

(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).

EFFECTIVE DATE

Section 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.

§ 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 495¹ 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 495¹ 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, div. A, title V, §562(a), Dec. 28, 2001, 115 Stat. 1119; Pub. L. 112-81, div. A, title VI, §631(f)(4)(A), Dec. 31, 2011, 125 Stat. 1465; Pub. L. 112-239, div. A, title X, §1076(a)(9), Jan. 2, 2013, 126 Stat. 1948.)

REFERENCES IN TEXT

Section 495 of title 37, referred to in subsecs. (a) and (b)(2)(A), was renumbered section 435 of title 37 by Pub. L. 116-283, div. A, title VI, §604(b)(1), Jan. 1, 2021, 134 Stat. 3672.

AMENDMENTS

2013—Subsecs. (a), (b)(2)(A). Pub. L. 112-239, §1076(a)(9), made technical amendment to directory

¹ See References in Text note below.

language of Pub. L. 112-81, §631(f)(4)(A). See 2011 Amendment note below.

2011—Subsecs. (a), (b)(2)(A). Pub. L. 112-81, §631(f)(4)(A), as amended by Pub. L. 112-239, §1076(a)(9), substituted “495” for “435”.

2001—Subsec. (a). Pub. L. 107-107 inserted at end “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 435 of title 37.”

2000—Subsec. (b)(2). Pub. L. 106-398 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “if authorized by the Secretary concerned, the allowance under section 435 of title 37.”

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 112-239, div. A, title X, §1076(a), Jan. 2, 2013, 126 Stat. 1947, provided that the amendment made by section 1076(a)(9) is effective Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title V, §562(c), Dec. 28, 2001, 115 Stat. 1120, provided that: “The amendments made by this section [amending this section and section 115 of Title 32, National Guard] shall apply to funeral honors duty performed on or after October 30, 2000.”

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-398, §1 [[div. A], title V, §575(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A-138, provided that: “The amendments made by this section [amending this section, section 115 of Title 32, National Guard, and section 435 of Title 37, Pay and Allowances of the Uniformed Services] shall apply with respect to funeral honors duty performed on or after October 1, 2000.”

[§ 12505. Repealed. Pub. L. 106-398, § 1 [[div. A], title V, §507(f)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-105]

Section, added Pub. L. 106-65, div. A, title V, §554(a)(1), Oct. 5, 1999, 113 Stat. 616, related to selection of officers for certain senior reserve component positions.

CHAPTER 1214—READY RESERVE MOBILIZATION INCOME INSURANCE

Sec.

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AMENDMENTS

1997—Pub. L. 105-85, div. A, title V, §512(b), Nov. 18, 1997, 111 Stat. 1729, added item 12533.

§ 12521. Definitions

In this chapter:

(1) The term “insurance program” means the Ready Reserve Mobilization Income Insurance Program established under section 12522 of this title.

(2) The term “covered service” means active duty performed by a member of a reserve com-

ponent under an order to active duty for a period of more than 30 days which specifies that the member's service—

(A) is in support of an operational mission for which members of the reserve components have been ordered to active duty without their consent; or

(B) is in support of forces activated during a period of war declared by Congress or a period of national emergency declared by the President or Congress.

(3) The term “insured member” means a member of the Ready Reserve who is enrolled for coverage under the insurance program in accordance with section 12524 of this title.

(4) The term “Secretary” means the Secretary of Defense.

(5) The term “Department” means the Department of Defense.

(6) The term “Board of Actuaries” means the Department of Defense Board of Actuaries under section 183 of this title.

(7) The term “Fund” means the Reserve Mobilization Income Insurance Fund established by section 12528(a) of this title.

(Added Pub. L. 104–106, div. A, title V, §512(a)(1), Feb. 10, 1996, 110 Stat. 299; amended Pub. L. 110–181, div. A, title IX, §906(c)(4), Jan. 28, 2008, 122 Stat. 277.)

