

location in the United States designated by the member as his residence during the period of participation in the program; and

(ii) travel performed to the residence of the member upon return to active service at the end of the participation of the member in the program.

(B) An allowance is payable under this paragraph only with respect to travel of a member to and from a single residence.

(5) A member who participates in a program is entitled to carry forward the leave balance existing as of the day on which the member begins participation and accumulated in accordance with section 701 of this title, but not to exceed 60 days.

(g) PROMOTION.—(1)(A) An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under chapter 36 or 1405 of this title.

(B) Upon the return of an officer to active service after completion by the officer of participation in a program—

(i) the Secretary of the military department concerned shall adjust the date of rank of the officer in such manner as the Secretary of Defense shall prescribe in regulations for purposes of this section; and

(ii) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

(2) An enlisted member participating in a program shall not be eligible for consideration for promotion during the period that—

(A) begins on the date of the inactivation of the member from active service under the program; and

(B) ends at such time after the return of the member to active service under the program that the member is treatable as eligible for promotion by reason of time in grade and such other requirements as the Secretary of the military department concerned shall prescribe in regulations for purposes of the program.

(h) CONTINUED ENTITLEMENTS.—A member participating in a program under this section shall, while participating in the program, be treated as a member of the armed forces on active duty for a period of more than 30 days for purposes of—

(1) the entitlement of the member and of the dependents of the member to medical and dental care under the provisions of chapter 55 of this title;

(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of this title;

(3) the entitlement of the member and of the survivors of the member to all death benefits under the provisions of chapter 75 of this title;

(4) the provision of all travel and transportation allowances for the survivors of deceased members to attend burial ceremonies under section 481f¹ of title 37; and

(5) the eligibility of the member for general benefits as provided in part II of title 38.

(Added Pub. L. 115–232, div. A, title V, §551(a), Aug. 13, 2018, 132 Stat. 1766; amended Pub. L.

116–92, div. A, title VI, §602, Dec. 20, 2019, 133 Stat. 1423; Pub. L. 116–283, div. A, title IX, §924(b)(18), Jan. 1, 2021, 134 Stat. 3823; Pub. L. 117–81, div. A, title V, §521, Dec. 27, 2021, 135 Stat. 1686.)

Editorial Notes

REFERENCES IN TEXT

Section 474 of title 37, referred to in subsec. (f)(4)(A), was repealed by Pub. L. 117–81, div. A, title VI, §604(a), Dec. 27, 2021, 135 Stat. 1767.

Section 481f of title 37, referred to in subsec. (h)(4), was repealed by Pub. L. 117–81, div. A, title VI, §604(a), Dec. 27, 2021, 135 Stat. 1767.

AMENDMENTS

2021—Subsec. (c)(1). Pub. L. 116–283 substituted “an armed force” for “the armed force concerned”.

Subsec. (c)(3). Pub. L. 117–81 substituted “one month” for “two months”.

2019—Subsec. (h)(3) to (5). Pub. L. 116–92 added pars. (3) to (5).

CHAPTER 41—SPECIAL APPOINTMENTS, ASSIGNMENTS, DETAILS, AND DUTIES

- Sec.
- 711. Senior members of Military Staff Committee of United Nations: appointment.
- 711a. American National Red Cross: detail of commissioned officers.
- 712. Foreign governments: detail to assist.
- 713. State Department: assignment or detail as couriers and building inspectors.
- 714. Senior leaders of the Department of Defense and other specified persons: authority to provide protection within the United States.
- 715. Attending Physician to the Congress: grade.
- 716. Commissioned officers: transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service.
- 717. Members of the armed forces: participation in international sports.
- [718. Repealed.]
- 719. Department of Commerce: assignment or detail of members of the armed forces to National Oceanic and Atmospheric Administration.
- [720 to 722. Repealed.]
- 723. Support of Federal authorities in response to civil disturbances: requirement for use of members of the Armed Forces and Federal law enforcement personnel.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116–283, div. A, title X, §§1064(b), 1081(a)(19), Jan. 1, 2021, 134 Stat. 3860, 3871, moved item 714 to appear immediately after item 713, inserted period at end of item 715, and added item 723.

2018—Pub. L. 115–232, div. A, title V, §508(b), Aug. 13, 2018, 132 Stat. 1749, added item 715.

2016—Pub. L. 114–328, div. A, title IX, §952(c)(2), Dec. 23, 2016, 130 Stat. 2375, added item 714 at the end of this analysis.

Pub. L. 114–328, div. A, title V, §502(g)(2), (h)(2), Dec. 23, 2016, 130 Stat. 2103, struck out items 720 “Chief of Staff to President: appointment” and 722 “Attending Physician to the Congress: grade”.

2009—Pub. L. 111–84, div. A, title V, §502(i)(2), Oct. 28, 2009, 123 Stat. 2277, struck out item 721 “General and flag officers: limitation on appointments, assignments, details, and duties outside an officer’s own service”.

2006—Pub. L. 109–364, div. A, title V, §507(a)(1)(B), Oct. 17, 2006, 120 Stat. 2180, added item 722.