

2011—Subsec. (a). Pub. L. 111-383, §1075(b)(16)(A), struck out “(a) BENEFITS FOR MEMBERS INVOLUNTARILY SEPARATED.—” before “The Secretary”.

Subsec. (b). Pub. L. 111-383, §1075(b)(16)(B), redesignated subsec. (b) relating to benefits for members receiving sole survivorship discharge as (c).

Subsec. (c). Pub. L. 111-383, §1075(b)(16)(B), (C), redesignated subsec. (b) relating to benefits for members receiving sole survivorship discharge as (c), struck out “Benefits for” before “Members” in heading, and substituted “armed forces” for “Armed Forces” in introductory provisions and “the member’s entitlement” for “the members entitlement” in par. (2).

2008—Pub. L. 110-317 substituted “(a) BENEFITS FOR MEMBERS INVOLUNTARILY SEPARATED.—The Secretary of Defense” for “The Secretary of Defense” and added subsec. (b) relating to benefits for members receiving sole survivorship discharge.

Pub. L. 110-181 inserted “(a) MEMBERS INVOLUNTARILY SEPARATED FROM ACTIVE DUTY.—” before “The Secretary of Defense”, substituted “October 1, 2007, and ending on December 31, 2012” for “October 1, 1990, and ending on December 31, 2001” in first sentence and “the same period” for “the period beginning on October 1, 1994, and ending on December 31, 2001” in second sentence, and added subsec. (b) relating to members involuntarily separated from the Selected Reserve.

2000—Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001” in two places.

1998—Pub. L. 105-261 substituted “during the period beginning on October 1, 1990, and ending on September 30, 2001” for “during the nine-year period beginning on October 1, 1990” and “during the period beginning on October 1, 1994, and ending on September 30, 2001” for “during the five-year period beginning on October 1, 1994”.

1994—Pub. L. 103-337 inserted at end “The Secretary of Transportation shall implement this provision for Coast Guard members involuntarily separated during the five-year period beginning October 1, 1994.”

1993—Pub. L. 103-160 substituted “nine-year period” for “five-year period”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-317 applicable with respect to any sole survivorship discharge granted after Sept. 11, 2001, see section 10 of Pub. L. 110-317, set out as a note under section 2108 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1147. Use of military family housing

(a) TRANSITION FOR INVOLUNTARILY SEPARATED MEMBERS.—(1) The Secretary of a military department may, pursuant to regulations prescribed by the Secretary of Defense, permit individuals who are involuntarily separated during the period beginning on October 1, 2012, and ending on December 31, 2018, to continue for not more than 180 days after the date of such separation to reside (along with other members of the

individual’s household) in military family housing provided or leased by the Department of Defense to such individual as a member of the armed forces.

(2) The Secretary concerned may prescribe regulations to permit members of the Coast Guard who are involuntarily separated during the period beginning on October 1, 2012, and ending on December 31, 2018, to continue for not more than 180 days after the date of such separation to reside (along with others of the member’s household) in military family housing provided or leased by the Coast Guard to the individual as a member of the armed forces.

(b) RENTAL CHARGES.—The Secretary concerned, pursuant to such regulations, shall require a reasonable rental charge for the continued use of military family housing under subsection (a), except that such Secretary may waive all or any portion of such charge in any case of hardship.

(c) NO TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Nothing in this section shall be construed to authorize the Secretary concerned to continue to provide for any period of time to an individual who is involuntarily separated all or any portion of a basic allowance for housing to which the individual was entitled under section 403 of title 37 immediately before being involuntarily separated, even in cases in which the individual or members of the individual’s household continue to reside after the separation in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of this title that is not owned or leased by the United States.

(Added Pub. L. 101-510, div. A, title V, §502(a)(1), Nov. 5, 1990, 104 Stat. 1556; amended Pub. L. 103-160, div. A, title V, §561(i), Nov. 30, 1993, 107 Stat. 1668; Pub. L. 103-337, div. A, title V, §542(a)(6), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 105-261, div. A, title V, §561(j), Oct. 17, 1998, 112 Stat. 2026; Pub. L. 106-398, §1 [[div. A], title V, §571(j)], Oct. 30, 2000, 114 Stat. 1654, 1654A-135; Pub. L. 112-239, div. A, title VI, §632, Jan. 2, 2013, 126 Stat. 1782.)

AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 112-239, §632(a)(1), substituted “October 1, 2012, and ending on December 31, 2018” for “October 1, 1990, and ending on December 31, 2001”.

Subsec. (a)(2). Pub. L. 112-239, §632(a)(2), (c), substituted “The Secretary concerned” for “The Secretary of Transportation” and “October 1, 2012, and ending on December 31, 2018” for “October 1, 1994, and ending on December 31, 2001”.

Subsec. (c). Pub. L. 112-239, §632(b), added subsec. (c).

