

108 Stat. 2992; Pub. L. 116-283, div. A, title VI, § 621(a)-(d), Jan. 1, 2021, 134 Stat. 3675, 3676.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
684(a)	10 App.:369b (less proviso and last 3 sentences). 34 App.:853e-1 (less provisos and last 3 sentences).	Aug. 2, 1946, ch. 756, §10; restated Sept. 27, 1950, ch. 1053, §1, 64 Stat. 1067; July 12, 1955, ch. 337, §§1, 4, 69 Stat. 300, 301.
684(b)	10 App.:369b (proviso and last 3 sentences). 34 App.:853e-1 (provisos and last 3 sentences).	Sept. 27, 1950, ch. 1053, §2, 64 Stat. 1067; July 12, 1955, ch. 337, §§2, 4, 69 Stat. 301.

In subsections (a) and (b), the words “retirement pay” are omitted as covered by the words “retired pay”.

In subsection (a), the words “Except as provided by subsection (b)” are inserted for clarity. The words “who performs duty for which he is entitled to compensation, may elect to receive for that duty” are substituted for the words “may elect, with reference to periods of active duty, active duty for training, drill, training, instruction, or other duty for which they may be entitled to receive compensation pursuant to any provisions of law”. The words “Notwithstanding the provisions of any other law”, in 10 App.:369b, and “or relinquish” are omitted as surplusage.

Subsection (a)(1) is substituted for clause (2) of 10 App.:369b, and clause (2) of 34 App.:853e-1.

In subsection (a)(2), the words “pay and allowances authorized by law for the duty that he is performing” are substituted for clause (1) of 10 App.:369b and 34 App.:853e-1.

In subsection (b), the word “extended”, the next to the last sentence of 10 App.: 369b and of 34 App.: 853e-1, and the first proviso of 34 App.:853e-1, are omitted as surplusage.

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.

Editorial Notes

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.)

Editorial Notes

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 subssecs. (a) and (b) and “12310” for “678” in subsec. (b).