

## AMENDMENTS

2002—Subsec. (d). Pub. L. 107-217 substituted “section 501 of title 40” for “section 201(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a))”.

**§ 12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training**

(a) **AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.**—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from that Reserve’s residence to be eligible for billeting in Department of Defense facilities on the same basis and to the same extent as a member of the armed forces on active duty who is traveling under orders away from the member’s permanent duty station.

(b) **PROOF OF REASON FOR TRAVEL.**—The Secretary shall include in the regulations the means for confirming a Reserve’s eligibility for billeting under subsection (a).

(Added Pub. L. 106-398, §1 [[div. A], title VI, §663(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-168.)

## EFFECTIVE DATE

Pub. L. 106-398, §1 [[div. A], title VI, §663(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-168, provided that: “Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act [Oct. 30, 2000].”

**§ 12605. Presentation of United States flag: members transferred from an active status or discharged after completion of eligibility for retired pay**

(a) **PRESENTATION OF FLAG.**—Upon the transfer from an active status or discharge of a Reserve who has completed the years of service required for eligibility for retired pay under chapter 1223 of this title, the Secretary concerned shall present a United States flag to the member.

(b) **MULTIPLE PRESENTATIONS NOT AUTHORIZED.**—A member is not eligible for presentation of a flag under subsection (a) if the member has previously been presented a flag under this section or any provision of law providing for the presentation of a United States flag incident to release from active service for retirement.

(c) **NO COST TO RECIPIENT.**—The presentation of a flag under this section shall be at no cost to the recipient.

(Added Pub. L. 106-65, div. A, title VI, §652(a)(1), Oct. 5, 1999, 113 Stat. 664.)

## EFFECTIVE DATE

Pub. L. 106-65, div. A, title VI, §652(d), Oct. 5, 1999, 113 Stat. 665, provided that: “Section 12605 of title 10, United States Code (as added by subsection (a)), section 213 of the Public Health Service Act [42 U.S.C. 214] (as added by subsection (b)), and section 25 of the Coast and Geodetic Survey Commissioned Officers’ Act of 1948 [33 U.S.C. 853v] (as added by subsection (c)) shall apply with respect to releases from service described in those sections on or after October 1, 1999.”

**CHAPTER 1219—STANDARDS AND PROCEDURES FOR RETENTION AND PROMOTION**

Sec. 12641.	Standards and procedures: Secretary to prescribe.
12642.	Standards and qualifications: result of failure to comply with.
12643.	Boards for appointment, promotion, and certain other purposes: composition.
12644.	Members physically not qualified for active duty: discharge or transfer to retired status.
12645.	Commissioned officers: retention until completion of required service.
12646.	Commissioned officers: retention of after completing 18 or more, but less than 20, years of service.
12647.	Commissioned officers: retention in active status while assigned to Selective Service System or serving as United States property and fiscal officers.

**§ 12641. Standards and procedures: Secretary to prescribe**

(a) The Secretary concerned shall, by regulation, prescribe—

(1) standards and qualifications for the retention and promotion of members of the reserve components under his jurisdiction; and

(2) equitable procedures for the periodic determination of the compliance of each such Reserve with those standards and qualifications.

(b) If a Reserve fails to comply with the standards and qualifications prescribed under subsection (a), he shall—

(1) if qualified, be transferred to an inactive reserve status;

(2) if qualified, be retired without pay; or

(3) have his appointment or enlistment terminated.

(Aug. 10, 1956, ch. 1041, 70A Stat. 79, §1001; renumbered §12641 and amended Pub. L. 103-337, div. A, title XVI, §1662(h)(2), (4)(A), Oct. 5, 1994, 108 Stat. 2996.)

## HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1001(a) .....	10:1036c (1st sentence). 34:440k (1st sentence).	June 29, 1948, ch. 708, §304 (less last sentence), 62 Stat. 1088.
1001(b) .....	10:1036c (2d sentence). 34:440k (2d sentence).	

In subsection (a), the words “As soon as may be practicable after the effective date of sections 1036-1036i [440h-440q] of this title” are omitted as executed. The words “not inconsistent with said sections or any other Act” and “appropriate” are omitted as surplusage.

## AMENDMENTS

1994—Pub. L. 103-337 renumbered section 1001 of this title as this section and substituted “Standards and procedures: Secretary to prescribe” for “Secretary to prescribe” as section catchline.

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-337 effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as an Effective Date note under section 10001 of this title.