2000—Subsec. (a). Pub. L. 106-398 substituted “December 31, 2001” for “September 30, 2001” in pars. (1) and (2).

1998—Subsec. (a)(1). Pub. L. 105-261, §561(j)(1), substituted “during the period beginning on October 1, 1990, and ending on September 30, 2001” for “during the nine-year period beginning on October 1, 1990”.

Subsec. (a)(2). Pub. L. 105-261, §561(j)(2), substituted “during the period beginning on October 1, 1994, and ending on September 30, 2001” for “during the five-year period beginning on October 1, 1994”.

1994—Subsec. (a). Pub. L. 103-337 designated existing provisions as par. (1) and added par. (2).

1993—Subsec. (a). Pub. L. 103-160 substituted “nine-year period” for “five-year period”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1148. Relocation assistance for personnel overseas

The Secretary of Defense and the Secretary of Homeland Security shall develop a program specifically to assist members of the armed forces stationed overseas who are preparing for discharge or release from active duty, and the dependents of such members, in readjusting to civilian life. The program shall focus on the special needs and requirements of such members and dependents due to their overseas locations and shall include, to the maximum extent possible, computerized job relocation assistance and job search information.

(Added Pub. L. 101-510, div. A, title V, § 502(a)(1), Nov. 5, 1990, 104 Stat. 1556; amended Pub. L. 103-337, div. A, title V, § 542(a)(7), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 107-296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.)

AMENDMENTS

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

1994—Pub. L. 103-337 inserted “and the Secretary of Transportation” after “Secretary of Defense”.

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 OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

PILOT PROGRAM

Pub. L. 101-510, div. A, title V, § 502(d), Nov. 5, 1990, 104 Stat. 1558, required the Secretary of Defense to carry out the program required by this section during fiscal year 1991 at not less than 10 military installations located outside the United States.

§ 1149. Excess leave and permissive temporary duty

Under regulations prescribed by the Secretary of Defense or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary concerned shall grant a member of the armed forces who is to be involuntarily separated such excess leave (for a period not in excess of 30 days), or such permissive temporary duty (for a period not in excess of 10 days), as

the member requires in order to facilitate the member's carrying out necessary relocation activities (such as job search and residence search activities), unless to do so would interfere with military missions.

(Added Pub. L. 101-510, div. A, title V, § 502(a)(1), Nov. 5, 1990, 104 Stat. 1557; amended Pub. L. 103-337, div. A, title V, § 542(a)(8), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 107-296, title XVII, § 1704(b)(1), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 112-239, div. A, title X, § 1076(f)(17), Jan. 2, 2013, 126 Stat. 1952.)

AMENDMENTS

2013—Pub. L. 112-239 inserted “when it is not operating as a service in the Navy” after “Coast Guard”.

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

1994—Pub. L. 103-337 inserted “or the Secretary of Transportation with respect to the Coast Guard” after “Secretary of Defense” and struck out “of the military department” before “concerned”.

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 OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 applicable only to members of the Coast Guard who are separated after Sept. 30, 1994, see section 542(e) of Pub. L. 103-337, set out as a note under section 1141 of this title.

§ 1150. Affiliation with Guard and Reserve units: waiver of certain limitations

(a) PREFERENCE FOR CERTAIN PERSONS.—A person who is separated from the armed forces during the period beginning on October 1, 1990, and ending on December 31, 2001, and who applies to become a member of a National Guard or Reserve unit within one year after the date of such separation shall be given preference over other equally qualified applicants for existing or projected vacancies within the unit to which the member applies.

(b) LIMITED WAIVER OF STRENGTH LIMITATIONS.—Under regulations prescribed by the Secretary of Defense, a person covered by subsection (a) who enters a National Guard or Reserve unit pursuant to an application described in such subsection may be retained in that unit for up to three years without regard to reserve-component strength limitations so long as the individual maintains good standing in that unit.

(c) COAST GUARD.—This section shall apply to the Coast Guard in the same manner and to the same extent as it applies to the Department of Defense. The Secretary of Homeland Security shall prescribe regulations to implement this section for the Coast Guard when it is not operating as a service in the Navy.

(Added Pub. L. 101-510, div. A, title V, § 502(a)(1), Nov. 5, 1990, 104 Stat. 1557; amended Pub. L. 102-484, div. A, title V, § 514, Oct. 23, 1992, 106 Stat. 2406; Pub. L. 103-160, div. A, title V, § 561(j), Nov. 30, 1993, 107 Stat. 1668; Pub. L. 103-337, div. A, title V, § 542(a)(9), Oct. 5, 1994, 108 Stat. 2768; Pub. L. 105-261, div. A, title V, § 561(p), Oct. 17, 1998, 112 Stat. 2027; Pub. L. 106-398, § 1 [[div. A], title V, § 571(o)], Oct. 30, 2000, 114 Stat. 1654,