AMENDMENTS

2008—Par. (6). Pub. L. 110–181 substituted “Department of Defense Board of Actuaries under section 183 of this title” for “Department of Defense Education Benefits Board of Actuaries referred to in section 2006(e)(1) of this title”.

EFFECTIVE DATE

Pub. L. 104–106, div. A, title V, §512(b), Feb. 10, 1996, 110 Stat. 305, provided that: “The insurance program provided for in chapter 1214 of title 10, United States Code, as added by subsection (a), and the requirement for deductions and contributions for that program shall take effect on September 30, 1996, or on any earlier date declared by the Secretary and published in the Federal Register.”

§ 12522. Establishment of insurance program

(a) ESTABLISHMENT.—The Secretary shall establish for members of the Ready Reserve (including the Coast Guard Reserve) an insurance program to be known as the “Ready Reserve Mobilization Income Insurance Program”.

(b) ADMINISTRATION.—The insurance program shall be administered by the Secretary. The Secretary may prescribe in regulations such rules, procedures, and policies as the Secretary considers necessary or appropriate to carry out the insurance program.

(c) AGREEMENT WITH SECRETARY OF HOMELAND SECURITY.—The Secretary and the Secretary of Homeland Security shall enter into an agreement with respect to the administration of the insurance program for the Coast Guard Reserve.

(Added Pub. L. 104–106, div. A, title V, §512(a)(1), Feb. 10, 1996, 110 Stat. 299; amended Pub. L. 107–296, title XVII, §1704(b)(1), (7), Nov. 25, 2002, 116 Stat. 2314.)

AMENDMENTS

2002—Subsec. (c). Pub. L. 107–296 substituted “Homeland Security” for “Transportation” in heading and text.

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.

§ 12523. Risk insured

(a) IN GENERAL.—The insurance program shall insure members of the Ready Reserve against the risk of being ordered into covered service.

(b) ENTITLEMENT TO BENEFITS.—(1) An insured member ordered into covered service shall be entitled to payment of a benefit for each month (and fraction thereof) of covered service that exceeds 30 days of covered service, except that no member may be paid under the insurance program for more than 12 months of covered service served during any period of 18 consecutive months.

(2) Payment shall be based solely on the insured status of a member and on the period of covered service served by the member. Proof of loss of income or of expenses incurred as a result of covered service may not be required.

(Added Pub. L. 104–106, div. A, title V, §512(a)(1), Feb. 10, 1996, 110 Stat. 300.)

§ 12524. Enrollment and election of benefits

(a) ENROLLMENT.—(1) Except as provided in subsection (f), upon first becoming a member of the Ready Reserve, a member shall be automatically enrolled for coverage under the insurance program. An automatic enrollment of a member shall be void if within 60 days after first becoming a member of the Ready Reserve the member declines insurance under the program in accordance with the regulations prescribed by the Secretary.

(2) Promptly after the insurance program is established, the Secretary shall offer to members of the reserve components who are then members of the Ready Reserve (other than members ineligible under subsection (f)) an opportunity to enroll for coverage under the insurance program. A member who fails to enroll within 60 days after being offered the opportunity shall be considered as having declined to be insured under the program.

(3) A member of the Ready Reserve ineligible to enroll under subsection (f) shall be afforded an opportunity to enroll upon being released from active duty in accordance with regulations prescribed by the Secretary if the member has not previously had the opportunity to be enrolled under paragraph (1) or (2). A member who fails to enroll within 60 days after being afforded that opportunity shall be considered as having declined to be insured under the program.

(b) ELECTION OF BENEFIT AMOUNT.—The amount of a member's monthly benefit under an enrollment shall be the basic benefit under subsection (a) of section 12525 of this title unless the member elects a different benefit under subsection (b) of such section within 60 days after first becoming a member of the Ready Reserve or within 60 days after being offered the opportunity to enroll, as the case may be.

(c) ELECTIONS IRREVOCABLE.—(1) An election to decline insurance pursuant to paragraph (1) or (2) of subsection (a) is irrevocable.