserve component units.

(b) The Secretary shall maintain a plan to test periodically each active component and reserve component unit based in the United States and all interactions of such units, as well as the sustainment of the forces mobilized as part of the exercise, with the objective of permitting an evaluation of the adequacy of resource allocation and planning.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2978.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 98-525, title V, §552(e), Oct. 19, 1984, 98 Stat. 2531, which was set out in a note under section 12001 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(3)(B).

EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

§ 10209. Regular and reserve components: discrimination prohibited

Laws applying to both Regulars and Reserves shall be administered without discrimination—

- (1) among Regulars;
- (2) among Reserves; and
- (3) between Regulars and Reserves.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2978.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 277 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(2)(A).