

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, § 621(a)(1), in introductory provisions, substituted “subsection (c)” for “subsection (b)”, “the Reserve’s earlier military service” for “his earlier military service”, “retired or retainer pay” for “a pension, retired or retainer pay, or disability compensation”, and “the Reserve is entitled” for “he is entitled”.

Subsec. (a)(1), (2). Pub. L. 116-283, § 621(a)(2), added pars. (1) and (2) and struck out former pars. (1) and (2) which read as follows:

“(1) the payments to which he is entitled because of his earlier military service; or

“(2) if he specifically waives those payments, the pay and allowances authorized by law for the duty that he is performing.”

Subsec. (b). Pub. L. 116-283, § 621(b)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 116-283, § 621(b)(1), (c), redesignated subsec. (b) as (c) and substituted “(a)(1) or (b)(2), as applicable,” for “(a)(2)” in two places, “a Reserve’s earlier military service are greater” for “his earlier military service are greater”, “the Reserve’s earlier military service” for “his earlier military service” in two places, “the Reserve is entitled” for “he is entitled”, and “the Reserve or the Reserve’s dependents” for “the member or his dependents”.

Subsec. (d). Pub. L. 116-283, § 621(d), added subsec. (d). 1994—Pub. L. 103-337 renumbered section 684 of this title as this section.

1975—Subsecs. (a), (b). Pub. L. 93-586 inserted reference to Coast Guard.

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-283, div. A, title VI, § 621(e), Jan. 1, 2021, 134 Stat. 3676, provided that: “The amendments made by this section [amending this section] shall take effect 180 days after the date of the enactment of this Act [Jan. 1, 2021].”

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.

§ 12317. Reserves: theological students; limitations

A Reserve may not be required to serve on active duty, or to participate in inactive duty training, while preparing for the ministry in a recognized theological or divinity school.

(Added Pub. L. 85-861, §1(15), Sept. 2, 1958, 72 Stat. 1441, §685; renumbered §12317, Pub. L. 103-337, div. A, title XVI, §1662(e)(2), Oct. 5, 1994, 108 Stat. 2992.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
686	50:961(h) (last sentence).	Aug. 9, 1955, ch. 665, §2(g) (last sentence), 69 Stat. 599.

The words “active training and service, active duty for training” are omitted as covered by the words “active duty” as defined in section 101(22) of this title.

AMENDMENTS

1994—Pub. L. 103-337 renumbered section 685 of this title as this section.

§ 12318. Reserves on active duty: duties; funding

(a) During a period that members of a reserve component are serving on active duty pursuant to an order under section 12302 or 12304 of this title, members of reserve components serving on active duty may perform duties in connection with either such section.

(b) Funds available for the pay and allowances of Reserves referred to section 12310 of this title shall be available for the pay and allowances of such Reserves who perform duties in connection with section 12302 or 12304 of this title under the authority of subsection (a).

(Added Pub. L. 99-661, div. A, title IV, §412(b)(1), Nov. 14, 1986, 100 Stat. 3861, §686; renumbered §12318 and amended Pub. L. 103-337, div. A, title XVI, §§1662(e)(2), 1675(c)(9), Oct. 5, 1994, 108 Stat. 2992, 3017.)

AMENDMENTS

1994—Pub. L. 103-337, §1662(e)(2), renumbered section 686 of this title as this section.

Pub. L. 103-337, §1675(c)(9), substituted “12302 or 12304” for “673 or 673b” in subsecs. (a) and (b) and “12310” for “678” in subsec. (b).

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.

§ 12319. Ready Reserve: muster duty

(a) Under regulations prescribed by the Secretary of Defense, a member of the Ready Reserve may be ordered without his consent to muster duty one time each year. A member ordered to muster duty under this section shall be required to perform a minimum of two hours of muster duty on the day of muster.

(b) The period which a member may be required to devote to muster duty under this section, including round-trip travel to and from the location of that duty, may not total more than one day each calendar year.

(c) Except as specified in subsection (d), muster duty (and travel directly to and from that duty) under this section shall be treated as the equivalent of inactive-duty training (and travel directly to and from that training) for the purposes of this title and the provisions of title 37 (other than section 206(a)) and title 38, including provisions relating to the determination of eligibility for and the receipt of benefits and entitlements provided under those titles for Reserves performing inactive-duty training and for their dependents and survivors.

(d) Muster duty under this section shall not be credited in determining entitlement to, or in computing, retired pay under chapter 1223 of this title.

(Added Pub. L. 101-189, div. A, title V, §502(a)(1), Nov. 29, 1989, 103 Stat. 1436, §687; renumbered §12319 and amended Pub. L. 103-337, div. A, title XVI, §§1662(e)(2), 1675(c)(10), Oct. 5, 1994, 108 Stat. 2992, 3018.)

AMENDMENTS

1994—Pub. L. 103-337, §1662(e)(2), renumbered section 687 of this title as this section.