

**CHAPTER 1007—ADMINISTRATION OF
RESERVE COMPONENTS**

- Sec.
10201. Assistant Secretary of Defense for Manpower and Reserve Affairs.
10202. Regulations.
10203. Reserve affairs: designation of general or flag officer of each armed force.
10204. Personnel records.
10205. Members of Ready Reserve: requirement of notification of change of status.
10206. Members: physical examinations.
10207. Mobilization forces: maintenance.
10208. Annual mobilization exercise.
10209. Regular and reserve components: discrimination prohibited.
10210. Dissemination of information.
10211. Policies and regulations: participation of Reserve officers in preparation and administration.
10212. Gratuitous services of officers: authority to accept.
10213. Reserve components: dual membership prohibited.
10214. Adjutants general and assistant adjutants general: reference to other officers of National Guard.
10215. Officers of Army National Guard of the United States and Air National Guard of the United States: authority with respect to Federal status.
10216. Military technicians (dual status).
10217. Non-dual status technicians.
10218. Army and Air Force Reserve technicians: conditions for retention; mandatory retirement under civil service laws.
10219. Suicide prevention and resilience program.

AMENDMENTS

2014—Pub. L. 113–291, div. A, title IX, §902(b)(2), Dec. 19, 2014, 128 Stat. 3470, added item 10201 and struck out former item 10201 “Assistant Secretary of Defense for Reserve Affairs”.

2013—Pub. L. 112–239, div. A, title V, §581(a)(2), Jan. 2, 2013, 126 Stat. 1765, added item 10219.

2006—Pub. L. 109–163, div. A, title VII, §732(c), Jan. 6, 2006, 119 Stat. 3352, struck out “periodic” before “physical” in item 10206.

1999—Pub. L. 106–65, div. A, title V, §§522(a)(2), 523(b), Oct. 5, 1999, 113 Stat. 597, 598, struck out “military” after “status” in item 10217 and added item 10218.

1997—Pub. L. 105–85, div. A, title V, §§522(h)(2), 523(a)(2), Nov. 18, 1997, 111 Stat. 1736, 1737, inserted “(dual status)” after “technicians” in item 10216 and added item 10217.

1996—Pub. L. 104–106, div. A, title V, §513(c)(2), title XV, §1501(b)(4), Feb. 10, 1996, 110 Stat. 306, 496, struck out “Individual” after “Members of” in item 10205, substituted “Reserve” for “reserve” in item 10211, and added item 10216.

§ 10201. Assistant Secretary of Defense for Manpower and Reserve Affairs

As provided in section 138(b)(2)¹ of this title, the official in the Department of Defense with responsibility for overall supervision of reserve affairs of the Department of Defense is the Assistant Secretary of Defense for Manpower and Reserve Affairs.

(Added Pub. L. 103–337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2976; amended Pub. L. 104–106, div. A, title IX, §903(f)(4), Feb. 10, 1996, 110 Stat. 402; Pub. L. 104–201, div. A, title IX, §901, Sept. 23, 1996, 110 Stat. 2617; Pub. L.

113–291, div. A, title IX, §902(b)(1), Dec. 19, 2014, 128 Stat. 3469.)

REFERENCES IN TEXT

Section 138(b)(2) of this title, referred to in text, was struck out and subsec. (b)(4) was redesignated subsec. (b)(2) by Pub. L. 115–91, div. A, title IX, §907(b), Dec. 12, 2017, 131 Stat. 1514.

AMENDMENTS

2014—Pub. L. 113–291 amended section generally. Prior to amendment, text read as follows: “As provided in section 138(b)(2) of this title, the official in the Department of Defense with responsibility for overall supervision of reserve component affairs of the Department of Defense is the Assistant Secretary of Defense for Reserve Affairs.”

1996—Pub. L. 104–106, §903(a), (f)(4), which directed that this section be amended, eff. Jan. 31, 1997, to read “The official in the Department of Defense with responsibility for overall supervision of reserve component affairs of the Department of Defense is the official designated by the Secretary of Defense to have that responsibility.”, was repealed by Pub. L. 104–201.

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.

§ 10202. Regulations

(a) Subject to standards, policies, and procedures prescribed by the Secretary of Defense, the Secretary of each military department shall prescribe such regulations as the Secretary considers necessary to carry out provisions of law relating to the reserve components under the Secretary’s jurisdiction.

(b) The Secretary of Homeland Security, with the concurrence of the Secretary of the Navy, shall prescribe such regulations as the Secretary considers necessary to carry out all provisions of law relating to the reserve components insofar as they relate to the Coast Guard, except when the Coast Guard is operating as a service in the Navy.

(c) So far as practicable, regulations for all reserve components shall be uniform.

(Added Pub. L. 103–337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2976; amended Pub. L. 107–296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 280 of this title, prior to repeal by Pub. L. 103–337, §1661(a)(2)(A).

AMENDMENTS

2002—Subsec. (b). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of this title.

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.

¹ See References in Text note below.

§ 10203. Reserve affairs: designation of general or flag officer of each armed force

(a) The Secretary of the Army may designate a general officer of the Army to be directly responsible for reserve affairs to the Chief of Staff of the Army.

(b) The Secretary of the Navy may designate a flag officer of the Navy to be directly responsible for reserve affairs to the Chief of Naval Operations and a general officer of the Marine Corps to be directly responsible for reserve affairs to the Commandant of the Marine Corps.

(c) The Secretary of the Air Force may designate a general officer of the Air Force to be directly responsible for reserve affairs to the Chief of Staff of the Air Force.

(d) The Secretary of Homeland Security may designate a flag officer of the Coast Guard to be directly responsible for reserve affairs to the Commandant of the Coast Guard.

(e) This section does not affect the functions of the Chief of the National Guard Bureau, the Chief of Army Reserve, or the Chief of Air Force Reserve.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2976; amended Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 264(a) of this title, prior to repeal by Pub. L. 103-337, §1661(a)(2)(A).

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

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.

§ 10204. Personnel records

(a) The Secretary concerned shall maintain adequate and current personnel records of each member of the reserve components under the Secretary’s jurisdiction showing the following with respect to the member:

- (1) Physical condition.
- (2) Dependency status.
- (3) Military qualifications.
- (4) Civilian occupational skills.
- (5) Availability for service.
- (6) Such other information as the Secretary concerned may prescribe.

(b) Under regulations to be prescribed by the Secretary of Defense, the Secretary of each military department shall maintain a record of the number of members of each class of each reserve component who, during each fiscal year, have participated satisfactorily in active duty for training and inactive duty training with pay.

(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 275 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.

§ 10205. Members of Ready Reserve: requirement of notification of change of status

(a) Each member of the Ready Reserve shall notify the Secretary concerned of any change in the member’s address, marital status, number of dependents, or civilian employment and of any change in the member’s physical condition that would prevent the member from meeting the physical or mental standards prescribed for the member’s armed force.

(b) This section shall be administered under regulations prescribed by the Secretary of Defense and by the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2977; amended Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 652 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(3)(A).

AMENDMENTS

2002—Subsec. (b). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of this title.

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.

§ 10206. Members: physical examinations

(a) Each member of the Selected Reserve who is not on active duty shall—

- (1) have a comprehensive medical readiness health and dental assessment on an annual basis, including routine annual preventive 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;