

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 applicable with respect to individuals who first become members of Armed Forces Health Professions Scholarship and Financial Assistance program or students of Uniformed Services University of the Health Sciences on or after Oct. 1, 1996, see section 741(c) of Pub. L. 104-201, set out as a note under section 2114 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

TRANSITION PROVISIONS

Pub. L. 104-201, div. A, title VII, §741(d)(1), Sept. 23, 1996, 110 Stat. 2600, provided that: "In the case of any member of the Armed Forces Health Professions Scholarship and Financial Assistance program who, as of October 1, 1996, is serving an active duty obligation under the program or is incurring an active duty obligation as a participant in the program, and who is subsequently relieved of the active duty obligation before the completion of the obligation, the alternative obligations authorized by the amendment made by subsection (a) [amending this section] may be used by the Secretary of the military department concerned with the agreement of the member."

§ 2124. Members of the program: numbers appointed

(a) AUTHORIZED NUMBER OF MEMBERS OF THE PROGRAM.—The number of persons who may be designated as members of the program for training in each health profession shall be as prescribed by the Secretary of Defense, except that the total number of persons so designated may not, at any time, exceed 6,300.

(b) MENTAL HEALTH PROFESSIONALS.—Of the number of persons designated as members of the program at any time, 300 may be members of the program described in section 2121(a)(1)(B) of this title.

(Added Pub. L. 92-426, §2(a), Sept. 21, 1972, 86 Stat. 718; amended Pub. L. 99-145, title VI, §672(i), Nov. 8, 1985, 99 Stat. 664; Pub. L. 100-180, div. A, title VII, §§711(a)(2), 712(b)(1), Dec. 4, 1987, 101 Stat. 1108, 1112; Pub. L. 101-189, div. A, title VII, §725(g), Nov. 29, 1989, 103 Stat. 1480; Pub. L. 102-190, div. A, title VII, §717, Dec. 5, 1991, 105 Stat. 1404; Pub. L. 111-84, div. A, title V, §524(b), Oct. 28, 2009, 123 Stat. 2285.)

Editorial Notes

AMENDMENTS

2009—Pub. L. 111-84 designated existing provisions as subsec. (a), inserted heading, substituted "6,300" for "6,000", and added subsec. (b).

1991—Pub. L. 102-190 substituted "except that the total number of persons so designated may not, at any time, exceed 6,000." for "except that—

"(1) the total number of persons so designated in all of the programs authorized by this subchapter shall not, at any time, exceed 6,000; and

"(2) after September 30, 1991, of the total number of persons so designated, at least 2,500 shall be persons—

"(A) who are in the final two years of their course of study; and

"(B) who have agreed to accept, if offered, residency training in a health profession skill which has been designated by the Secretary as a critically needed wartime skill."

1989—Par. (2), Pub. L. 101-189 inserted "after September 30, 1991," after "(2)".

1987—Pub. L. 100-180, §712(b)(1), substituted "except that—" and pars. (1) and (2) for "except that the total number of persons so designated in all of the programs authorized by this subchapter shall not, at any time, exceed 6,000."

Pub. L. 100-180, §711(a)(2), substituted "subchapter" for "chapter".

1985—Pub. L. 99-145 substituted "6,000" for "5,000".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1987 AMENDMENT

Pub. L. 100-180, div. A, title VII, §712(b)(2), Dec. 4, 1987, 101 Stat. 1112, provided that: "The amendment made by paragraph (1) [amending this section] shall take effect on October 1, 1989."

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-145, title VI, §672(j), Nov. 8, 1985, 99 Stat. 664, which provided that amendment made by that section was to take effect on Oct. 1, 1985, was repealed by Pub. L. 100-180, §711(c)(1), (e)(1), eff. Dec. 4, 1987.

REPEALS

The directory language of, but not the amendment made by, Pub. L. 99-145, title VI, §672(i), Nov. 8, 1985, 99 Stat. 664, cited as a credit to this section, was repealed by Pub. L. 100-180, §711(c)(1), (e)(1), eff. Dec. 4, 1987.

§ 2125. Members of the program: exclusion from authorized strengths

Notwithstanding any other provision of law, members of the program shall not be counted against any prescribed military strengths.

(Added Pub. L. 92-426, §2(a), Sept. 21, 1972, 86 Stat. 718.)

§ 2126. Members of the program: service credit

(a) SERVICE NOT CREDITABLE.—Except as provided in subsection (b), service performed while a member of the program shall not be counted—

(1) in determining eligibility for retirement other than by reason of a physical disability incurred while on active duty as a member of the program; or

(2) in computing years of service creditable under section 205 of title 37.

(b) SERVICE CREDITABLE FOR CERTAIN PURPOSES.—(1) The Secretary concerned may authorize service performed by a member of the program in pursuit of a course of study under this subchapter to be counted in accordance with this subsection if the member—

(A) completes the course of study;

(B) completes the active duty obligation imposed under section 2123(a) of this title; and

(C) possesses a specialty designated by the Secretary concerned as critically needed in wartime.

(2) Service credited under paragraph (1) counts only for the award of retirement points for computation of years of service under section 12732