

Subsec. (e)(3). Pub. L. 111-84, § 2823(b)(1), added par. (3) and struck out former par. (3) which read as follows: "The Secretary of Defense may dispose of any property of the Retirement Home, by sale, lease, or otherwise, that the Secretary determines is excess to the needs of the Retirement Home. The proceeds from such a disposal of property shall be deposited in the Armed Forces Retirement Home Trust Fund. No such disposal of real property shall be effective earlier than 120 days after the date on which the Secretary transmits a notification of the proposed disposal to the Committees on Armed Services of the Senate and the House of Representatives."

Subsec. (i). Pub. L. 111-84, § 2823(b)(2), added subsec. (i).

2008—Subsec. (d)(3). Pub. L. 110-181, § 1422(a)(1), added par. (3).

Subsec. (g). Pub. L. 110-181, § 1422(b), amended subsec. (g) generally. Prior to amendment, text read as follows: "The Chief Operating Officer shall endeavor to secure for each facility of the Retirement Home accreditation by a nationally recognized civilian accrediting organization, such as the Continuing Care Accreditation Commission and the Joint Commission for Accreditation of Health Organizations."

Subsec. (h). Pub. L. 110-181, § 1422(a)(2), inserted at end "The annual report shall include an assessment of all aspects of each facility of the Retirement Home, including the quality of care at the facility."

2001—Pub. L. 107-107 reenacted section catchline without change and amended text generally, substituting present provisions for provisions relating to inclusion of existing homes in the Armed Forces Retirement Home in subsec. (a), the purpose of the Retirement Home in subsec. (b), its operation in subsec. (c), its property and facilities in subsec. (d), the requirement that the Secretary of Defense make available certain support services for the Home in subsec. (e), and its accreditation in subsec. (f).

1993—Subsecs. (e), (f). Pub. L. 103-160 added subsec. (e) and redesignated former subsec. (e) as (f).

EFFECTIVE DATE

Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101-510, formerly set out as a note under section 401 of this title.

§ 412. Residents of Retirement Home

(a) Persons eligible to be residents

Except as provided in subsection (b), the following persons who served as members of the Armed Forces, at least one-half of whose service was not active commissioned service (other than as a warrant officer or limited-duty officer), are eligible to become residents of the Retirement Home:

- (1) Persons who—
 - (A) are 60 years of age or over; and
 - (B) were discharged or released from service in the Armed Forces under honorable conditions after 20 or more years of active service.
- (2) Persons who are determined under rules prescribed by the Chief Operating Officer to be incapable of earning a livelihood because of a service-connected disability incurred in the line of duty in the Armed Forces.
- (3) Persons who—
 - (A) served in a war theater during a time of war declared by Congress or were eligible for hostile fire special pay under section 310 of title 37;
 - (B) were discharged or released from service in the Armed Forces under honorable conditions; and

(C) are determined under rules prescribed by the Chief Operating Officer to be incapable of earning a livelihood because of injuries, disease, or disability.

(4) Persons who—

(A) served in a women's component of the Armed Forces before June 12, 1948; and

(B) are determined under rules prescribed by the Chief Operating Officer to be eligible for admission because of compelling personal circumstances.

(b) Persons ineligible to be residents

A person described in subsection (a) who has been convicted of a felony or is not free of drug, alcohol, or psychiatric problems shall be ineligible to become a resident of the Retirement Home.

(c) Acceptance

To apply for acceptance as a resident of a facility of the Retirement Home, a person eligible to be a resident shall submit to the Administrator of that facility an application in such form and containing such information as the Chief Operating Officer may require.

(d) Priorities for acceptance

The Chief Operating Officer shall establish a system of priorities for the acceptance of residents so that the most deserving applicants will be accepted whenever the number of eligible applicants is greater than the Retirement Home can accommodate.

(Pub. L. 101-510, div. A, title XV, § 1512, Nov. 5, 1990, 104 Stat. 1724; Pub. L. 107-107, div. A, title XIV, §§ 1404(b)(1)(A), 1405(a), 1410(b)(1), Dec. 28, 2001, 115 Stat. 1260, 1261, 1266; Pub. L. 112-81, div. A, title V, §§ 564(b)(1), 567(c)(6), Dec. 31, 2011, 125 Stat. 1424, 1426.)

AMENDMENTS

2011—Pub. L. 112-81, § 567(c)(6), made technical amendment to section catchline.

Subsec. (c). Pub. L. 112-81, § 564(b)(1), substituted "Administrator" for "Director".

2001—Subsecs. (a), (c), (d). Pub. L. 107-107, § 1404(b)(1)(A), substituted "Chief Operating Officer" for "Retirement Home Board" wherever appearing.

Subsec. (e). Pub. L. 107-107, § 1405(a), struck out heading and text of subsec. (e). Text read as follows: "A resident of the Retirement Home who leaves the Retirement Home for more than 45 consecutive days (other than for inpatient medical care) shall be required to reapply for acceptance as a resident."

Subsec. (f). Pub. L. 107-107, § 1410(b)(1), struck out heading and text of subsec. (f). Text read as follows: "Residents of the Naval Home and the United States Soldiers' and Airmen's Home as of the effective date specified in section 1541(a)—

"(1) shall not be required to apply for acceptance as residents of the Retirement Home; and

"(2) shall become residents of the Retirement Home on that date."

EFFECTIVE DATE

Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101-510, formerly set out as a note under section 401 of this title.

§ 413. Services provided to residents

(a) Services provided

Except as provided in subsections (b), (c), and (d), a resident of the Retirement Home shall re-