

title for purposes of selection of officers for continuation on active duty pursuant to this section, the Secretary of the military department concerned shall specify for purposes of the board the positions identified by the Secretary to which officers selected for continuation on active duty may be assigned.

(c) **RECOMMENDATION FOR CONTINUATION.**—A selection board may recommend an officer for continuation on active duty pursuant to this section only if the board determines that the officer is qualified for assignment to one or more positions identified pursuant to subsection (b) on the basis of skills, knowledge, and behavior required of an officer to perform successfully in such position or positions.

(d) **APPROVAL OF SECRETARY OF MILITARY DEPARTMENT.**—Continuation of an officer on active duty under this section pursuant to the action of a selection board is subject to the approval of the Secretary of the military department concerned.

(e) **NONACCEPTANCE OF CONTINUATION.**—An officer who is selected for continuation on active duty pursuant to this section, but who declines to continue on active duty, shall be discharged or retired, as appropriate, in accordance with section 632 of this title.

(f) **PERIOD OF CONTINUATION.**—

(1) **IN GENERAL.**—An officer continued on active duty pursuant to this section shall remain on active duty, and serve in the position to which assigned (or in another position to which assigned with the approval of the Secretary of the military department concerned), for a total of not more than three years after the date of assignment to the position to which first so assigned.

(2) **ADDITIONAL CONTINUATION.**—An officer whose continued service pursuant to this section would otherwise expire pursuant to paragraph (1) may be continued on active duty if selected for continuation on active duty in accordance with this section before the date of expiration pursuant to that paragraph.

(g) **EFFECT OF EXPIRATION OF CONTINUATION.**—Each officer continued on active duty pursuant to this subsection who is not selected for continuation on active duty pursuant to subsection (f)(2) at the completion of the officer's term of continued service shall, unless sooner discharged or retired under another provision of law—

(1) be discharged upon the expiration of the term of continued service; or

(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.)

#### 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

Sec.	
651.	Members: required service.
652.	Notice to Congress of proposed changes in units, assignments, etc. to which female members may be assigned.
653.	Minimum service requirement for certain flight crew positions.
[654.	Repealed.]
655.	Designation of persons having interest in status of a missing member.
656.	Diversity in military leadership: plan.
657.	Prohibition on service in the armed forces by individuals convicted of certain sexual offenses.

#### AMENDMENTS

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