

Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

#### FINAL REPORT

Pub. L. 104-324, title II, §208(b), Oct. 19, 1996, 110 Stat. 3913, provided that by March 1, 2000, the Secretary of the department in which the Coast Guard was operating was to submit to Congress a report on the use by the Secretary of the authorities provided by former chapter 18 of this title.

### SUBTITLE III—COAST GUARD RESERVE AND AUXILIARY

Chap.		Sec.
<b>37.</b>	<b>Coast Guard Reserve .....</b>	<b>3701</b>
<b>39.</b>	<b>Coast Guard Auxiliary .....</b>	<b>3901</b>
<b>41.</b>	<b>General Provisions for Coast Guard Reserve and Auxiliary .....</b>	<b>4101</b>

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, title I, §118(a), Dec. 4, 2018, 132 Stat. 4232, inserted subtitle III designation and heading and added items for chapters 37 to 41.

#### CHAPTER 37—COAST GUARD RESERVE

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3702.	Authorized strength.
3703.	Coast Guard Reserve Boards.
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3740.	Promotion; recommendations of selection boards.
3741.	Selection boards; appointment.
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3743.	Eligibility for promotion.
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3750.	Failure of selection for promotion.
3751.	Failure of selection and removal from an active status.
3752.	Retention boards; removal from an active status to provide a flow of promotion.
3753.	Maximum ages for retention in an active status.
3754.	Rear admiral and rear admiral (lower half); maximum service in grade.
3755.	Appointment of a former Navy or Coast Guard officer.
3756.	Grade on entry upon active duty.
3757.	Recall of a retired officer; grade upon release.

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8205(b), (c), Jan. 1, 2021, 134 Stat. 4648, substituted “CHAPTER 37” for “CHAPTER 1” in the chapter heading and added item 3738a. Item 3738a was added to the analysis for this chapter by section 8205(b) of Pub. L. 116-283 to reflect the probable intent of Congress, notwithstanding directory language adding that item to the analysis for “subchapter II of chapter 37”. The technical amendment by section 8205(c) of Pub. L. 116-283 corrected the chapter number from “CHAPTER 1” to “CHAPTER 37”.

2018—Pub. L. 115-282, title I, §118(a), Dec. 4, 2018, 132 Stat. 4232, inserted chapter 1 designation and heading and added items 3701 to 3757.

##### SUBCHAPTER I—ADMINISTRATION

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, title I, §118(c)(1), Dec. 4, 2018, 132 Stat. 4236, inserted subchapter I designation and heading.

#### § 3701. Organization

The Coast Guard Reserve is a component of the Coast Guard. It shall be organized, administered, trained, and supplied under the direction of the Commandant.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003, §701; renumbered §3701, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 751a of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 701 of this title as this section.

#### Statutory Notes and Related Subsidiaries

##### WOMEN’S BRANCH OF THE COAST GUARD RESERVE

Pub. L. 93-174, §3, Dec. 5, 1973, 87 Stat. 692, provided that: “Effective upon enactment of this Act [Dec. 5, 1973], all members of the women’s branch of the Coast Guard Reserve who were serving on active or inactive

duty on the day before enactment shall become members of the Coast Guard Reserve without loss of grade, rate, date of rank, or other benefits earned by their prior service.”

### § 3702. Authorized strength

(a) The President shall prescribe the authorized strength of the Coast Guard Reserve if not otherwise prescribed by law.

(b) Subject to the authorized strength of the Coast Guard Reserve, the Secretary shall determine, at least annually, the authorized strength in numbers in each grade necessary to provide for mobilization requirements. Without the consent of the member concerned, a member of the Reserve may not be reduced in grade because of the Secretary’s determination.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003, §702; renumbered §3702, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 752a of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 702 of this title as this section.

#### Statutory Notes and Related Subsidiaries

##### COAST GUARD RESERVE COMPONENTS TRANSITION INITIATIVES

Pub. L. 103-160, title V, §564(a), (b), Nov. 30, 1993, 107 Stat. 1669, 1670, provided that:

“(a) **APPLICABILITY OF CERTAIN BENEFITS.**—The Secretary of Transportation shall prescribe such regulations as necessary so as to apply to the members of the Coast Guard Reserve the provisions of subtitle B of title XLIV of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 106 Stat. 2712) [enacting section 1331a [now 12731a] of Title 10, Armed Forces, amending sections 1174a, 1175, and 2133 of Title 10 and section 3012 of Title 38, Veterans’ Benefits, and enacting provisions set out as a note under section 12681 of Title 10], including the amendments made by those provisions. For purposes of the application of any of such provisions to the Coast Guard Reserve, any reference in those provisions to the Secretary of Defense or Secretary of a military department shall be treated as referring to the Secretary of Transportation.

“(b) **REGULATIONS.**—Regulations prescribed for the purposes of this section shall to the extent practicable be identical to the regulations prescribed by the Secretary of Defense under those provisions.”

[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.]

### § 3703. Coast Guard Reserve Boards

(a) The Secretary shall convene a Coast Guard Reserve Policy Board at least annually to consider, recommend, and report to the Secretary on Reserve policy matters. At least one-half of

the members of the Board shall be Reserve officers.

(b) The Secretary may convene any other Reserve Board the Secretary considers necessary.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003, §703; renumbered §3703, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 753a of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 703 of this title as this section.

### § 3704. Grades and ratings; military authority

The grades and ratings in the Reserve, including cadets but not grades above rear admiral, are those prescribed by law or regulation for the Coast Guard. A member of the Reserve on active duty or inactive-duty training has the same authority, rights, and privileges in the performance of that duty as a member of the Regular Coast Guard of corresponding grade or rating.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003, §704; renumbered §3704, Pub. L. 115-282, title I, §118(b), Dec. 4, 2018, 132 Stat. 4233.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 754 of this title prior to the complete revision of former chapter 21 of this title by Pub. L. 96-322.

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 704 of this title as this section.

### § 3705. Benefits

(a) A member of the Reserve on active duty, on inactive-duty training, or engaged in authorized travel to or from that duty, is entitled to the same benefits as a member of the Navy Reserve of corresponding grade, rating, and length of service. In determining length of service for the purpose of this section, there shall be included all service for which credit is given by law to members of the Regular Coast Guard.

(b) Chapter 27 of this title applies to a member of the Reserve under the same conditions and limitations as it applies to a member of the Regular Coast Guard.

(c) A member of the Reserve who suffers sickness, disease, disability, or death is entitled to the same benefits as prescribed by law for a member of the Navy Reserve who suffers sickness, disease, disability, or death under similar conditions.

(d) A member of the Reserve on active duty or when retired for disability is entitled to the benefits of section 253(a) of title 42. A member of the Reserve when on active duty (other than for training) or when retired for disability is entitled to the benefits of chapter 55 of title 10.