

source in addition to the member that the Secretary considers to be objective and reliable.

(d) **MILITARY DEPARTMENT REGULATIONS.**—Regulations prescribed under this section by the Secretaries of the military department shall be as uniform as practicable and shall be subject to approval by the Secretary of Defense.

(e) **DEFINITIONS.**—In this section:

(1) The term “unearned leave status” means leave approved to be used by a member of the armed forces that exceeds the amount of leave credit that has been accrued as a result of the member’s active service and that has not been previously used by the member.

(2) The term “excess leave status” means leave approved to be used by a member of the armed forces that is unearned leave for which a member is unable to accrue leave credit during the member’s current term of service before the member’s separation.

(Added Pub. L. 107–314, div. A, title V, § 572(a), Dec. 2, 2002, 116 Stat. 2557.)

**§ 709a. Expenses incurred in connection with leave canceled due to contingency operations: reimbursement**

(a) **AUTHORIZATION TO REIMBURSE.**—The Secretary concerned may reimburse a member of the armed forces under the jurisdiction of the Secretary for travel and related expenses (to the extent not otherwise reimbursable under law) incurred by the member as a result of the cancellation of previously approved leave when—

(1) the leave is canceled in connection with the member’s participation in a contingency operation; and

(2) the cancellation occurs within 48 hours of the time the leave would have commenced.

(b) **REGULATIONS.**—The Secretary of Defense and, in the case of the Coast Guard when it is not operating as a service in the Navy, the Secretary of Homeland Security shall prescribe regulations to establish the criteria for the applicability of subsection (a).

(c) **CONCLUSIVENESS OF SETTLEMENT.**—The settlement of an application for reimbursement under subsection (a) is final and conclusive.

(Added Pub. L. 114–328, div. A, title V, § 522(a), Dec. 23, 2016, 130 Stat. 2115.)

**§ 710. Career flexibility to enhance retention of members**

(a) **PROGRAMS AUTHORIZED.**—Each Secretary of a military department may carry out programs under which members of the regular components or of the Space Force and members on Active Guard and Reserve duty of the armed forces under the jurisdiction of such Secretary may be inactivated from active service in order to meet personal or professional needs and returned to active service at the end of such period of inactivation from active service.

(b) **PERIOD OF INACTIVATION FROM ACTIVE SERVICE; EFFECT OF INACTIVATION.**—(1) The period of inactivation from active service under a program under this section of a member participating in the program shall be such period as the Secretary of the military department con-

cerned shall specify in the agreement of the member under subsection (c), except that such period may not exceed three years.

(2) Any service by a Reserve officer, or a Space Force officer in a space force active status not on active duty under section 20105(b) of this title, while participating in a program under this section shall be excluded from computation of the total years of service of that officer pursuant to section 14706(a) of this title.

(3) Any period of participation of a member in a program under this section shall not count toward—

(A) eligibility for retirement or transfer to the Ready Reserve under either chapter 571 or 1223 of this title; or

(B) computation of retired or retainer pay under chapter 71 or 1223 of this title.

(c) **AGREEMENT.**—Each member of the armed forces who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerned under which agreement that member shall agree as follows:

(1) To accept an appointment or enlist, as applicable, and serve in the Ready Reserve of an armed force during the period of the inactivation of the member from active service under the program or, in the case of a member of the Space Force on sustained duty, to accept release from sustained duty orders and to serve in a space force active status.

(2) To undergo during the period of the inactivation of the member from active service under the program such inactive service training as the Secretary concerned shall require in order to ensure that the member retains proficiency, at a level determined by the Secretary concerned to be sufficient, in the military skills, professional qualifications, and physical readiness of the member during the inactivation of the member from active service.

(3) Following completion of the period of the inactivation of the member from active service under the program, to serve one month as a member of the armed forces on active service for each month of the period of the inactivation of the member from active service under the program.

(d) **CONDITIONS OF RELEASE.**—The Secretary of Defense shall prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c). At a minimum, the Secretary shall prescribe the procedures and standards to be used to instruct a member on the obligations to be assumed by the member under paragraph (2) of such subsection while the member is released from active service.

(e) **ORDER TO ACTIVE SERVICE.**—Under regulations prescribed by the Secretary of the military department concerned, a member of the armed forces participating in a program under this section may, in the discretion of such Secretary, be required to terminate participation in the program and be ordered to active service.

(f) **PAY AND ALLOWANCES.**—(1) During each month of participation in a program under this