

effect at the time of the return of the member to active duty.

(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by such subparagraph with respect to a member if, during the term of the revived agreement of the member under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

(C) REPAYMENT.—A member who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the member under chapter 5 of title 37.

(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of a member under an agreement covered by this paragraph after the member returns to active duty as described in subparagraph (A) shall be in addition to any service required of the member under an agreement under subsection (c).

(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

(A) IN GENERAL.—Subject to subparagraph (B), a member who participates in a program is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474¹ of title 37 for—

(i) travel performed from the residence of the member, at the time of release from active duty to participate in the program, to the location in the United States designated by the member as the member's residence during the period of participation in the program; and

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

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

(5) LEAVE BALANCE.—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 title 10, but not to exceed 60 days.

(g) PROMOTION.—

(1) OFFICERS.—

(A) IN GENERAL.—An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under chapter 21 or 37 of this title.

(B) RETURN TO DUTY.—Upon the return of an officer to active duty after completion by the officer of participation in a program—

(i) the Commandant may adjust the date of rank of the officer in such manner as

the Commandant may prescribe in regulations for purposes of this section; and

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

(2) ENLISTED MEMBERS.—An enlisted member participating in a program under this section shall not be eligible for consideration for advancement during the period that—

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

(B) ends at such time after the return of the member to active duty under the program that the member is treatable as eligible for promotion by reason of time in grade and such other requirements as the Commandant 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 title 10; and

(2) retirement or separation for physical disability under the provisions of chapter 61 of title 10 and chapters 21 and 23 of this title.

(Added Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8204(a), Jan. 1, 2021, 134 Stat. 4645.)

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.

§ 2515. Calculation of active service

Any service described, including service described prior to the date of enactment of the Don Young Coast Guard Authorization Act of 2022, in writing, including by electronic communication, by a representative of the Coast Guard Personnel Service Center as service that counts toward total active service for regular retirement under section 2152 or section 2306 shall be considered by the President as active service for purposes of applying section 2152 or section 2306 with respect to the determination of the retirement qualification for any officer or enlisted member to whom a description was provided.

(Added Pub. L. 117-263, div. K, title CXII, § 11242(a), Dec. 23, 2022, 136 Stat. 4040.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Don Young Coast Guard Authorization Act of 2022, referred to in text, is the date of enactment of div. K of Pub. L. 117-263, which was approved Dec. 23, 2022.

¹ See References in Text note below.

Statutory Notes and Related Subsidiaries

RULE OF CONSTRUCTION

Pub. L. 117-263, div. K, title CXII, §11242(c), Dec. 23, 2022, 136 Stat. 4040, provided that: “The amendment made by subsection (a) [enacting this section]—

“(1) shall only apply to officers of the Coast Guard that entered active service after January 1, 1997, temporarily separated for a period of time, and have retired from the Coast Guard before January 1, 2024; and

“(2) shall not apply to any member of any other uniformed service, or to any Coast Guard member regarding active service of the member in any other uniformed service.”

§ 2516. Members asserting post-traumatic stress disorder or traumatic brain injury

(a) MEDICAL EXAMINATION REQUIRED.—

(1) IN GENERAL.—The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member or based on such sexual assault, the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

(2) RESTRICTION ON ADMINISTRATIVE SEPARATION.—A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including an administrative separation in lieu of a court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and approving the separation case, as determined by the Secretary.

(3) POST-TRAUMATIC STRESS DISORDER.—In a case involving post-traumatic stress disorder under this subsection, a medical examination shall be—

(A) performed by—

- (i) a board-certified or board-eligible psychiatrist; or
- (ii) a licensed doctorate-level psychologist; or

(B) performed under the close supervision of—

- (i) a board-certified or board-eligible psychiatrist; or
- (ii) a licensed doctorate-level psychologist, a doctorate-level mental health provider, a psychiatry resident, or a clinical or counseling psychologist who has completed a 1-year internship or residency.

(4) TRAUMATIC BRAIN INJURY.—In a case involving traumatic brain injury under this subsection, a medical examination shall be performed by a psychiatrist, psychologist, neurosurgeon, or neurologist.

(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required under subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extenuation that re-

late to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

(c) INAPPLICABILITY TO PROCEEDINGS UNDER UNIFORM CODE OF MILITARY JUSTICE.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.

(d) COAST GUARD OPERATIONS DEFINED.—In this section, the term “Coast Guard operations” has the meaning given that term in section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)).

(Added Pub. L. 117-263, div. K, title CXIV, §11410(a), Dec. 23, 2022, 136 Stat. 4116.)

SUBCHAPTER II—ADVISORY BOARD ON WOMEN IN THE COAST GUARD**Editorial Notes**

PRIOR PROVISIONS

A prior subchapter II was redesignated subchapter III of this chapter.

§ 2521. Advisory Board on Women in the Coast Guard

(a) IN GENERAL.—The Commandant shall establish within the Coast Guard an Advisory Board on Women in the Coast Guard.

(b) MEMBERSHIP.—The Advisory Board established under subsection (a) shall be composed of such number of members as the Commandant considers appropriate, selected by the Commandant through a public selection process from among applicants for membership on the Board. The members of the Board shall, to the extent practicable, represent the diversity of the Coast Guard. The members of the Committee shall include an equal number of each of the following:

- (1) Active duty officers of the Coast Guard.
- (2) Active duty enlisted members of the Coast Guard.
- (3) Members of the Coast Guard Reserve.
- (4) Retired members of the Coast Guard.

(c) DUTIES.—The Advisory Board established under subsection (a)—

(1) shall advise the Commandant on improvements to the recruitment, retention, wellbeing, and success of women serving in the Coast Guard and attending the Coast Guard Academy, including recommendations for the report on gender diversity in the Coast Guard required by section 5109 of chapter 51 of title 14;

(2) may submit to the Commandant recommendations in connection with its duties under this subsection, including recommendations to implement the advice described in paragraph (1); and

(3) may brief Congress on its duties under this subsection, including the advice described in paragraph (1) and any recommendations described in paragraph (2).

(Added Pub. L. 116-283, div. G, title LVXXXII [LVXXXII], §8215(c)(2), Jan. 1, 2021, 134 Stat. 4651.)