

**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.)