

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of this title.

§ 12408. National Guard in Federal service: physical examination

(a) Under regulations prescribed by the President, each member of the National Guard called into Federal service under section 12301(a), 12302, or 12304 of this title shall be examined as to physical fitness, without further commission or enlistment.

(b) Immediately before such a member is mustered out of Federal service, he shall be examined as to physical fitness. The record of this examination shall be retained by the United States.

(Added Pub. L. 103-337, div. A, title XVI, §1662(f)(1), Oct. 5, 1994, 108 Stat. 2994; amended Pub. L. 104-201, div. A, title V, §523, Sept. 23, 1996, 110 Stat. 2517.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3502 and 8502 of this title, prior to repeal by Pub. L. 103-337, §1662(f)(2).

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-201 inserted “under section 12301(a), 12302, or 12304 of this title” after “called into Federal service”.

CHAPTER 1213—SPECIAL APPOINTMENTS, ASSIGNMENTS, DETAILS, AND DUTIES

Sec.

12501. Reserve components: detail of members of regular and reserve components to assist.
 12502. Chief and assistant chief of staff of National Guard divisions and wings in Federal service: detail.
 12503. Ready Reserve: funeral honors duty.
 [12505. Repealed.]

AMENDMENTS

2000—Pub. L. 106-398, §1 [[div. A], title V, §507(f)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-105, struck out item 12505 “Selection of officers for certain senior reserve component positions”.

1999—Pub. L. 106-65, div. A, title V, §§554(a)(2), 578(k)(2)(B), Oct. 5, 1999, 113 Stat. 616, 631, added items 12503 and 12505.

§ 12501. Reserve components: detail of members of regular and reserve components to assist

The Secretary concerned shall detail such members of the regular and reserve components under his jurisdiction as are necessary to effectively develop, train, instruct, and administer those reserve components.

(Added Pub. L. 103-337, div. A, title XVI, §1662(g)(1), Oct. 5, 1994, 108 Stat. 2995.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 715 of this title, prior to repeal by Pub. L. 103-337, §1662(g)(2).

EFFECTIVE DATE

Chapter 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.

§ 12502. Chief and assistant chief of staff of National Guard divisions and wings in Federal service: detail

(a) The President may detail a regular or reserve officer of the Army as chief of staff, and a regular or reserve officer or an officer of the Army National Guard as assistant to the chief of staff, of any division of the Army National Guard that is in Federal service as an Army National Guard organization.

(b) The President may detail a regular or reserve officer of the Air Force as chief of staff, and a regular or reserve officer or an officer of the Air National Guard as assistant to the chief of staff, of any wing of the Air National Guard that is in Federal service as an Air National Guard organization.

(Added Pub. L. 103-337, div. A, title XVI, §1662(g)(1), Oct. 5, 1994, 108 Stat. 2995.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3542 and 8542 of this title, prior to repeal by Pub. L. 103-337, §1662(g)(2).

§ 12503. Ready Reserve: funeral honors duty

(a) ORDER TO DUTY.—A member of the Ready Reserve may be ordered to funeral honors duty, with the consent of the member, in preparation for or to perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title. Performance of funeral honors duty by a Reserve not on active duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 495 of title 37.

(b) SERVICE CREDIT.—A member ordered to funeral honors duty under this section shall be required to perform a minimum of two hours of such duty in order to receive—

(1) service credit under section 12732(a)(2)(E) of this title; and

(2) as directed by the Secretary concerned, either—

(A) the allowance under section 495 of title 37; or

(B) compensation under section 206 of title 37.

(c) REIMBURSABLE EXPENSES.—A member who performs funeral honors duty under this section may be reimbursed for travel and transportation expenses incurred in conjunction with such duty as authorized under chapter 7 of title 37 if such duty is performed at a location 50 miles or more from the member's residence.

(d) REGULATIONS.—The exercise of authority under subsection (a) is subject to regulations prescribed by the Secretary of Defense.

(e) MEMBERS OF THE NATIONAL GUARD.—This section does not apply to members of the Army National Guard of the United States or the Air National Guard of the United States. The performance of funeral honors duty by those members is provided for in section 115 of title 32.

(Added Pub. L. 106-65, div. A, title V, §578(g)(3), Oct. 5, 1999, 113 Stat. 628; amended Pub. L. 106-398, §1 [[div. A], title V, §575(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-138; Pub. L. 107-107,